



April 6, 1999

**ENGROSSED
SENATE BILL No. 123**

DIGEST OF SB 123 (Updated April 5, 1999 5:05 pm - DI 47)

Citations Affected: IC 2-2.1; IC 2-5; IC 2-7; IC 4-10; IC 4-22; IC 4-30; IC 5-13; IC 8-15; IC 12-7; IC 12-11; IC 12-17; IC 14-25; IC 15-1; IC 29-1; IC 32-3; IC 33-1; IC 33-2; noncode.

Synopsis: Legislative matters. Establishes a fixed number of specified legislative study committees effective January 1, 2000. Requires a legislative study to 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. Provides that the president pro tempore of the senate and the speaker of the house of
(Continued next page)

Effective: January 1, 1999 (retroactive); January 1, 2000.

Miller

(HOUSE SPONSORS — BROWN C, BUELL, KRUZAN)

January 6, 1999, read first time and referred to Committee on Rules and Legislative Procedure.

February 11, 1999, amended, reported favorably — Do Pass.

February 23, 1999, read second time, amended, ordered engrossed.

February 24, 1999, engrossed.

March 1, 1999, read third time, passed. Yeas 33, nays 16.

HOUSE ACTION

March 3, 1999, read first time and referred to Committee on Rules and Legislative Procedure.

April 5, 1999, amended, reported — Do Pass.

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representatives may each appoint two additional legislative, and two additional lay members, to a study committee. Requires that 12 members of a legislative study committee must be appointed from the standing committees that have subject matter jurisdiction over the subject matter of the study. Specifies that the chairman and vice chairman of the legislative council each appoint an equal number of chairs and vice chairs of interim study committees each year. Provides general procedures for the operation of a legislative study committee. Provides that the study committee structure expires January 1, 2002. Repeals existing statutory study committees except the regulatory flexibility committee. Provides that a legislator's statement of economic interests is not required to include a report of purchases made after December 31, 1998 by a lobbyist from the legislator's retail business made in the ordinary course of business at prices that are available to the general public.

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April 6, 1999

First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

ENGROSSED SENATE BILL No. 123

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 2-2.1-3-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JANUARY 1, 1999 (RETROACTIVE)]:
3 Sec. 2. (a) Not later than seven (7) calendar days following the first
4 session day in January of each year every member of the general
5 assembly shall file with the principal clerk of the house or secretary of
6 the senate, respectively, a written statement of the member's or
7 candidate's economic interests for the preceding calendar year listing
8 the following:
9 (1) The name of the member's or candidate's employer and the
10 employer of the member's or candidate's spouse and the nature of
11 the employer's business. The house of representatives and senate
12 need not be listed as an employer.
13 (2) The name of any sole proprietorship owned or professional
14 practice operated by the member or candidate or the member's or
15 candidate's spouse and the nature of the business.
16 (3) The name of any partnership of which the member or candidate

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- 1 or the member's or candidate's spouse is a member and the nature
 2 of the partnership's business.
- 3 (4) The name of any corporation of which the member or
 4 candidate or the member's or candidate's spouse is an officer or
 5 director and the nature of the corporation's business. Churches
 6 need not be listed.
- 7 (5) The name of any corporation in which the member or
 8 candidate or the member's or candidate's spouse or unemancipated
 9 children own stock or stock options having a fair market value in
 10 excess of ten thousand dollars (\$10,000). No time or demand
 11 deposit in a financial institution or insurance policy need be listed.
- 12 (6) The name of any state agency or the supreme court of Indiana
 13 which licenses or regulates the following:
- 14 (A) The member's or candidate's or the member's or
 15 candidate's spouse's profession or occupation.
- 16 (B) Any proprietorship, partnership, corporation, or limited
 17 liability company listed under subdivision (2), (3), or (4) and
 18 the nature of the licensure or regulation.
- 19 The requirement to file certain reports with the secretary of state
 20 or to register with the department of state revenue as a retail
 21 merchant, manufacturer, or wholesaler shall not be considered as
 22 licensure or regulation.
- 23 (7) The name of any person whom the member or candidate knows
 24 to have been a lobbyist in the previous calendar year and knows to
 25 have purchased any of the following:
- 26 (A) From the member or candidate, the member's or
 27 candidate's sole proprietorship, or the member's or
 28 candidate's family business, goods or services for which the
 29 lobbyist paid in excess of one hundred dollars (\$100).
- 30 (B) From the member's or candidate's partner, goods or
 31 services for which the lobbyist paid in excess of one thousand
 32 dollars (\$1,000).
- 33 **This subdivision does not apply to purchases made after**
 34 **December 31, 1998, by a lobbyist from a legislator's retail**
 35 **business made in the ordinary course of business at prices that**
 36 **are available to the general public.**
- 37 (8) The name of any person or entity from whom the member or
 38 candidate received the following:
- 39 (A) Any gift of cash from a lobbyist.
- 40 (B) Any single gift other than cash having a fair market value
 41 in excess of one hundred dollars (\$100).
- 42 However, a contribution made by a lobbyist to a charitable

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1 organization (as defined in Section 501(c) of the Internal Revenue
2 Code) in connection with a social or sports event attended by
3 legislators need not be listed by a member of the general assembly
4 unless the contribution is made in the name of the legislator.

5 (C) Any gifts other than cash having a fair market value in
6 the aggregate in excess of two hundred fifty dollars (\$250).
7 Campaign contributions need not be listed. Gifts from a
8 spouse or close relative need not be listed unless the donor
9 has a substantial economic interest in a legislative matter.

10 (9) The name of any lobbyist who is:

11 (A) a member of a partnership or limited liability company;

12 (B) an officer or a director of a corporation; or

13 (C) a manager of a limited liability company;

14 of which the member of or candidate for the general assembly is
15 a partner, an officer, a director, a member, or an employee, and a
16 description of the legislative matters which are the object of the
17 lobbyist's activity.

18 (10) The name of any person or entity on whose behalf the
19 member or candidate has appeared before, contacted, or transacted
20 business with any state agency or official thereof, the name of the
21 state agency, the nature of the appearance, contact, or transaction,
22 and the cause number, if any. This requirement does not apply
23 when the services are rendered without compensation.

24 (11) The name of any limited liability company of which the
25 member of the general assembly, the candidate, or the member's
26 or candidate's individual spouse has an interest.

27 (b) Before any person, who is not a member of the general assembly
28 files the person's declaration of candidacy, declaration of intent to be
29 a write-in candidate, or petition of nomination for office or is selected
30 as a candidate for the office under IC 3-13-1 or IC 3-13-2, the person
31 shall file with the clerk of the house or secretary of the senate,
32 respectively, the same written statement of economic interests for the
33 preceding calendar year that this section requires members of the
34 general assembly to file.

35 (c) Any member of or candidate for the general assembly may file
36 an amended statement upon discovery of additional information
37 required to be reported.

38 SECTION 2. IC 2-5-1.1-6.5 IS AMENDED TO READ AS
39 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 6.5. (a) **As used**
40 **in this section, "agency" includes an agency, an authority, a board,**
41 **a bureau, a commission, a committee, a department, a division, an**
42 **institution, or other similar entity created or established by law.**

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1 **(b)** The council shall, upon consultation with the governor's office,
 2 develop an annual report format taking into consideration, among other
 3 things, program budgeting, with the final format to be determined by
 4 the council. The format may be distributed to any agency. ~~(as defined~~
 5 ~~in IC 2-5-21-1)~~. The agency shall complete and return fifteen (15)
 6 copies to the legislative council before September 1 of each year for the
 7 preceding fiscal year.

8 ~~(b)~~ **(c)** The council shall distribute one (1) copy to the governor's
 9 office, one (1) copy to the budget agency, and three (3) copies to the
 10 state library.

11 ~~(c)~~ **(d)** The reports are a public record and are open to inspection.

12 SECTION 3. IC 2-5-1.2 IS ADDED TO THE INDIANA CODE AS
 13 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 14 JANUARY 1, 2000]:

15 **Chapter 1.2. Legislative Study Committees**

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

- 19 (1) A statute.
- 20 (2) A concurrent resolution of the general assembly.
- 21 (3) A resolution of the legislative council.

22 **Sec. 2. As used in this chapter, "study committee" refers to a**
 23 **legislative study committee established under section 3 of this**
 24 **chapter.**

25 **Sec. 3. The following legislative study committees are**
 26 **established:**

- 27 (1) The legislative study committee on agricultural and rural
 28 issues.
- 29 (2) The legislative study committee on children, families, and
 30 human affairs.
- 31 (3) The legislative study committee on commerce and
 32 economic development.
- 33 (4) The legislative study committee on courts and the criminal
 34 code.
- 35 (5) The legislative study committee on education.
- 36 (6) The legislative study committee on elections.
- 37 (7) The legislative study committee on financial institutions.
- 38 (8) The legislative study committee on government
 39 organization and planning.
- 40 (9) The legislative study committee on health.
- 41 (10) The legislative study committee on insurance.
- 42 (11) The legislative study committee on the judiciary and civil

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- 1 law.
- 2 (12) The legislative study committee on labor and pensions.
- 3 (13) The legislative study committee on natural resources.
- 4 (14) The legislative study committee on public policy.
- 5 (15) The legislative study committee on the environment.
- 6 (16) The legislative study committee on roads and
- 7 transportation.
- 8 (17) The legislative study committee on state and local
- 9 government affairs.
- 10 (18) The legislative study committee on tax and finance.
- 11 **Sec. 4. (a) Except as provided in subsection (b), a study**
- 12 **committee consists of the following members:**
- 13 (1) Six (6) members of the senate appointed by the president
- 14 pro tempore of the senate with the advice of the minority
- 15 leader of the senate. Not more than three (3) members
- 16 appointed under this subdivision may be members of the same
- 17 political party. The members appointed under this subdivision
- 18 must be members of the standing committee of a senate that
- 19 has jurisdiction over the subject matter of the legislative study,
- 20 as determined by the president pro tempore of the senate.
- 21 (2) Six (6) members of the house of representatives appointed
- 22 by the speaker of the house of representatives with the advice
- 23 of the minority leader of the house of representatives. Not
- 24 more than three (3) members appointed under this subdivision
- 25 may be members of the same political party. The members
- 26 appointed under this subdivision must be members of a
- 27 standing committee of the house that has jurisdiction over the
- 28 subject matter of the legislative study, as determined by the
- 29 speaker of the house of representatives.
- 30 (b) With the consent of the chairman and the vice chairman of
- 31 the legislative council, a study committee may have four (4)
- 32 members in addition to the members appointed under subsection
- 33 (a). The president pro tempore of the senate and the speaker of the
- 34 house of representatives, with the advice of their respective
- 35 minority leaders, shall each appoint two (2) additional members to
- 36 the study committee under this subsection. The two (2) members
- 37 appointed by the president pro tempore of the senate and the two
- 38 (2) members appointed by the speaker of the house of
- 39 representatives under this subsection:
- 40 (1) may not be members of the same political party; and
- 41 (2) are not required to be members of the same standing
- 42 committee of their respective houses as the members

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- 1 **appointed under subsection (a).**
- 2 **(c) A member of a study committee serves until the member:**
- 3 **(1) resigns from the study committee;**
- 4 **(2) fails to satisfy a requirement for membership on the study**
- 5 **committee, including membership:**
- 6 **(A) in the chamber of the general assembly from which**
- 7 **the member was appointed; or**
- 8 **(B) on the standing committee from which the member**
- 9 **was appointed; or**
- 10 **(3) is replaced by the member's appointing authority under**
- 11 **subsection (d).**
- 12 **(d) An appointing authority may replace a member appointed**
- 13 **by that appointing authority at any time. An individual who**
- 14 **exercises the power of an appointing authority may replace a**
- 15 **member of a study committee appointed by a predecessor of the**
- 16 **individual as the appointing authority.**
- 17 **(e) A vacancy on a legislative study committee shall be filled by**
- 18 **the appointing authority who appointed the member whose**
- 19 **position is vacant.**
- 20 **Sec. 5. (a) After January 1 of each year, the chairman of the**
- 21 **legislative council may designate:**
- 22 **(1) a chair of the study committees established in section 3(1)**
- 23 **through 3(9) of this chapter from among each study**
- 24 **committee's members; and**
- 25 **(2) a vice chair of the study committees established in section**
- 26 **3(10) through 3(18) of this chapter from among each study**
- 27 **committee's members.**
- 28 **(b) The chairman of the legislative council may replace the chair**
- 29 **or vice chair of any study committee who was appointed by the**
- 30 **chairman of the legislative council.**
- 31 **(c) The chair or vice chair of a study committee appointed under**
- 32 **this section serves as chair or vice chair until the chair or vice chair**
- 33 **is:**
- 34 **(1) no longer a member of the study committee; or**
- 35 **(2) replaced under subsection (b).**
- 36 **Sec. 6. (a) After January 1 of each year, the vice chairman of the**
- 37 **legislative council may designate:**
- 38 **(1) a chair of the study committees established in section 3(10)**
- 39 **through 3(18) of this chapter from among each study**
- 40 **committee's members; and**
- 41 **(2) a vice chair of the study committees established in section**
- 42 **3(1) through 3(9) of this chapter from among each study**



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1 committee's members.

2 (b) The vice chairman of the legislative council may replace the
3 chair or vice chair of any study committee who was appointed by
4 the vice chairman of the legislative council.

5 (c) The chair or vice chair of a study committee appointed under
6 this section serves as chair or vice chair until the chair or vice chair
7 is:

8 (1) no longer a member of the study committee; or

9 (2) replaced under subsection (b).

10 Sec. 6.5. The chair of a study committee may delegate any of the
11 chair's powers to the vice chair of the study committee.

12 Sec. 7. If a legislative study is authorized, required, or urged, the
13 legislative council shall determine which study committee shall
14 conduct the legislative study.

15 Sec. 8. Subject to the legislative council's policies governing
16 study committees, a study committee may meet at the call of the
17 chair of the study committee.

18 Sec. 9. Each member of a study committee is a voting member.

19 Sec. 10. A majority of the members appointed to a study
20 committee is necessary for a quorum other than meeting to hear
21 testimony.

22 Sec. 11. The affirmative vote of a majority of the appointed
23 members of a study committee is required for the study committee
24 to take official action.

25 Sec. 12. The legislative services agency shall provide staff and
26 administrative support for a study committee as directed by the
27 legislative council.

28 Sec. 13. A study committee shall issue reports as required by the
29 legislative council.

30 Sec. 14. The legislative council may establish a budget for a
31 study committee.

32 Sec. 15. Each member of a study committee is entitled to
33 receive:

34 (1) a per diem instead of subsistence; and

35 (2) reimbursement for actual mileage and travel expenses;
36 established by the legislative council.

37 Sec. 16. The expenditures of a study committee shall be paid
38 from appropriations to the legislative council or to the legislative
39 services agency.

40 Sec. 17. The legislative council may adopt policies to govern
41 study committees that are not inconsistent with this chapter.

42 Sec. 18. This chapter expires January 1, 2002.



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1 SECTION 4. IC 2-7-3-6 IS AMENDED TO READ AS FOLLOWS
 2 [EFFECTIVE JANUARY 1, 1999 (RETROACTIVE)]: Sec. 6. (a) A
 3 lobbyist shall file a written report with respect to a member of the
 4 general assembly whenever either of the following occurs:

5 (1) The lobbyist has made a purchase described in
 6 IC 2-2.1-3-2(a)(7) with respect to that member. **This subdivision
 7 does not apply to purchases made after December 31, 1998, by
 8 a lobbyist from a legislator's retail business made in the
 9 ordinary course of business at prices that are available to the
 10 general public.**

11 (2) The lobbyist has made a gift described in IC 2-2.1-3-2(a)(8) to
 12 that member.

13 (b) A report required by subsection (a) must state the following:

14 (1) The name of the lobbyist.

15 (2) Whether the report covers a purchase described in
 16 IC 2-2.1-3-2(a)(7) or a gift described in IC 2-2.1-3-2(a)(8).

17 (c) A lobbyist shall file a copy of a report required by this section
 18 with both of the following:

19 (1) The commission.

20 (2) The member of the general assembly with respect to whom the
 21 report is made.

22 (d) A lobbyist shall file a report required by subsection (a) not more
 23 than thirty (30) days after making the purchase or giving the gift.

24 SECTION 5. IC 4-10-13-6 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 6. Each state
 26 agency required to prepare reports under the provisions of this chapter
 27 may ~~after consultation with and agreement by the commission on state
 28 tax and financing policy~~ add to or omit specific categories of data from
 29 the reports required by this chapter.

30 SECTION 6. IC 4-10-13-7 IS AMENDED TO READ AS
 31 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 7. (a) The manner
 32 of publication of any of the reports ~~as herein~~ **required by this chapter**
 33 shall be prescribed by the state budget committee, and the cost of
 34 publication shall be paid from funds appropriated to such state agencies
 35 and allocated by the state budget committee to such agencies for such
 36 purpose.

37 (b) A copy of ~~such the~~ reports shall be presented to the governor,
 38 the state board of tax commissioners, the state budget committee, ~~the
 39 commission on state tax and financing policy, the Indiana legislative
 40 advisory commission, council,~~ and to any other state agency that may
 41 request a copy of such reports.

42 SECTION 7. IC 4-22-2-19 IS AMENDED TO READ AS



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1 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 19. (a) Except as
 2 provided in section 23.1 of this chapter, this section does not apply to
 3 the adoption of rules:

- 4 (1) required by statute if initiation of the rules is contingent upon
 5 the receipt of a waiver under federal law;
 6 (2) that amend an existing rule;
 7 (3) required by statutes enacted before June 30, 1995; or
 8 (4) required by statutes enacted before June 30, 1995, and
 9 recodified in the same or similar form after June 29, 1995, in
 10 response to a program of statutory recodification conducted by the
 11 code revision commission.

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

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

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

22 ~~If an agency notifies the administrative rules oversight committee~~
 23 ~~concerning a rule in compliance with subdivision (2), failure to adopt~~
 24 ~~the rule within the time specified in subdivision (1) does not invalidate~~
 25 ~~the rule.~~

26 SECTION 8. IC 4-22-2-25 IS AMENDED TO READ AS
 27 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 25. (a) An agency
 28 has one (1) year from the date that it publishes a notice of intent to
 29 adopt a rule in the Indiana Register under section 23 of this chapter to
 30 comply with sections 26 through 33 of this chapter and obtain the
 31 approval or deemed approval of the governor. ~~If an agency determines~~
 32 ~~that a rule cannot be adopted within one (1) year after the publication~~
 33 ~~of the notice of intent to adopt a rule under section 23 of this chapter,~~
 34 ~~the agency shall, before the two hundred fiftieth day following the~~
 35 ~~publication of the notice of intent to adopt a rule under section 23 of~~
 36 ~~this chapter, notify the chairperson of the administrative oversight~~
 37 ~~committee in writing of the:~~

- 38 ~~(1) reasons why the rule was not adopted and the expected date the~~
 39 ~~rule will be completed; and~~
 40 ~~(2) expected date the rule will be approved or deemed approved by~~
 41 ~~the governor or withdrawn under section 41 of this chapter.~~

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



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1 ~~(1)~~ one (1) year after the agency publishes notice of intent to adopt
 2 the rule under section 23 of this chapter, ~~or~~
 3 ~~(2) the expected date contained in a notice concerning the rule that~~
 4 ~~is provided to the administrative rules oversight committee under~~
 5 ~~subsection (a)(2);~~

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

9 SECTION 9. IC 4-22-7-7 IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE JANUARY 1, 2000]: Sec. 7. (a) This section applies to
 11 the following agency statements:

- 12 (1) Executive orders issued by the governor.
 13 (2) Notices that a rule has been disapproved or objected to by the
 14 attorney general under IC 4-22-2-32 or IC 4-22-2-38 or
 15 disapproved or objected to by the governor under IC 4-22-2-34 or
 16 IC 4-22-2-38.
 17 (3) Official opinions of the attorney general (excluding advisory
 18 letters).
 19 (4) Official explanatory opinions of the state board of accounts
 20 based on an official opinion of the attorney general.
 21 (5) Any other statement:

22 (A) that:

- 23 (i) interprets, supplements, or implements a statute or
 24 rule;
 25 (ii) has not been adopted in compliance with IC 4-22-2;
 26 (iii) is not intended by its issuing agency to have the
 27 effect of law; and
 28 (iv) may be used in conducting the agency's external
 29 affairs; or

30 (B) that specifies a policy that an agency relies upon to:

- 31 (i) enforce a statute or rule;
 32 (ii) conduct an audit or investigation to determine
 33 compliance with a statute or rule; or
 34 (iii) impose a sanction for violation of a statute or rule.

35 This subdivision includes information bulletins, revenue rulings
 36 (including, subject to IC 6-8.1-3-3.5, a letter of findings), and
 37 other guidelines of an agency.

38 (6) A statement of the governor concerning extension of an
 39 approval period under IC 4-22-2-34.

40 (b) Whenever an agency adopts a statement described by subsection
 41 (a), the agency shall distribute two (2) duplicate copies of the statement
 42 to the publisher for publication and indexing in the Indiana Register



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1 and the copies required by IC 4-23-7.1-26 to the Indiana library and
 2 historical department. However, if a statement under subsection
 3 (a)(5)(B) is in the form of a manual, book, pamphlet, or reference
 4 publication, the publisher is required to publish only the title of the
 5 manual, book, or reference publication.

6 (c) Every agency that adopts a statement described under subsection
 7 (a) also shall maintain a current list of all agency statements described
 8 in subsection (a) that it may use in its external affairs. The agency shall
 9 update the listing at least every thirty (30) days. The agency shall
 10 include on the list the name of the agency and the following
 11 information for each statement:

- 12 (1) Title.
- 13 (2) Identification number.
- 14 (3) Date originally adopted.
- 15 (4) Date of last revision.
- 16 (5) Reference to all other statements described in subsection (a)
 17 that are repealed or amended by the statement.
- 18 (6) Brief description of the subject matter of the statement.

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

23 SECTION 10. IC 4-30-16-3 IS AMENDED TO READ AS
 24 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 3. (a) The
 25 commission shall transfer the surplus revenue in the administrative
 26 trust fund as follows:

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

31 (A) seven million five hundred thousand dollars
 32 (\$7,500,000); or

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

38 On or before June 15 of each year, the board of trustees of the
 39 Indiana state teachers' retirement fund shall submit to the treasurer
 40 of state ~~each member of the pension management oversight~~
 41 ~~commission~~; and the auditor of state its estimate of the quarterly
 42 amount needed to freeze the unfunded accrued liability of the

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1 pre-1996 account (as defined in IC 21-6.1-1-6.9) as a percent of
2 payroll. The estimate shall be based on the most recent actuarial
3 valuation of the fund. Notwithstanding any other law, including
4 any appropriations law resulting from a budget bill (as defined in
5 IC 4-12-1-2), the money transferred under this subdivision shall be
6 set aside in a special account to be used as a credit against the
7 unfunded accrued liability of the pre-1996 account (as defined in
8 IC 21-6.1-1-6.9) of the Indiana state teachers' retirement fund. The
9 money transferred is in addition to the appropriation needed to pay
10 benefits for the state fiscal year.

11 (2) Before the last business day of January, April, July, and
12 October, the commission shall transfer two million five hundred
13 thousand dollars (\$2,500,000) of the surplus revenue to the
14 treasurer of state for deposit in the pension relief fund (IC
15 5-10.3-11).

16 (3) The surplus revenue remaining in the fund on the last day of
17 January, April, July, and October after the transfers under
18 subdivisions (1) and (2) shall be transferred by the commission to
19 the treasurer of state for deposit on that day in the build Indiana
20 fund.

21 (b) The commission may make transfers to the treasurer of state
22 more frequently than required by subsection (a). However, the number
23 of transfers does not affect the amount that is required to be transferred
24 for the purposes listed in subsection (a)(1) and (a)(2). Any amount
25 transferred during the month in excess of the amount required to be
26 transferred for the purposes listed in subsection (a)(1) and (a)(2) shall
27 be transferred to the build Indiana fund.

28 SECTION 11. IC 8-15-2-1.3 IS AMENDED TO READ AS
29 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 1.3. (a) The
30 authority shall establish a written procedure for allocating money to
31 projects described in section 1(a)(3) and 1(a)(4) of this chapter.

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

- 34 (1) An application procedure to identify projects that qualify for
35 funding.
- 36 (2) Criteria for prioritizing projects.
- 37 (3) Procedures for selecting projects.
- 38 ~~(4) Procedures for reporting the results of the selection process~~
39 ~~and the status of projects to the commission on state tax and~~
40 ~~financing policy.~~

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

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

9 SECTION 12. IC 12-7-2-34 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 34. "Commission"
 11 means the following:

- 12 (1) For purposes of IC 12-10-2, the meaning set forth in
- 13 IC 12-10-2-1.
- 14 ~~(2) For purposes of IC 12-11-7, the meaning set forth in IC~~
- 15 ~~12-11-7-1.~~
- 16 ~~(3)~~ (2) For purposes of IC 12-12-2, the meaning set forth in
- 17 IC 12-12-2-1.
- 18 ~~(4)~~ (3) For purposes of IC 12-13-14, the meaning set forth in
- 19 IC 12-13-14-1.
- 20 ~~(5)~~ (4) For purposes of IC 12-14-12, the meaning set forth in
- 21 IC 12-14-12-1.
- 22 ~~(6)~~ (5) For purposes of IC 12-28-1, the meaning set forth in
- 23 IC 12-28-1-3.

24 SECTION 13. IC 12-17-2-18 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 18. (a) The
 26 bureau shall make the agreements necessary for the effective
 27 administration of the plan with local governmental officials within
 28 Indiana. The bureau shall contract with:

- 29 (1) a prosecuting attorney; or
- 30 (2) a private attorney if the bureau determines that a reasonable
- 31 contract cannot be entered into with a prosecuting attorney; ~~and~~
- 32 ~~the determination is approved by at least two-thirds (2/3) of the~~
- 33 ~~Indiana child custody and support advisory committee (established~~
- 34 ~~under IC 33-2-1-10-1);~~

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

- 42 (b) The hiring of an attorney by an agreement or a contract made

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1 under this section is not subject to the approval of the attorney general
 2 under IC 4-6-5-3. An agreement or a contract made under this section
 3 is not subject to IC 4-13-2-14.3 or IC 5-22.

4 SECTION 14. IC 12-17-2-30 IS AMENDED TO READ AS
 5 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 30. The director
 6 of the division shall adopt the rules necessary to implement Title IV-D
 7 of the federal Social Security Act and this chapter. ~~The division shall~~
 8 ~~send a copy of each proposed or adopted rule to each member of the~~
 9 ~~child custody and support advisory committee established by IC~~
 10 ~~33-2-1-10 not later than ten (10) days after proposal or adoption.~~

11 SECTION 15. IC 29-1-1-4 IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 4. The report of
 13 the probate code study commission (**notwithstanding its repeal in**
 14 **1999**) made pursuant to Acts 1949, c. 302, s. 5 and Acts 1951, c. 347,
 15 s. 2 may be consulted by the courts to determine the underlying
 16 reasons, purposes, and policies of this article, and may be used as a
 17 guide in its construction and application.

18 SECTION 16. IC 32-3-2-14 IS AMENDED TO READ AS
 19 FOLLOWS [EFFECTIVE JANUARY 1, 2000]: Sec. 14. The official
 20 comments published by the probate code study commission
 21 (**notwithstanding its repeal in 1999**) may be consulted by the courts
 22 to determine the underlying reasons, purposes, and policies of this
 23 chapter and may be used as a guide in its construction and application.

24 SECTION 17. P.L.37-1998, SECTION 4, IS AMENDED TO READ
 25 AS FOLLOWS [EFFECTIVE JANUARY 1, 2000]: SECTION 4. (a)
 26 ~~As used in this SECTION, "commission" refers to the Indiana~~
 27 ~~commission on mental health created by this act.~~

28 ~~(b)~~ The division of mental health, before developing study and
 29 evaluation instruments, shall, with the contractor, meet with
 30 representatives of mental health consumers, advocacy groups,
 31 employee groups, and managed care providers.

32 ~~(c)~~ **(b)** Notwithstanding IC 12-29-2, the division of mental health:

33 (1) may continue to develop and implement a prospective or per
 34 diem funding system to fund:

35 (A) eligible community mental health centers; and

36 (B) managed care providers;

37 for services to eligible mentally ill and substance abuse patients
 38 other than seriously and persistently mentally ill adults; and

39 (2) may continue to implement the division's prospective payment
 40 system for funding programs that benefit seriously and persistently
 41 mentally ill adults;

42 if all prospective or per diem payment systems implemented by the

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1 division are developed using actuarial data and principles and generally
 2 accepted accounting principles incurred by efficient and economically
 3 operated programs that serve mentally ill and substance abuse patients
 4 who are found to be eligible for care that is paid for in part or in whole
 5 by the state. Adequate management information and patient tracking
 6 systems must also be developed and in place before implementation.

7 ~~(c)~~ (c) The division of mental health shall develop proposed rules
 8 under IC 4-22-2 for managed care providers in accordance with the
 9 results of the actuarial study and pilot program conducted under this
 10 SECTION. ~~and report the proposed rules to the commission before July~~
 11 ~~1, 1997.~~ The division of mental health shall also submit annual status
 12 reports concerning the requirements of this SECTION to the
 13 ~~commission.~~ **legislative council.**

14 ~~(d)~~ (d) The division of mental health shall, before April 1, 1998,
 15 adopt rules under IC 4-22-2:

16 (1) setting forth specific criteria for managed care providers under
 17 IC 12-21 through IC 12-29; and

18 (2) notwithstanding IC 12-29-2, creating an operational and
 19 prospective funding system that is consistent with IC 12-21-2-7,
 20 as amended by this act.

21 ~~(e)~~ (e) This SECTION expires January 1, 2000.

22 SECTION 18. THE FOLLOWING ARE REPEALED [EFFECTIVE
 23 JANUARY 1, 2000]: IC 2-5-2; IC 2-5-3; IC 2-5-5; IC 2-5-12;
 24 IC 2-5-16; IC 2-5-18; IC 2-5-19; IC 2-5-20; IC 2-5-21; IC 2-5-23;
 25 IC 2-5-24.1; IC 2-5-25; IC 4-22-2-46; IC 5-13-9.1; IC 12-11-7;
 26 IC 14-25-7-16; IC 15-1-1.5; IC 15-1.5-3-9; IC 33-1-15; IC 33-2.1-10;
 27 P.L.40-1994, SECTION 86; P.L.40-1994, SECTION 87; P.L.78-1994,
 28 SECTION 5; P.L.172-1994, SECTION 4; P.L.335-1995, SECTION 1;
 29 P.L.338-1995, SECTION 1; P.L.248-1996, SECTION 1; P.L.251-1996,
 30 SECTION 1; P.L.87-1997, SECTION 4; P.L.109-1997, SECTION 4;
 31 P.L.163-1997, SECTION 2; P.L.239-1997, SECTION 1; P.L.241-1997,
 32 SECTION 1; P.L.242-1997, SECTION 1; P.L.245-1997, SECTION 2;
 33 P.L.249-1997, SECTION 1; P.L.37-1998, SECTION 3; P.L.102-1998,
 34 SECTION 2; P.L.102-1998, SECTION 3; P.L.130-1998, SECTION 1;
 35 P.L.130-1998, SECTION 2; P.L.131-1998, SECTION 1.

36 SECTION 19. **An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 123, 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:

Page 4, delete lines 11 through 28, begin a new paragraph and insert:

"Sec. 5. (a) After January 1 of each year, the chairman of the legislative council may designate:

- (1) a chair of the study committees established in section 3(1) through 3(10) of this chapter from among each study committee's members; and**
- (2) a vice chair of the study committees established in section 3(11) through 3(20) of this chapter from among each study committee's members.**

(b) The chairman of the legislative council may replace the chair or vice chair of any study committee who was appointed by the chairman of the legislative council.

(c) The chair or vice chair of a study committee appointed under this section serves as chair or vice chair until the chair or vice chair is:

- (1) no longer a member of the study committee; or**
- (2) replaced under subsection (b).**

Sec. 6. (a) After January 1 of each year, the vice chairman of the legislative council may designate:

- (1) a chair of the study committees established in section 3(11) through 3(20) of this chapter from among each study committee's members; and**
- (2) a vice chair of the study committees established in section 3(1) through 3(10) of this chapter from among each study committee's members.**

(b) The vice chairman of the legislative council may replace the chair or vice chair of any study committee who was appointed by the vice chairman of the legislative council.

(c) The chair or vice chair of a study committee appointed under this section serves as chair or vice chair until the chair or vice chair is:

- (1) no longer a member of the study committee; or**
- (2) replaced under subsection (b)."**

Page 4, line 29, delete "(d)" and insert "**Sec. 6.5.**".

Page 4, line 34, delete "A" and insert "**Subject to the legislative**

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council's policies governing study committees, a".

Page 4, line 37, delete "Seven (7) members of a study committee are" and insert "**A majority of the members appointed to a study committee is**".

Page 4, line 39, delete "seven (7) members" and insert "**a majority of the appointed members**".

and when so amended that said bill do pass.

(Reference is to SB 123 as introduced.)

GARTON, Chairperson

Committee Vote: Yeas 4, Nays 3.

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SENATE MOTION

Mr. President: I move that Senate Bill 123 be amended to read as follows:

Replace the effective dates in SECTIONS 1 through 23 with "[EFFECTIVE JANUARY 1, 2000]".

Page 5, between lines 32 and 33, begin a new paragraph and insert: "**Sec. 18. This chapter expires January 1, 2002.**".

(Reference is to SB 123 as printed February 12, 1999.)

MILLER

SENATE MOTION

Mr. President: I move that Senate Bill 123 be amended to read as follows:

Page 14, line 41, delete "IC 8-1-2.5-9; IC 8-1-2.6-4;".

(Reference is to SB 123 as printed February 12, 1999.)

LONG

SENATE MOTION

Mr. President: I move that Senate Bill 123 be amended to read as follows:

Page 2, delete line 27.

Page 2, line 28, delete "(8)" and insert "(7)".

Page 2, line 29, delete "(9)" and insert "(8)".

Page 2, line 31, delete "(10)" and insert "(9)".

Page 2, line 32, delete "(11)" and insert "(10)".

Page 2, line 33, delete "(12)" and insert "(11)".

Page 2, line 35, delete "(13)" and insert "(12)".

Page 2, line 36, delete "(14)" and insert "(13)".

Page 2, line 37, delete "(15)" and insert "(14)".

Page 2, line 38, delete "(16)" and insert "(15)".

Page 2, line 39, delete "(17)" and insert "(16)".

Page 2, line 40, delete "(18)" and insert "(17)".

Page 2, line 42, delete "(19)" and insert "(18)".

Page 20, line 2, delete "(20)" and insert "(19)".

Page 13, between lines 38 and 39, begin a new paragraph and insert the following:



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"SECTION 22. P.L.248-1996, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: SECTION

1. (a) As used in this SECTION, "council" refers to the environmental quality service council established by subsection (c).

(b) As used in this SECTION, "department" refers to the department of environmental management.

(c) The environmental quality service council is established.

(d) The council consists of twenty-four (24) members appointed as follows:

(1) Four (4) members of the senate, not more than two (2) of whom may be affiliated with the same political party, to be appointed by the president pro tempore of the senate.

(2) Four (4) members of the house of representatives, not more than two (2) of whom may be affiliated with the same political party, to be appointed by the speaker of the house of representatives.

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

(4) Fifteen (15) individuals who are not members of the general assembly and who are appointed by the governor as follows:

(A) Four (4) individuals representing business and industry, not more than two (2) of whom may be affiliated with the same political party.

(B) Four (4) individuals representing local government, not more than two (2) of whom may be affiliated with the same political party.

(C) Two (2) individuals representing environmental organizations, not more than one (1) of whom may be affiliated with the same political party.

(D) Two (2) individuals representing the general public, not more than one (1) of whom may be affiliated with the same political party.

(E) Three (3) individuals representing the following interests:

(i) One (1) representative of semipublic permittees.

(ii) Two (2) representatives of agriculture, not more than one (1) of whom may be affiliated with the same political party.

Until an appointment is made under clause (A), (B), (C), or (E), an unfilled position shall be held by the corresponding member of the environmental quality service council serving on December 31, 1995, who was appointed under P.L.16-1994, SECTION 14(d)(4), and who represented the same interest as that of the unfilled

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position.

(e) Appointments are valid for two (2) years after the date of the appointment. However, a member shall serve on the council until a new appointment is made.

(f) A vacancy among the members of the council shall be filled by the appointing authority of the member whose position is vacant. If the appointing authority does not fill a vacancy within sixty (60) days after the date the vacancy occurs, the vacancy shall be filled by the chairman of the legislative council.

(g) The chairman of the legislative council shall designate a member of the council to be the chairman of the council.

(h) The chairman of the council shall call for the council to meet at least six (6) times during a calendar year. The chairman may designate subcommittees to meet between committee meetings and report back to the full council.

(i) Each member of the council is entitled to receive the same per diem, mileage, and travel allowances paid to individuals who serve as legislative and lay members, respectively, serving on interim study committees established by the legislative council.

(j) The council shall do the following:

(1) Advise the commissioner of the department on policy issues decided upon by the council.

(2) Review the mission and goals of the department and evaluate the implementation of the mission.

(3) Serve as a council of the general assembly to evaluate:

(A) resources and structural capabilities of the department to meet the department's priorities; and

(B) program requirements and resource requirements for the department.

(4) Serve as a forum for citizens, the regulated community, and legislators to discuss broad policy directions.

(5) Submit a final report to the governor, the general assembly, the budget committee, and the administrative rules oversight committee established by IC 2-5-18 before November 1, 1996, and each year thereafter, that contains:

(A) an outline of activities of the council;

(B) recommendations for any department action;

(C) recommendations for any legislative action; and

(D) an estimate of funding levels required by the department, including an evaluation of permit fees.

(k) The commissioner of the department shall report to the council each month concerning the following:

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- (1) Permitting programs and technical assistance.
 - (2) Proposed rules and rulemaking in progress.
 - (3) The financial status of the department.
 - (4) Any additional matter requested by the council.
 - (l) The council shall:
 - (1) operate under procedures; and
 - (2) issue reports and recommendations;as directed by the legislative council.
 - (m) The legislative services agency shall provide staff support to the council.
 - (n) This SECTION expires December 31, ~~2000~~ **2003**".
Page 15, line 3, delete "P.L. 248-1996;".
Re-number all SECTIONS consecutively.
- (Reference is to SB 123 as printed February 12, 1999.)

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures, to which was referred Senate Bill 123, 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, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 2-2.1-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 1999 (RETROACTIVE)]:
Sec. 2. (a) Not later than seven (7) calendar days following the first session day in January of each year every member of the general assembly shall file with the principal clerk of the house or secretary of the senate, respectively, a written statement of the member's or candidate's economic interests for the preceding calendar year listing the following:

- (1) The name of the member's or candidate's employer and the employer of the member's or candidate's spouse and the nature of the employer's business. The house of representatives and senate need not be listed as an employer.
- (2) The name of any sole proprietorship owned or professional practice operated by the member or candidate or the member's or candidate's spouse and the nature of the business.
- (3) The name of any partnership of which the member or candidate or the member's or candidate's spouse is a member and the nature of the partnership's business.
- (4) The name of any corporation of which the member or candidate or the member's or candidate's spouse is an officer or director and the nature of the corporation's business. Churches need not be listed.
- (5) The name of any corporation in which the member or candidate or the member's or candidate's spouse or unemancipated children own stock or stock options having a fair market value in excess of ten thousand dollars (\$10,000). No time or demand deposit in a financial institution or insurance policy need be listed.
- (6) The name of any state agency or the supreme court of Indiana which licenses or regulates the following:
 - (A) The member's or candidate's or the member's or candidate's spouse's profession or occupation.
 - (B) Any proprietorship, partnership, corporation, or limited liability company listed under subdivision (2), (3), or (4) and the nature of the licensure or regulation.

The requirement to file certain reports with the secretary of state

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or to register with the department of state revenue as a retail merchant, manufacturer, or wholesaler shall not be considered as licensure or regulation.

(7) The name of any person whom the member or candidate knows to have been a lobbyist in the previous calendar year and knows to have purchased any of the following:

(A) From the member or candidate, the member's or candidate's sole proprietorship, or the member's or candidate's family business, goods or services for which the lobbyist paid in excess of one hundred dollars (\$100).

(B) From the member's or candidate's partner, goods or services for which the lobbyist paid in excess of one thousand dollars (\$1,000).

This subdivision does not apply to purchases made after December 31, 1998, by a lobbyist from a legislator's retail business made in the ordinary course of business at prices that are available to the general public.

(8) The name of any person or entity from whom the member or candidate received the following:

(A) Any gift of cash from a lobbyist.

(B) Any single gift other than cash having a fair market value in excess of one hundred dollars (\$100).

However, a contribution made by a lobbyist to a charitable organization (as defined in Section 501(c) of the Internal Revenue Code) in connection with a social or sports event attended by legislators need not be listed by a member of the general assembly unless the contribution is made in the name of the legislator.

(C) Any gifts other than cash having a fair market value in the aggregate in excess of two hundred fifty dollars (\$250).

Campaign contributions need not be listed. Gifts from a spouse or close relative need not be listed unless the donor has a substantial economic interest in a legislative matter.

(9) The name of any lobbyist who is:

(A) a member of a partnership or limited liability company;

(B) an officer or a director of a corporation; or

(C) a manager of a limited liability company;

of which the member or candidate for the general assembly is a partner, an officer, a director, a member, or an employee, and a description of the legislative matters which are the object of the lobbyist's activity.

(10) The name of any person or entity on whose behalf the member or candidate has appeared before, contacted, or transacted

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business with any state agency or official thereof, the name of the state agency, the nature of the appearance, contact, or transaction, and the cause number, if any. This requirement does not apply when the services are rendered without compensation.

(11) The name of any limited liability company of which the member of the general assembly, the candidate, or the member's or candidate's individual spouse has an interest.

(b) Before any person, who is not a member of the general assembly files the person's declaration of candidacy, declaration of intent to be a write-in candidate, or petition of nomination for office or is selected as a candidate for the office under IC 3-13-1 or IC 3-13-2, the person shall file with the clerk of the house or secretary of the senate, respectively, the same written statement of economic interests for the preceding calendar year that this section requires members of the general assembly to file.

(c) Any member of or candidate for the general assembly may file an amended statement upon discovery of additional information required to be reported."

Page 2, line 34, after "labor" insert "**and pensions**".

Page 2, delete line 36.

Page 2, line 37, delete "(15)" and insert "**(14)**".

Page 2, line 38, delete "(16)" and insert "**(15)**".

Page 2, line 38, delete "public safety." and insert "**the environment.**".

Page 2, line 39, delete "(17)" and insert "**(16)**".

Page 2, line 41, delete "(18)" and insert "**(17)**".

Page 3, line 1, delete "(19)" and insert "**(18)**".

Page 3, line 9, delete "of the" and insert "**of a**".

Page 3, line 17, delete "the" and insert "**a**".

Page 3, line 27, delete "The members" and insert "**The two (2) members**".

Page 3, line 28, delete "either".

Page 3, line 28, delete "or the" and insert "**and the two (2) members appointed by the**".

Page 4, line 13, delete "3(10)" and insert "**3(9)**".

Page 4, line 16, delete "3(11) through 3(20)" and insert "**3(10) through 3(18)**".

Page 4, line 28, delete "3(11)" and insert "**3(10)**".

Page 4, line 29, delete "3(20)" and insert "**3(18)**".

Page 4, line 32, delete "3(10)" and insert "**3(9)**".

Page 5, between lines 32 and 33, begin a new paragraph and insert: "SECTION 4. IC 2-7-3-6 IS AMENDED TO READ AS FOLLOWS



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[EFFECTIVE JANUARY 1, 1999 (RETROACTIVE)]: Sec. 6. (a) A lobbyist shall file a written report with respect to a member of the general assembly whenever either of the following occurs:

(1) The lobbyist has made a purchase described in IC 2-2.1-3-2(a)(7) with respect to that member. **This subdivision does not apply to purchases made after December 31, 1998, by a lobbyist from a legislator's retail business made in the ordinary course of business at prices that are available to the general public.**

(2) The lobbyist has made a gift described in IC 2-2.1-3-2(a)(8) to that member.

(b) A report required by subsection (a) must state the following:

(1) The name of the lobbyist.

(2) Whether the report covers a purchase described in IC 2-2.1-3-2(a)(7) or a gift described in IC 2-2.1-3-2(a)(8).

(c) A lobbyist shall file a copy of a report required by this section with both of the following:

(1) The commission.

(2) The member of the general assembly with respect to whom the report is made.

(d) A lobbyist shall file a report required by subsection (a) not more than thirty (30) days after making the purchase or giving the gift."

Page 6, line 20, after "commission" insert ".".

Page 6, line 20, delete "(before its repeal in 1999).".

Page 7, delete lines 18 through 22.

Page 8, delete lines 37 through 40.

Page 11, delete lines 29 through 42.

Page 12, delete lines 1 through 34.

Page 12, delete line 42.

Page 13, delete lines 1 through 16.

Page 13, delete lines 23 through 42.

Delete pages 14 through 15.

Page 16, delete lines 1 through 7.

Page 17, line 7, delete "IC 2-5-1.1-10;".

Page 17, line 9, delete "IC 4-22-8-11;".

Page 17, line 13, before "P.L.251-1996," insert "P.L.248-1996, SECTION 1;".

(Renumber all SECTIONS consecutively.)

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and when so amended that said bill do pass.

(Reference is to SB 123 as reprinted February 24, 1999.)

MOSES, Chair

Committee Vote: yeas 9, nays 0.

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