January 21, 2004

HOUSE BILL No. 1032

DIGEST OF HB 1032 (Updated January 15, 2004 9:18 am - DI 103)

Citations Affected: Numerous provisions throughout the Indiana code.

Synopsis: Electronic reports. Makes amendments throughout the Indiana Code requiring agencies to submit reports to the general assembly, the legislative council, and the executive director of the legislative services agency in an electronic format. Repeals obsolete statutes.

Effective: July 1, 2003 (retroactive); upon passage.

Frenz, Brown T, Murphy, Pierce

December 4, 2003, read first time and referred to Committee on Technology, Research and Development.
January 20, 2004, reported — Do Pass.

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January 21, 2004

Second Regular Session 113th General Assembly (2004)

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 2003 Regular Session of the General Assembly.

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HOUSE BILL No. 1032

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:

SECTION 1. IC 2-5-1.1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 6. The council shall:

(1) coordinate and assist the work of standing or interim committees, subcommittees or commissions appointed by the council or at the direction of the general assembly or of the senate or house of representatives;

(2) review the operations, budgetary practices and expenditures of all state agencies, including departments, boards, offices, commissions and political subdivisions;

(3) recommend such changes in the rules and procedures of the senate and house of representatives as may advance the consideration of legislation by the general assembly;

(4) work with the standing and interim committees, subcommittees and commissions of the general assembly or of the senate or house of representatives to assure efficient utilization of legislative services agency employees;

(5) publish such records, schedules, indexes and reports as the general assembly may require;

(6) arrange and contract for the printing of bills, enrolled acts, session laws, journals, the Indiana Code and supplements to the Indiana Code, the Indiana Administrative Code and supplements to the Indiana Administrative Code, the Indiana Register, and the miscellaneous printing needs, supplies and equipment of the council, legislative services agency, and the general assembly;

(7) provide adequate quarters and office space for all legislative activities;

(8) serve as the policy-making board for, and in general supervise the operation of, all staff services of the legislative services agency whether the general assembly is in or out of session;

(9) submit a report of its activities to the ~~members of the~~ general assembly **in an electronic format under IC 5-14-6** and to the governor; and

(10) do all other things necessary and proper to perform the functions of the legislative department.

SECTION 2. IC 2-5-1.1-6.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 6.5. (a) The council shall, upon consultation with the governor's office, develop an annual report format taking into consideration, among other things, program budgeting, with the final format to be determined by the council. The format may be distributed to any agency (as defined in IC 2-5-21-1). The agency shall complete and return ~~fifteen (15) copies~~ **a copy in an electronic format under IC 5-14-6** to the legislative council before September 1 of each year for the preceding fiscal year.

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

(c) The reports are a public record and are open to inspection.

SECTION 3. IC 2-5-1.1-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 8. (a) All boards, commissions, and committees performing official legislative business between the regular sessions of the general assembly may be required to submit to the council progress reports and a final report. Such reports shall contain such information as the council may require **and must be in an electronic format under IC 5-14-6.**

(b) The budget committee of the state budget agency shall, upon request of the council, report to the council **in an electronic format**

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under IC 5-14-6 on the progress of its activities including an estimate of the revenues, an estimate of the surplus of revenues over expenditures, a report of current and projected expenditures and any other data which will enhance an understanding of the fiscal affairs of the state.

SECTION 4. IC 2-5-2-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 4. (a) The legislative council may refer by resolution any matter related to the commission's function as described in section 1(g) of this chapter.

(b) When any matter is referred to the commission by the legislative council, the commission shall conduct a study of the matter and shall make a ~~written~~ report of the study results **in an electronic format under IC 5-14-6** to the legislative council.

(c) The commission may appoint subcommittees, subject to the authority of the commission, to carry out studies on matters related to its functions.

(d) The commission may request and shall receive from any department, division, board, commission, or agency of this state or of any political subdivision thereof or from any organization, incorporated or unincorporated, such assistance, information, and data as will enable it properly to carry out its activities and effectuate its purposes under this chapter.

(e) The legislative services agency shall provide staff support to the commission.

SECTION 5. IC 2-5-3-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 5. (a) The commission shall study and investigate:

(1) the present state, county, and city tax structure of the state of Indiana;

(2) its revenue-producing characteristics and effects upon the economy of the state of Indiana;

(3) its equalities and fairness;

(4) the enforcement policies and administrative practices related to that tax structure; and

(5) the costs of collection in relationship to the burden of the tax.

In addition, the commission shall examine overall administrative matters, fiscal matters, and procedural problems of the various departments of the state, county, and city governments as they relate to tax and financing policy. The commission shall make recommendations to the end that there will be formulated certain guiding policies that will assure the accomplishment of the policy expressed in this chapter.

(b) The legislative council may refer by resolution any tax or

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financing problems and correlated matters to the commission for study and research. When any matter is referred to the commission by the legislative council, the commission shall make a study of the problem submitted and shall ~~make a written~~ report ~~of~~ the study results **in an electronic format under IC 5-14-6** to the legislative council.

(c) The legislative services agency shall provide staff support to the commission.

SECTION 6. IC 2-5-12-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 4. The commission shall annually report the results of its study **in an electronic format under IC 5-14-6** to the general assembly before November 1.

SECTION 7. IC 2-5-16-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 11. The commission shall submit reports **in an electronic format under IC 5-14-6** to the legislative council as and when requested by the council.

SECTION 8. IC 2-5-16-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 13. The legislative council may refer any issue related to probate or trusts and fiduciaries to the commission for study. If a matter is referred to the commission under this section, the commission shall study that matter and report **in an electronic format under IC 5-14-6** to the legislative council as requested by the council.

SECTION 9. IC 2-5-20-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 8. The commission shall annually report the results of the commission's study **in an electronic format under IC 5-14-6** to the general assembly before November 1.

SECTION 10. IC 2-5-23-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 14. The commission shall submit to the legislative council findings and recommendations **in an electronic format under IC 5-14-6** on any topic assigned to the commission by the legislative council.

SECTION 11. IC 2-5-25-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 6. The water resources study committee shall do the following:

(1) Operate under the direction of the legislative council.

(2) Issue reports **in an electronic format under IC 5-14-6** when directed to do so by the legislative council.

SECTION 12. IC 2-5-26-10, AS ADDED BY P.L.256-2001, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2003 (RETROACTIVE)]: Sec. 10. (a) Except as provided in subsection (b), the commission shall operate under the policies governing study committees adopted by the legislative council, including the requirement of filing an annual report **in an electronic format under IC 5-14-6.**

(b) The commission may meet at any time during the calendar year.

SECTION 13. IC 4-1-6-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 9. (a) Under the authority of the governor, a report shall be prepared, on or before December 1 ~~1977, and~~ annually, ~~thereafter,~~ advising the general assembly of the personal information systems, or parts thereof, of agencies subject to this chapter, which are recommended to be maintained on a confidential basis by specific statutory authorization because their disclosure would constitute an invasion of personal privacy and there is no compelling, demonstrable and overriding public interest in disclosure. Such recommendations may include, but not be limited to, specific personal information systems or parts thereof which can be categorized as follows:

(1) Personal information maintained with respect to students and clients, patients or other individuals receiving social, medical, vocational, supervisory or custodial care or services directly or indirectly from public bodies.

(2) Personal information, excepting salary information, maintained with respect to employees, appointees or elected officials of any public body or applicants for such positions.

(3) Information required of any taxpayer in connection with the assessment or collection of any income tax. ~~and~~

(4) Information revealing the identity of persons who file complaints with administrative, investigative, law enforcement or penology agencies.

(b) In addition, such report may list records or categories of records, which are recommended to be exempted from public disclosure by specific statutory authorization for reasons other than that their disclosure would constitute an unwarranted invasion of personal privacy, along with justification therefor.

(c) A report described in this section must be in an electronic format under IC 5-14-6.

SECTION 14. IC 4-1-8-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 7. Each state agency, which is exempt under the provisions of section 1 of this chapter, shall prepare a report, on or before January 1 ~~1978, and~~ annually, ~~thereafter,~~ to the general assembly setting forth any form,

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application, or other writing required or maintained by it which contains the social security number of any individual. Such report shall also set forth the reason or rationale for requiring such social security number. **The report must be in an electronic format under IC 5-14-6.**

SECTION 15. IC 4-3-6-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 4. Whenever the governor, after investigation, finds that:

~~(a)~~ **(1)** the transfer of the whole or any part of any agency, or of the whole or any part of the functions thereof, to the jurisdiction and control of any other agency;

~~(b)~~ **(2)** the abolition of all or any part of the functions of any agency;

~~(c)~~ **(3)** the consolidation or coordination of the whole or any part of any agency, or of the whole or any part of the functions thereof, with the whole or any part of any other agency or the functions thereof;

~~(d)~~ **(4)** the consolidation or coordination of any part of any agency or the functions thereof with any other part of the same agency or the functions thereof;

~~(e)~~ **(5)** the authorization of any officer to delegate any of ~~his~~ **that officer's** functions; or

~~(f)~~ **(6)** the abolition of the whole or any part of any agency which agency or part does not have, or upon the taking effect of the reorganization plan will not have any functions;

is necessary to accomplish one (1) or more of the purposes of this chapter, ~~he~~ **the governor** shall prepare a reorganization plan for accomplishing the changes in government indicated by ~~his~~ **the governor's** findings ~~and which he includes~~ **included** in the plan, and shall submit the plan **in an electronic format under IC 5-14-6** to the general assembly, together with a declaration that, with respect to each reorganization included in the plan ~~he~~ **the governor** has found that the reorganization is necessary to accomplish one (1) or more of the purposes of this chapter. The governor, in ~~his~~ **the** message submitting a reorganization plan, shall specify, with respect to each abolition of a function included in the plan, the statutory authority for the exercise of the function, and shall specify the reduction of expenditures which it is probable will be brought about by the taking effect of the reorganizations included in the plan.

SECTION 16. IC 4-3-11-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 2. The articles of incorporation and bylaws of the Indiana business

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modernization and technology corporation must provide that:

(1) the purposes of the corporation are to contribute to the strengthening of the economy of the state through the development of science and technology and to promote the modernization of Indiana businesses by supporting the transfer of science, technology, and quality improvement methods to the workplace;

(2) the board of directors of the corporation is composed of twenty-five (25) natural persons appointed by the governor with eight (8) persons representing the public sector, eight (8) persons representing the private business and labor sector, eight (8) persons who are educators, and one (1) person who shall serve as chairman and shall represent the public sector, the private business and labor sector, or the education sector;

(3) the board of directors, with the approval of the governor, shall appoint an executive committee composed of seven (7) of its members;

(4) the corporation may receive money from any source, may borrow money, may enter into contracts, and may expend money for any activities appropriate to its purpose;

(5) the corporation may appoint staff and do all other things necessary or incidental to carrying out the functions listed in section 3 of this chapter;

(6) any changes in the articles of incorporation or bylaws must be approved by the governor;

(7) the corporation shall submit an annual report to the governor and to the ~~Indiana~~ general assembly; that the report is due on the first day of November for each year and shall include detailed information on the structure, operation, and financial status of the corporation; **that the report submitted to the general assembly must be in an electronic format under IC 5-14-6;** that the corporation shall conduct an annual public hearing to receive comment from interested parties regarding the report; and that notice of the hearing shall be given at least fourteen (14) days prior to the hearing in accordance with IC 5-14-1.5-5(b); and

(8) the corporation is subject to an annual audit by the state board of accounts, and that the corporation shall bear the full costs of this audit.

SECTION 17. IC 4-3-12-2, AS AMENDED BY P.L.58-2002, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 2. (a) The articles of incorporation and bylaws of the Indiana small business development

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corporation must provide that:

(1) the exclusive purpose of the corporation is to contribute to the strengthening of the economy of the state by encouraging the organization and development of new business enterprises, including technologically oriented enterprises;

(2) the board of directors of the corporation is composed of:

(A) the lieutenant governor or the lieutenant governor's designee;

(B) two (2) persons appointed by the governor from recommendations provided by statewide business organizations;

(C) two (2) persons appointed by the governor to represent local host organizations of the small business development center network;

(D) three (3) persons appointed by the governor, who must have experience in business, finance, education, entrepreneurship, or technology development; and

(E) one (1) person appointed by the governor to represent nontraditional entrepreneurs (as defined in IC 4-3-13-6);

(3) the governor shall appoint one (1) of the members of the board of directors to serve as chairman of the board at the pleasure of the governor;

(4) the corporation may receive money from any source, may enter into contracts, and may expend money for any activities appropriate to its purpose;

(5) the corporation may appoint staff and do all other things necessary or incidental to carrying out the functions listed in section 3 of this chapter;

(6) any changes in the articles of incorporation or bylaws must be approved by the governor;

(7) the corporation shall submit an annual report to the governor and to the ~~Indiana~~ general assembly on or before the first day of November for each year;

(8) the annual report shall include detailed information on the structure, operation, and financial status of the corporation;

(9) **the annual report submitted under subdivision (7) to the general assembly must be in an electronic format under IC 5-14-6;**

(10) the corporation shall conduct an annual public hearing to receive comment from interested parties regarding the annual report, and notice of the hearing shall be given at least fourteen (14) days prior to the hearing in accordance with

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IC 5-14-1.5-5(b); and

~~(10)~~ **(11)** the corporation is subject to an annual audit by the state board of accounts, and the corporation shall bear the full costs of this audit.

(b) Not more than five (5) of the members of the board of directors of the corporation may be members of the same political party.

SECTION 18. IC 4-3-13-15, AS AMENDED BY P.L.58-2002, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 15. (a) The corporation shall perform the following duties:

(1) Establish and implement the policies and procedures to be used by the corporation in the administration of the fund.

(2) Subject to section 17 of this chapter, establish criteria for awarding loans from the fund.

(3) Review and approve or disapprove applications for loans from the fund.

(4) Establish the terms of loans from the fund, which must include the conditions set forth in section 18 of this chapter.

(5) Award the loans approved under this chapter.

(6) Provide the staff and other resources necessary to implement this chapter.

(7) Prepare and distribute to appropriate entities throughout Indiana requests for proposals for the organization and operation of local pools.

(8) Conduct conferences and seminars concerning the fund.

(9) Submit a report concerning the fund to the general assembly before November 1 of each year. The report must include detailed information concerning the structure, operation, and financial condition of the fund **and must be in an electronic format under IC 5-14-6.**

(b) The corporation may enter into contracts necessary for the administration of this chapter, including contracts for the servicing of loans from the fund.

SECTION 19. IC 4-3-14-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 4. (a) The articles of incorporation or bylaws of the corporation, as appropriate, must provide that:

(1) the exclusive purpose of the corporation is to contribute to the strengthening of the economy of the state by:

(A) coordinating the activities of all parties having a role in the state's economic development through evaluating, overseeing, and appraising those activities on an ongoing basis;

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(B) overseeing the implementation of the state's economic development plan and monitoring the updates of that plan; and
(C) educating and assisting all parties involved in improving the long range vitality of the state's economy;
(2) the board must include:
(A) the governor;
(B) the lieutenant governor;
(C) the chief operating officer of the corporation;
(D) the chief operating officer of the corporation for Indiana's international future; and
(E) additional persons appointed by the governor, who are actively engaged in Indiana in private enterprise, organized labor, state or local governmental agencies, and education, and who represent the diverse economic and regional interests throughout Indiana;
(3) the governor shall serve as chairman of the board of the corporation, and the lieutenant governor shall serve as the chief executive officer of the corporation;
(4) the governor shall appoint as vice chairman of the board a member of the board engaged in private enterprise;
(5) the lieutenant governor shall be responsible as chief executive officer for overseeing implementation of the state's economic development plan as articulated by the corporation and shall oversee the activities of the corporation's chief operating officer;
(6) the governor may appoint an executive committee composed of members of the board (size and structure of the executive committee shall be set by the articles and bylaws of the corporation);
(7) the corporation may receive funds from any source and may expend funds for any activities necessary, convenient, or expedient to carry out its purposes;
(8) any amendments to the articles of incorporation or bylaws of the corporation must be approved by the governor;
(9) the corporation shall submit an annual report to the governor and to the ~~Indiana~~ general assembly on or before the first day of November for each year;
(10) **the annual report submitted under subdivision (9) to the general assembly must be in an electronic format under IC 5-14-6;**
(11) the corporation shall conduct an annual public hearing to receive comment from interested parties regarding the annual report, and notice of the hearing shall be given at least fourteen

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(14) days prior to the hearing in accordance with IC 5-14-1.5-5(b); and

~~(11)~~ **(12)** the corporation is subject to an annual audit by the state board of accounts, and the corporation shall bear the full costs of this audit.

(b) The corporation may perform other acts and things necessary, convenient, or expedient to carry out the purposes identified in this section, and it has all rights, powers, and privileges granted to corporations by IC 23-17 and by common law.

SECTION 20. IC 4-3-15-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 4. (a) The articles of incorporation or bylaws of the corporation, as appropriate, must provide that:

(1) the exclusive purpose of the corporation is to strengthen Indiana's ability to compete in the global economy and to encourage educational and cultural contacts and exchanges between Indiana citizens and citizens of other countries, by:

(A) coordinating the activities of all parties having a role in Indiana's international economic development by evaluating, overseeing, and appraising those activities on an ongoing basis; and

(B) educating and assisting all parties involved in improving the ability of Indiana's citizens to participate in international programs of education, culture, and social understandings;

(2) the board must include:

(A) the governor;

(B) the lieutenant governor; and

(C) additional persons appointed by the governor, who have knowledge or experience in international economic or cultural activity, who are actively engaged in Indiana in private enterprise, manufacturing and steel industries, labor organizations, state or local governmental agencies, agriculture, and education, and who represent the diverse economic and regional interests throughout Indiana;

(3) the governor shall designate a member of the board to serve as chairman of the board;

(4) the board shall select any other officers it considers necessary, such as a vice chairman, treasurer, or secretary;

(5) the chairman of the board may appoint any subcommittees that the chairman considers necessary to carry out the duties of the corporation;

(6) with the approval of the governor, the corporation may appoint

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a president, who shall serve as the chief operating officer of the corporation and who may appoint staff or employ consultants to carry out the corporation's duties under this chapter, including personnel to receive or disseminate information that furthers the goals of the corporation;

(7) the corporation may receive funds from any source (including state appropriations), may enter into contracts, and may expend funds for any activities necessary, convenient, or expedient to carry out its purposes;

(8) any amendments to the articles of incorporation or bylaws of the corporation must be approved by the governor;

(9) the corporation shall submit an annual report to the governor, lieutenant governor, and chairman of the legislative council before December 31 of each year;

(10) the corporation shall conduct an annual public hearing to receive comment from interested parties regarding the annual report, and notice of the hearing shall be given at least fourteen (14) days before the hearing in accordance with IC 5-14-1.5-5(b); and

(11) the corporation is subject to an annual audit by the state board of accounts, and the corporation shall bear the full costs of this audit.

An annual report described in subdivision (9) that is submitted to the chairman of the legislative council must be in an electronic format under IC 5-14-6.

(b) The corporation may perform other acts necessary, convenient, or expedient to carry out its purposes under this chapter, and it has all rights, powers, and privileges granted to corporations by IC 23-17 and by common law.

SECTION 21. IC 4-3-17-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 4. (a) The articles of incorporation or bylaws of the corporation, as appropriate, must provide that:

(1) the exclusive purpose of the corporation is to provide grants and serve as a resource for education programs on drug and alcohol abuse, by providing assistance to persons or entities involved with:

(A) coordinating the activities of all parties having a role in drug and alcohol abuse education and prevention; and

(B) educating and assisting local communities in educating Indiana citizens on the problems of drug and alcohol abuse;

(2) the board must include:

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(A) the governor or the governor's designee;
(B) the state health commissioner or the commissioner's designee; and
(C) additional persons appointed by the governor, who have knowledge or experience in drug or alcohol education programs;

(3) the governor shall designate a member of the board to serve as chairman of the board;
(4) the board shall select any other officers it considers necessary, such as a vice chairman, treasurer, or secretary;
(5) the chairman of the board may appoint any subcommittees that the chairman considers necessary to carry out the duties of the corporation;
(6) with the approval of the governor, the corporation may appoint a president, who shall serve as the chief operating officer of the corporation and who may appoint staff or employ consultants to carry out the corporation's duties under this chapter, including personnel to receive or disseminate information that furthers the goals of the corporation;
(7) the corporation may receive funds from any source (including state appropriations), may enter into contracts, and may expend funds for any activities necessary, convenient, or expedient to carry out its purposes;
(8) any amendments to the articles of incorporation or bylaws of the corporation must be approved by the board;
(9) the corporation shall submit an annual report to the governor, lieutenant governor, and chairman of the legislative council before December 31 of each year;
(10) the corporation shall conduct an annual public hearing to receive comments from interested parties regarding the annual report, and notice of the hearing shall be given at least fourteen (14) days before the hearing in accordance with IC 5-14-1.5-5(b); and
(11) the corporation is subject to an annual audit by the state board of accounts, and the corporation shall bear the full costs of this audit.

An annual report described in subdivision (9) that is submitted to the chairman of the legislative council must be in an electronic format under IC 5-14-6.

(b) The corporation may perform other acts necessary, convenient, or expedient to carry out its purposes under this chapter and has all the rights, powers, and privileges granted to corporations by IC 23-17 and

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by common law.

(c) With the approval of the governor, the corporation may merge with an entity with similar purposes. If the corporation merges with another entity under this subsection, the governor shall revoke the certification under section 7 of this chapter.

SECTION 22. IC 4-3-19-29 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 29. The board shall submit a report to the governor and the legislative council before November 1 of each year. The report must include the findings and recommendations of the board. **The report submitted to the legislative council must be in an electronic format under IC 5-14-6.**

SECTION 23. IC 4-4-3-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 8. (a) The department shall develop and promote programs designed to make the best use of the resources of the state so as to assure a balanced economy and continuing economic growth for Indiana and for those purposes may do the following:

(1) Cooperate with federal, state, and local governments and agencies in the coordination of programs to make the best use of the resources of the state.

(2) Receive and expend all funds, grants, gifts, and contributions of money, property, labor, interest accrued from loans made by the department, and other things of value from public and private sources, including grants from agencies and instrumentalities of the state and the federal government. The department:

(A) may accept federal grants for providing planning assistance, making grants, or providing other services or functions necessary to political subdivisions, planning commissions, or other public or private organizations;

(B) shall administer these grants in accordance with their terms; and

(C) may contract with political subdivisions, planning commissions, or other public or private organizations to carry out the purposes for which the grants were made.

(3) Direct that assistance, information, and advice regarding the duties and functions of the department be given the department by any officer, agent, or employee of the state. The head of any other state department or agency may assign one (1) or more of the department's or agency's employees to the department on a temporary basis, or may direct any division or agency under the department's or agency's supervision and control to make any

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special study or survey requested by the director.

(b) The department shall perform the following duties:

(1) Disseminate information concerning the industrial, commercial, governmental, educational, cultural, recreational, agricultural, and other advantages of Indiana.

(2) Plan, direct, and conduct research activities.

(3) Develop and implement industrial development programs to encourage expansion of existing industrial, commercial, and business facilities within Indiana and to encourage new industrial, commercial, and business locations within Indiana.

(4) Assist businesses and industries in acquiring, improving, and developing overseas markets and encourage international plant locations within Indiana. The director, with the approval of the governor, may establish foreign offices to assist in this function.

(5) Promote the growth of minority business enterprises by doing the following:

(A) Mobilizing and coordinating the activities, resources, and efforts of governmental and private agencies, businesses, trade associations, institutions, and individuals.

(B) Assisting minority businesses in obtaining governmental or commercial financing for expansion, establishment of new businesses, or individual development projects.

(C) Aiding minority businesses in procuring contracts from governmental or private sources, or both.

(D) Providing technical, managerial, and counseling assistance to minority business enterprises.

(6) Assist in community economic development planning and the implementation of programs designed to further this development.

(7) Assist in the development and promotion of Indiana's tourist resources, facilities, attractions, and activities.

(8) Assist in the promotion and marketing of Indiana's agricultural products, and provide staff assistance to the director in fulfilling the director's responsibilities as commissioner of agriculture.

(9) Perform the following energy related functions:

(A) Assist in the development and promotion of alternative energy resources, including Indiana coal, oil shale, hydropower, solar, wind, geothermal, and biomass resources.

(B) Encourage the conservation and efficient use of energy, including energy use in commercial, industrial, residential, governmental, agricultural, transportation, recreational, and educational sectors.

(C) Assist in energy emergency preparedness.

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(D) ~~Not later than January 1, 1994,~~ Establish:

(i) specific goals for increased energy efficiency in the operations of state government and for the use of alternative fuels in vehicles owned by the state; and

(ii) guidelines for achieving the goals established under item (i).

(E) Establish procedures for state agencies to use in reporting to the department on energy issues.

(F) Carry out studies, research projects, and other activities required to:

(i) assess the nature and extent of energy resources required to meet the needs of the state, including coal and other fossil fuels, alcohol fuels produced from agricultural and forest products and resources, renewable energy, and other energy resources;

(ii) promote cooperation among government, utilities, industry, institutions of higher education, consumers, and all other parties interested in energy and recycling market development issues; and

(iii) promote the dissemination of information concerning energy and recycling market development issues.

(10) Implement any federal program delegated to the state to effectuate the purposes of this chapter.

(11) Promote the growth of small businesses by doing the following:

(A) Assisting small businesses in obtaining and preparing the permits required to conduct business in Indiana.

(B) Serving as a liaison between small businesses and state agencies.

(C) Providing information concerning business assistance programs available through government agencies and private sources.

(12) Assist the Indiana commission for agriculture and rural development in performing its functions under IC 4-4-22.

(13) Develop and promote markets for the following recyclable items:

(A) Aluminum containers.

(B) Corrugated paper.

(C) Glass containers.

(D) Magazines.

(E) Steel containers.

(F) Newspapers.

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(G) Office waste paper.
(H) Plastic containers.
(I) Foam polystyrene packaging.
(J) Containers for carbonated or malt beverages that are primarily made of a combination of steel and aluminum.

(14) Produce an annual recycled products guide and at least one (1) time each year distribute the guide to the following:
(A) State agencies.
(B) The judicial department of state government.
(C) The legislative department of state government.
(D) State educational institutions (as defined in IC 20-12-0.5-1).
(E) Political subdivisions (as defined in IC 36-1-2-13).
(F) Bodies corporate and politic created by statute.

A recycled products guide distributed under this subdivision must include a description of supplies and other products that contain recycled material and information concerning the availability of the supplies and products.

(c) The department shall submit a report **in an electronic format under IC 5-14-6** to the general assembly before October 1 of each year concerning the availability of and location of markets for recycled products in Indiana. The report must include the following:

(1) A priority listing of recyclable materials to be targeted for market development. The listing must be based on an examination of the need and opportunities for the marketing of the following:
(A) Paper.
(B) Glass.
(C) Aluminum containers.
(D) Steel containers.
(E) Bi-metal containers.
(F) Glass containers.
(G) Plastic containers.
(H) Landscape waste.
(I) Construction materials.
(J) Waste oil.
(K) Waste tires.
(L) Coal combustion wastes.
(M) Other materials.

(2) A presentation of a market development strategy that:
(A) considers the specific material marketing needs of Indiana; and
(B) makes recommendations for legislative action.

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(3) An analysis that examines the cost and effectiveness of future market development options.

SECTION 24. IC 4-4-5.1-12, AS ADDED BY P.L.224-2003, SECTION 245, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 12. The board shall submit an annual report **in an electronic format under IC 5-14-6** to the legislative council before September 1. The report must contain the following information concerning fund activity in the preceding state fiscal year:

(1) The name of each entity receiving a grant from the fund.

(2) The location of each entity sorted by:

(A) county, in the case of an entity located in Indiana; or

(B) state, in the case of an entity located outside Indiana.

(3) The amount of each grant awarded to each entity.

SECTION 25. IC 4-4-7-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 5. (a) The department shall administer the fund and receive all grants allocated by any federal program for the purposes specified in section 6(b) of this chapter. Guidelines shall be prepared by the department enumerating the qualification procedures for receipt of grants and loans from the fund. These guidelines must be consistent with state law and federal program requirements.

(b) The director, with the approval of the state budget agency and the governor, shall allocate portions of the fund for the purposes specified in section 6(b) of this chapter. The department shall make allocations on the basis of the need of the qualified entity.

(c) The department shall keep complete sets of records showing all transactions by the fund in such a manner as to be able to prepare at the end of each fiscal year a complete report to the general assembly **in an electronic format under IC 5-14-6.** The information in the report must be sufficient to permit a complete review and understanding of the operation and financial condition of the fund.

SECTION 26. IC 4-4-9.5-2, AS ADDED BY P.L.155-2001, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 2. With the approval of the governing board of the council, the council shall do the following:

(1) Develop a rural economic development strategy for Indiana to assist Indiana's rural residents in improving their quality of life and to help promote successful and sustainable rural communities. The rural economic development strategy must include goals and recommendations concerning the following issues:

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(A) Job creation and retention.
(B) Infrastructure, including water, wastewater, and storm water infrastructure needs.
(C) Housing.
(D) Workforce training.
(E) Health care.
(F) Local planning.
(G) Land use.
(H) Assistance to regional rural development groups.
(I) Other rural development issues, as determined by the council.

(2) ~~Beginning in 2002,~~ Submit before October 1 of each year an annual report **in an electronic format under IC 5-14-6** to the legislative council. A report submitted under this section is intended to do the following:
(A) Inform the general assembly of the council's work during the period covered by the report.
(B) Assist the general assembly in monitoring issues affecting rural communities and responding to the needs of rural residents.

(3) Testify concerning rural development issues before any standing committee or study committee established by the general assembly, as requested by the legislative council.

SECTION 27. IC 4-4-16.5-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 6. (a) The commission shall conduct appropriate studies and present ~~fifty (50) copies of~~ an annual report **in an electronic format under IC 5-14-6** to the legislative council and a summary letter **in an electronic format under IC 5-14-6** to the general assembly through the legislative council no later than December 1 each year. The report must address the following issues:
(1) Ways in which the utilization of Indiana steel can be expanded within Indiana and the world.
(2) Ways in which any additional problems included in the examination conducted under section 5 of this chapter may be remedied.
(3) Recommend modification, if any, of state statutes or rules.

(b) The commission may request officials of government agencies in Indiana to attend its meetings and provide technical assistance and information as requested by the commission.

SECTION 28. IC 4-4-18-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 22.

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Before July 2 each year, the corporation shall provide the legislative council and the governor with a report that includes the following information:

(1) The number of applications for incubators received by the corporation.

(2) The number of applications for incubators approved by the corporation.

(3) The number of incubators created under this chapter.

(4) The number of tenants occupying each incubator.

(5) The occupancy rate of each incubator.

(6) The number of jobs provided by each incubator and the tenants of each incubator.

(7) The number of firms still operating in Indiana after leaving incubators, and the number of jobs provided by those firms. The corporation shall attempt to identify the reasons firms that were established in an incubator have moved to another state.

A report provided under this section to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 29. IC 4-4-29-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 9. The council shall submit an annual report to the governor and to the general assembly on or before the first day of November each year. **A report submitted under this section to the general assembly must be in an electronic format under IC 5-14-6.**

SECTION 30. IC 4-6-9-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 6. ~~(Legislative Recommendations)~~ The division shall make legislative recommendations to the legislative council for transmittal to the general assembly. **The recommendations must be in an electronic format under IC 5-14-6.**

SECTION 31. IC 4-7-1-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 2. The auditor of state shall do the following:

(1) Keep and state all accounts between the state of Indiana and the United States, any state or territory, or any individual or public officer of this state indebted to the state or entrusted with the collection, disbursement, or management of any money, funds, or interest arising therefrom, belonging to the state, of every character and description whatsoever, when the money, funds, or interest is derivable from or payable into the state treasury.

(2) Examine and liquidate the accounts of all county treasurers and other collectors and receivers of all state revenues, taxes,

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tolls, and incomes, levied or collected by any act of the general assembly and payable into the state treasury, and certify the amount or balance to the treasurer of state.

(3) Keep fair, clear, distinct, and separate accounts of all the revenues and incomes of the state and all expenditures, disbursements, and investments of the state, showing the particulars of every expenditure, disbursement, and investment.

(4) Examine, adjust, and settle the accounts of all public debtors for debts due the state treasury and require all public debtors or their legal representatives who may be indebted to the state for money received or otherwise and who have not accounted for a debt to settle their accounts.

(5) Examine and liquidate the claims of all persons against the state in cases where provisions for the payment have not been made by law. When no such provisions or an insufficient one ~~(1)~~ has been made, examine the claim and report the facts, with an opinion, to the general assembly. No allowance shall be made to refund money from the treasury without the statement of the auditor of state either for or against the justice of the claim.

(6) Institute and prosecute, in the name of the state, all proper suits for the recovery of any debts, money, or property of the state or for the ascertainment of any right or liability concerning the debts, money, or property.

(7) Direct and superintend the collection of all money due to the state and employ counsel to prosecute suits, instituted at the auditor's instance, on behalf of the state.

(8) Draw warrants on the treasurer of state or authorize disbursement through electronic funds transfer in conformity with IC 4-8.1-2-7 for all money directed by law to be paid out of the treasury to public officers or for any other object whatsoever as the warrants become payable. Every warrant or authorization for electronic funds transfer shall be properly numbered.

(9) Furnish to the governor, on requisition, information in writing upon any subject relating to the duties of the office of the auditor of state.

(10) Superintend the fiscal concerns of the state and their management in the manner required by law and furnish the proper forms to assessors, treasurers, collectors, and auditors of counties.

(11) Keep and preserve all public books, records, papers, documents, vouchers, and all conveyances, leases, mortgages, bonds, and all securities for debts, money, or property, and accounts and property, of any description, belonging or

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appertaining to the office of the auditor of state and also to the state, where no other provision is made by law for the safekeeping of the accounts and property.

(12) Suggest plans for the improvement and management of the public revenues, funds, and incomes.

(13) Report and exhibit to the general assembly, at its meeting in each odd-numbered year, a complete statement of the revenues, taxables, funds, resources, incomes, and property of the state, known to the office of the auditor of state and of the public revenues and expenditures of the two (2) preceding fiscal years, with a detailed estimate of the expenditures to be defrayed from the treasury for the ensuing two (2) years, specifying each object of expenditure and distinguishing between each object of expenditure and between such as are provided for by permanent or temporary appropriations, and such as require to be provided for by law, and showing also the sources and means from which all such expenditures are to be defrayed. **The report must be in an electronic format under IC 5-14-6.**

SECTION 32. IC 4-8.1-2-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 14. The treasurer **of state** shall prepare a report annually before October 15 that summarizes, for the fiscal year that ended on the preceding June 30, the following information for the general fund and all other funds managed by the treasurer **of state:**

(1) Statutory and administrative investment policies.

(2) Average daily amounts of cash and investments.

(3) Rates of return.

(4) Earnings.

(5) Portfolio composition.

(6) Other information considered relevant by the treasurer **of state.**

Before November 1 of each year, the treasurer shall provide a copy of the report to the governor, the lieutenant governor, **and** the ~~state~~ budget director. ~~and the legislative council.~~ In addition, the treasurer **of state** shall ~~deposit twenty (20) copies of~~ **provide** the report ~~with~~ **in an electronic format under IC 5-14-6 to** the **legislative council and the** legislative services agency for the use of the members of the house of representatives and the senate.

SECTION 33. IC 4-10-13-7, AS AMENDED BY P.L.90-2002, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 7. (a) The manner of publication of any of the reports as herein required shall be prescribed

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by the state budget committee, and the cost of publication shall be paid from funds appropriated to such state agencies and allocated by the state budget committee to such agencies for such purpose.

(b) A copy of such reports shall be presented to the governor, the department of local government finance, the budget committee, the commission on state tax and financing policy, the legislative council, and to any other state agency that may request a copy of such reports. **A report presented under this subsection to the legislative council must be in an electronic format under IC 5-14-6.**

SECTION 34. IC 4-10-21-8, AS ADDED BY P.L.192-2002(ss), SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 8. Not earlier than December 1 and not later than the first session day of the general assembly after December 31 of each even-numbered year, the budget agency shall submit a report in ~~writing~~ **an electronic format under IC 5-14-6** to the executive director of the legislative services agency that includes at least the following information:

(1) The state spending cap for each of the state fiscal years in the immediately following biennial budget period.

(2) The supporting data and calculations necessary for a person to independently verify the manner in which the state spending caps described in subdivision (1) were determined.

SECTION 35. IC 4-12-1-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 11. (a) In addition to cooperating in the preparation of a recommended budget report and budget bill as herein provided, the chief functions of the budget committee shall be to serve as liaison between the legislative and executive, including the administrative branches of government, and to provide information to the general assembly with respect to the management of state fiscal affairs so that it may have a better insight into the budgetary and appropriation needs of the various state agencies. To perform such functions the budget committee may:

(1) Select a chairman and such other officers as the members desire, and hold meetings at stated intervals, and on call of the chairman.

(2) Make such policies and procedures concerning its organization and operation as are deemed advisable but IC 4-22-2 shall not apply thereto.

(3) Have access to all files, information gathered and reports of the budget agency.

(4) Inspect any state agency in order to obtain accurate information concerning its budgetary needs and fiscal

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management, and examine all of its records and books of account.

(5) Subpoena witnesses and records, examine witnesses under oath, hold hearings, and exercise all the inherent powers of an interim legislative committee for study of budgetary affairs and fiscal management.

(6) Attend meetings of appropriate committees of the general assembly and furnish it with information and advice.

(7) Make such general or special reports to the budget agency and to the general assembly as are deemed advisable. **A report to the general assembly under this subdivision must be in an electronic format under IC 5-14-6.**

(b) The salary per diem of the legislative members of the budget committee is seventy dollars ~~($70.00)~~ **($70)** per day each for the time necessarily employed in the performance of their duties, and as provided by law all necessary traveling and hotel expenses, in addition to their legislative salary and legislative expense allowance, fixed by law as members of the general assembly. However, the salary per diem provided in this section is in lieu of any other per diem allowances available for the same day to legislative members of the budget committee in their capacity as members of other legislative committees or commissions.

SECTION 36. IC 4-12-1-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 12. (a) Within forty-five (45) days following the adjournment of the regular session of the general assembly, the budget agency shall examine the acts of such general assembly and, with the aid of its own records and those of the budget committee, shall prepare a complete list of all appropriations made by law for the budget period beginning on July 1 following such regular session, or so made for such other period as is provided in the appropriation. While such list is being made by it the budget agency shall review and analyze the fiscal status and affairs of the state as affected by such appropriations. A written report thereof shall be made and signed by the budget director and shall be transmitted to the governor and the auditor of state. ~~and~~ **The report** shall be ~~mailed to each member of such~~ **transmitted in an electronic format under IC 5-14-6 to the** general assembly.

(b) Not later than the first day of June of each calendar year, the budget agency shall prepare a list of all appropriations made by law for expenditure or encumbrance during the fiscal year beginning on the first day of July of that calendar year. At the same time, the budget agency shall establish the amount of a reserve from the general fund surplus which such agency estimates will be necessary and required to

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provide funds with which to pay the distribution to local school units required by law to be made so early in such fiscal year that revenues received in such year prior to the distribution will not be sufficient to cover such distribution. Not later than the first day of June following adjournment of such regular session of the general assembly the amounts of the appropriations for such fiscal year, and the amount of such reserve, shall be written and transmitted formally to the auditor of state who then shall establish the amounts of such appropriations, and the amount of such reserve, in the records of the auditor's office as fixed in such communication of the budget agency.

(c) Within sixty (60) days following the adjournment of any special session of the general assembly, or within such shorter period as the circumstances may require, the budget agency shall prepare for and transmit to the governor and members of the general assembly and the auditor of state, like information, list of sums appropriated, and if required, an estimate for a reserve from the general fund surplus for distribution to local school units, all as is done upon the adjournment of a regular session, pursuant to subsections (a) and (b) of this section to the extent the same are applicable. **The budget agency shall transmit any information under this subsection to the general assembly in an electronic format under IC 5-14-6.**

(d) The budget agency shall administer the allotment system provided in IC 4-13-2-18.

(e) The budget agency may transfer, assign and reassign any appropriation or appropriations, or parts of them, excepting those appropriations made to the Indiana state teacher's retirement fund established by IC 21-6.1, made for one specific use or purpose to another use or purpose of the agency of state to which the appropriation is made, but only when the uses and purposes to which the funds transferred, assigned and reassigned are uses and purposes the agency of state is by law required or authorized to perform. No transfer may be made as in this subsection authorized unless upon the request of and with the consent of the agency of state whose appropriations are involved. Except to the extent otherwise specifically provided, every appropriation made and hereafter made and provided, for any specific use or purpose of an agency of the state is and shall be construed to be an appropriation to the agency, for all other necessary and lawful uses and purposes of the agency, subject to the aforesaid request and consent of the agency and concurrence of the budget agency.

(f) One or more emergency or contingency appropriations for each fiscal year or for the budget period may be made to the budget agency. Such appropriations shall be in amounts definitely fixed by law, or

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ascertainable or determinable according to a formula, or according to appropriate provisions of law taking into account the revenues and income of the agency of state. No transfer shall be made from any such appropriation to the regular appropriation of an agency of the state except upon an order of the budget agency made pursuant to the authority vested in it hereby or otherwise vested in it by law.

SECTION 37. IC 4-12-1-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 14. (a) It is the legislative intent of this section that the state of Indiana participate in federal aid programs to the extent that it is in the state's interest to so participate. In order that the governor and the general assembly be enabled to make informed decisions about federal aid programs and that efficient and effective administration of these programs may take place, a federal aid management division is established within the state budget agency.

(b) There is created within the budget agency the federal aid management division. The division shall have the following powers and duties:

(1) To periodically inform the governor and the general assembly of pending and enacted federal aid legislation affecting the state.

(2) To evaluate new federal aid programs as they become operative, to periodically inform the governor and the general assembly of the existence of such programs, and of conditions which must be met by the state of Indiana for acceptance of such programs, to include any necessary enabling legislation.

(3) To review and approve all information as requested by the budget director, including but not limited to applications for federal funds and state plans, which shall be submitted to it by all state agencies, except in the case of universities or colleges supported in whole or in part by state funds which are otherwise provided for in this clause, before submission of the information to the proper federal authority. Each regular session of the general assembly shall be furnished the names of any state agencies that fail to comply with the instructions of the budget agency and budget committee. For universities and colleges supported in whole or in part by state funds, the state budget agency shall review and either approve or disapprove any program application which exceeds one hundred thousand dollars ($100,000) and all construction grant requests. Program applications which do not exceed one hundred thousand dollars ($100,000) do not require review or approval by the state budget agency, but a copy of those applications shall be forwarded to the state budget agency for

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informational purposes only.

A program application which exceeds one hundred thousand dollars ($100,000) may be submitted to the proper federal funding authority, before the application has been approved by the state budget agency, but the funds may not be spent until after the state budget agency has given its approval.

All construction grant requests must be reviewed and approved by the state budget agency before submission to the federal funding authority.

(4) To compile and analyze data received from state and local governments and agencies accepting federal aid, and periodically report on the same to the governor and the general assembly.

(5) To periodically report to the governor and the general assembly as to administrative or other problems caused by acceptance and operation of federal aid programs on both state and local levels, and to make recommendations for the alleviation of the same. **A report under this subdivision to the general assembly must be in an electronic format under IC 5-14-6.**

(6) To maintain an information system on federal aid programs.

(7) To assist, at the discretion of the governor, in the coordination of broad federal programs administered by more than one (1) state agency.

(8) To serve at the governor's designation as the state clearing house under the United States office of management and budget circular A-95, revised.

(9) To prepare and administer an indirect cost allocation plan for the state of Indiana.

(10) To perform such tasks related to the above powers and duties as may be required by the governor.

(c) Staff members and other employees of the federal aid management division shall be appointed in the same manner prescribed by law for selection of other personnel of the budget agency. The governor may, at ~~his~~ **the governor's** discretion, appoint a chief of the federal aid management division.

SECTION 38. IC 4-12-4-14, AS ADDED BY P.L.21-2000, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 14. The executive board shall prepare an annual financial report and an annual report concerning the executive board's activities under this chapter and promptly transmit the annual reports to the governor and, **in an electronic format under IC 5-14-6, to** the legislative council. The executive board shall make the annual reports available to the public upon request.

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SECTION 39. IC 4-13-1.1-12, AS ADDED BY P.L.252-1999, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 12. Not later than July 1 of each year, the department shall report **in an electronic format under IC 5-14-6** to the legislative council concerning the implementation of this chapter.

SECTION 40. IC 4-13-1.2-10, AS ADDED BY P.L.292-2001, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 10. (a) The director of the bureau shall prepare a report each year on the operations of the bureau.

(b) A copy of the report shall be provided to the following:

(1) The governor.

(2) The legislative council.

(3) The department.

(4) The department of correction.

A report provided under this subsection to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 41. IC 4-13-1.4-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 10. (a) Before October 1 of each year, the department shall submit to the general assembly a ~~written~~ report **in an electronic format under IC 5-14-6** on the effectiveness of the state policies concerning the purchase of products made from recycled materials. In this report the department may recommend revisions to the purchasing policies.

(b) The report required under subsection (a) must include the name of each agency that was late in providing or failed to provide the department with the information required for the department to submit the report.

SECTION 42. IC 4-15-2.5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 5. ~~(Agency; Report)~~ The appointing authority of each agency or institution that operates under the provisions of this chapter shall submit to the legislative council ~~such~~ **any** information ~~which may be requested by~~ the legislative council **requests. To the extent possible, the information must be submitted in an electronic format under IC 5-14-6.**

SECTION 43. IC 4-23-2.5-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 16. Before October 1 of each year, the board shall prepare a report concerning the fund for distribution to the public and the general assembly. **A report distributed under this section to the general assembly must be in an electronic format under IC 5-14-6.**

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SECTION 44. IC 4-23-5.5-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 6. (a) The board shall do the following:

(1) Adopt procedures for the regulation of its affairs and the conduct of its business.

(2) Meet at the offices of the department on call of the director, at least once each calendar quarter. The meetings shall be upon ten (10) days written notification, shall be open to the public, and shall have official minutes recorded for public scrutiny.

(3) Report annually **in an electronic format under IC 5-14-6** to the legislative council the projects in which it has participated and is currently participating with a complete list of expenditures for those projects.

(4) Annually prepare an administrative budget for review by the budget agency and the budget committee.

(5) Keep proper records of accounts and make an annual report of its condition to the state board of accounts.

(b) The board may request that the department conduct assessments of the opportunities and constraints presented by all sources of energy. The board shall encourage the balanced use of all sources of energy with primary emphasis on:

(1) the utilization of Indiana's high sulphur coal; and

(2) the utilization of Indiana's agricultural and forest resources and products for the production of alcohol fuel.

However, the board shall seek to avoid possible undesirable consequences of total reliance on a single source of energy.

(c) The board shall consider projects involving the creation of the following:

(1) Markets for products made from recycled materials.

(2) New products made from recycled materials.

(d) The board may promote, fund, and encourage programs facilitating the development and effective use of all sources of energy in Indiana.

SECTION 45. IC 4-23-15-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 5. In furtherance of its purposes and duties, the commission shall have, and may exercise the following powers:

~~(a)~~ **(1)** To enter into contracts, within the limit of funds available therefor, with individuals, corporations, partnerships, limited liability companies, organizations and institutions for services furthering the objectives of the commission's programs.

~~(b)~~ **(2)** To accept gifts, contributions and bequests of funds from

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individuals, foundations, limited liability companies, corporations, and other organizations or institutions to be deposited in a special account separate and distinct from state and federal monies.

~~(c)~~ **(3)** To apply for, receive and disburse any funds available from the federal government in furtherance of the objectives of this chapter and to enter into any agreements which may be required by the federal government as a condition of obtaining such funds.

~~(d)~~ **(4)** To make and sign any agreements and to do and perform any acts that may be necessary to carry out its purposes and duties.

~~(e)~~ **(5)** To exercise eminent domain.

~~(f)~~ **(6)** To make an annual report to the governor and the legislative council concerning its activities and its recommendations for future activities. ~~and~~

~~(g)~~ **(7)** To hold, invest and dispense for purposes of the commission's work, funds received by gift, bequest or contribution to the commission, and to open and maintain accounts in the commission's name for said monies with appropriate banks or trust companies. The commission may request the aid of the state board of accounts in establishing these accounts. Such accounts shall be subject to audit by the board of accounts.

An annual report made under subdivision (6) to the legislative council must be in electronic format under IC 5-14-6.

SECTION 46. IC 4-23-25-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 7. The commission's duties include the following:

(1) Assessment of the needs of Indiana women and their families and promotion of the full participation of Indiana women in all aspects of society, including:

(A) government;
(B) the economy;
(C) employment;
(D) education;
(E) social and family development;
(F) health care;
(G) the justice system; and
(H) other aspects of society identified by the commission.

(2) Advocacy for the removal of legal and social barriers for women.

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(3) Cooperation with organizations and governmental agencies to combat discrimination against women.

(4) Identification and recognition of contributions made by Indiana women to their community, state, and nation.

(5) Representation of Indiana's commitment to improving the quality of life for women and their families.

(6) Consultation with state agencies regarding the effect upon women and their families of agency policies, emerging policies, procedures, practices, laws, and administrative rules.

(7) Maintenance of information concerning:

(A) organizations and governmental agencies serving women and their families; and

(B) the names, resumes, and other professional and career information about women available to serve as agency appointees.

(8) Evaluation of laws and governmental policies with respect to the needs of women and their families.

(9) Monitoring of legislation and other legal developments in order to make recommendations that support the commission's purposes to the general assembly and the governor.

(10) Action as a central clearinghouse for information concerning women and their families.

(11) Gathering, studying, and disseminating information on women and their families through publications, public hearings, conferences, and other means.

(12) Assessment of the needs of women and their families and the promotion of, development of, and assistance to other entities in providing programs and services to meet those needs.

(13) Provision of publicity concerning the purposes and activities of the commission.

(14) Service as a liaison between government and private interest groups concerned with serving the special needs of women.

(15) Submission of an annual report on the commission's activities to the governor and to the legislative council. **An annual report submitted to the legislative council must be in an electronic format under IC 5-14-6.**

SECTION 47. IC 4-23-28-3, AS ADDED BY P.L.247-2003, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 3. (a) The commission shall do the following:

(1) Identify and research issues affecting the Hispanic/Latino communities.

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(2) Promote cooperation and understanding between the Hispanic/Latino communities and other communities throughout Indiana.

(3) Report to the legislative council **in an electronic format under IC 5-14-6** and **to** the governor concerning Hispanic/Latino issues, including the following:

(A) Conditions causing exclusion of Hispanics/Latinos from the larger Indiana community.

(B) Measures to stimulate job skill training and related workforce development.

(C) Measures to sustain cultural diversity while improving race and ethnic relations.

(D) Public awareness of issues affecting the Hispanic/Latino communities.

(E) Measures that could facilitate easier access to state and local government services by Hispanics/Latinos.

(F) Challenges and opportunities arising out of the growth of the Hispanic/Latino population.

(b) The commission may study other topics:

(1) as assigned by the governor;

(2) as assigned by the legislative council; or

(3) as directed by the commission's chairperson.

SECTION 48. IC 4-30-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 3. (a) The commission shall submit written monthly and annual reports to the governor disclosing the total lottery revenues, prize disbursements, and other expenses of the commission during the preceding month and year. In the annual report the commission shall:

(1) describe the organizational structure of the commission;

(2) identify the divisions created by the director; and

(3) summarize the functions performed by each division.

(b) The commission shall submit the annual report to the governor, president pro tempore of the senate, the speaker of the house of representatives, the director of the budget agency, and, **in an electronic format under IC 5-14-6,** the executive director of the legislative services agency no later than February 1 of each year.

SECTION 49. IC 4-30-19-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 3. A copy of an audit performed under this chapter shall be submitted to the director, the commission members, the budget agency, the governor, and, **in an electronic format under IC 5-14-6,** the executive director of the legislative services agency.

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SECTION 50. IC 4-31-3-8, AS AMENDED BY P.L.15-1999, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 8. The commission shall:

(1) prescribe the rules and conditions under which horse racing at a recognized meeting may be conducted;

(2) initiate safeguards as necessary to account for the amount of money wagered at each track or satellite facility in each wagering pool;

(3) require all permit holders to provide a photographic or videotape recording, approved by the commission, of the entire running of all races conducted by the permit holder;

(4) make annual reports concerning its operations and recommendations to the governor and, **in an electronic format under IC 5-14-6, to** the general assembly; and

(5) carry out the provisions of IC 15-5-5.5, after considering recommendations received from the Indiana standardbred advisory board under IC 15-5-5.5.

SECTION 51. IC 4-34-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 1. Not later than one hundred twenty (120) days after the end of each state fiscal year, the budget agency shall provide the general assembly, members of the state budget committee, and the governor with a ~~written~~ report as to the use of the money in the fund during the previous state fiscal year. **A report provided under this section to the general assembly must be in an electronic format under IC 5-14-6.**

SECTION 52. IC 5-1-16-35 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 35. The authority shall submit an annual report of its activities for the preceding fiscal year to the governor and the ~~Indiana~~ general assembly. **An annual report submitted under this section to the general assembly must be in an electronic format under IC 5-14-6.** Each member of the ~~Indiana~~ general assembly who requests a **written** copy of the report from the chairman of the authority shall be sent a **written** copy. Each report shall set forth a complete operating and financial statement for the authority during the fiscal year it covers.

SECTION 53. IC 5-2-6.1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 10. The division shall do the following:

(1) Maintain an office and staff in Indianapolis.

(2) Prescribe forms for processing applications for assistance.

(3) Determine claims for assistance filed under this chapter and investigate or reopen cases as necessary.

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(4) Prepare a ~~written~~ report of the division's activities each year for the governor and the legislative council. **A report prepared under this subdivision for the legislative council must be in an electronic format under IC 5-14-6.**

SECTION 54. IC 5-4-1-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 18. (a) Except as provided in subsection (b), the following city, town, county, or township officers and employees shall file an individual surety bond:

(1) City judges, controllers, clerks, and clerk-treasurers.

(2) Town judges and clerk-treasurers.

(3) Auditors, treasurers, recorders, surveyors, sheriffs, coroners, assessors, and clerks.

(4) Township trustees and assessors.

(5) Those employees directed to file an individual bond by the fiscal body of a city, town, or county.

(b) The fiscal body of a city, town, county, or township may by ordinance authorize the purchase of a blanket bond or a crime insurance policy endorsed to include faithful performance to cover the faithful performance of all employees, commission members, and persons acting on behalf of the local government unit including those officers described in subsection (a).

(c) The fiscal bodies of the respective units shall fix the amount of the bond of city controllers, city clerk-treasurers, town clerk-treasurers, Barrett Law fund custodians, county treasurers, county sheriffs, circuit court clerks, township trustees, and conservancy district financial clerks as follows:

(1) The amount must equal fifteen thousand dollars ($15,000) for each one million dollars ($1,000,000) of receipts of the officer's office during the last complete fiscal year before the purchase of the bond, subject to subdivision (2).

(2) The amount may not be less than fifteen thousand dollars ($15,000) nor more than three hundred thousand dollars ($300,000).

County auditors shall file bonds in amounts of not less than fifteen thousand dollars ($15,000), as fixed by the fiscal body of the county. The amount of the bond of any other person required to file an individual bond shall be fixed by the fiscal body of the unit at not less than eight thousand five hundred dollars ($8,500).

(d) A controller of a solid waste management district established under IC 13-21 or IC 13-9.5 (before its repeal) shall file an individual surety bond in an amount:

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(1) fixed by the board of directors of the solid waste management district; and

(2) that is at least fifteen thousand dollars ($15,000).

(e) Except as provided under subsection (d), a person who is required to file an individual surety bond by the board of directors of a solid waste management district established under IC 13-21 or IC 13-9.5 (before its repeal) shall file a bond in an amount fixed by the board of directors.

(f) In 1982 and every four (4) years after that, the state examiner shall review the bond amounts fixed under this section and report **in an electronic format under IC 5-14-6** to the general assembly whether changes are necessary to ensure adequate and economical coverage.

(g) The commissioner of insurance shall prescribe the form of the bonds or crime policies required by this section, in consultation with the commission on public records under IC 5-15-5.1-6.

SECTION 55. IC 5-11-5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 1. (a) Whenever an examination is made under this article, a report of the examination shall be made. The report must include a list of findings and shall be signed and verified by the examiner making the examination. A finding that is critical of an examined entity must be based upon one (1) of the following:

(1) Failure of the entity to observe a uniform compliance guideline established under IC 5-11-1-24(a).

(2) Failure of the entity to comply with a specific law.

A report that includes a finding that is critical of an examined entity must designate the uniform compliance guideline or the specific law upon which the finding is based. The reports shall immediately be filed with the state examiner, and, after inspection of the report, the state examiner shall immediately file one (1) copy with the officer or person examined, one (1) copy with the auditing department of the municipality examined and reported upon, and one (1) copy **in an electronic format under IC 5-14-6** of the reports of examination of state agencies, instrumentalities of the state, and federal funds administered by the state with the legislative services agency, as staff to the general assembly. Upon filing, the report becomes a part of the public records of the office of the state examiner, of the office or the person examined, of the auditing department of the municipality examined and reported upon, and of the legislative services agency, as staff to the general assembly. A report is open to public inspection at all reasonable times after it is filed. If an examination discloses malfeasance, misfeasance, or nonfeasance in office or of any officer or

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employee, a copy of the report, signed and verified, shall be placed by the state examiner with the attorney general. The attorney general shall diligently institute and prosecute civil proceedings against the delinquent officer, or upon the officer's official bond, or both, and against any other proper person that will secure to the state or to the proper municipality the recovery of any funds misappropriated, diverted, or unaccounted for.

(b) Before an examination report is signed, verified, and filed as required by subsection (a), the officer or the chief executive officer of the state office, municipality, or entity examined must have an opportunity to review the report and to file with the state examiner a written response to that report. If a written response is filed, it becomes a part of the examination report that is signed, verified, and filed as required by subsection (a).

(c) Except as required by subsection (b), it is unlawful for any deputy examiner, field examiner, or private examiner, before an examination report is made public as provided by this section, to make any disclosure of the result of any examination of any public account, except to the state examiner or if directed to give publicity to the examination report by the state examiner or by any court. If an examination report shows or discloses the commission of a crime by any person, it is the duty of the state examiner to transmit and present the examination report to the grand jury of the county in which the crime was committed at its first session after the making of the examination report and at any subsequent sessions that may be required. The state examiner shall furnish to the grand jury all evidence at the state examiner's command necessary in the investigation and prosecution of the crime.

SECTION 56. IC 5-14-4-12, AS ADDED BY P.L.191-1999, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 12. The counselor shall submit a report **in an electronic format under IC 5-14-6** not later than June 30 of each year to the legislative services agency concerning the activities of the counselor for the previous year. The report must include the following information:

(1) The total number of inquiries and complaints received.

(2) The number of inquiries and complaints received each from the public, the media, and government agencies.

(3) The number of inquiries and complaints that were resolved.

(4) The number of complaints received about each of the following:

(A) State agencies.

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(B) County agencies.
(C) City agencies.
(D) Town agencies.
(E) Township agencies.
(F) School corporations.
(G) Other local agencies.

(5) The number of complaints received concerning each of the following:
(A) Public records.
(B) Public meetings.

(6) The total number of written advisory opinions issued and pending.

SECTION 57. IC 5-16-8-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 2. (a) Each public agency shall require that every contract for the construction, reconstruction, alteration, repair, improvement or maintenance of public works contain a provision that, if any steel products are to be used or supplied in the performance of the contract or subcontract, only steel products as defined by this chapter shall be used or supplied in the performance of the contract or any of the subcontracts unless the head of the public agency determines, in writing, that the cost of steel products is deemed to be unreasonable.

(b) The head of each public agency shall issue rules which provide that, for purposes of subsection (a) of this section, the bid or offered price of any steel products of domestic origin is not deemed to be unreasonable if it does not exceed the sum of:

(1) the bid or offered price of like steel products of foreign origin (including any applicable duty); plus

(2) a differential of fifteen percent (15%) of the bid or offered price of the steel products of foreign origin.

However, the fifteen percent (15%) differential provided by clause (2) may be increased to twenty-five percent (25%), if the head of the public agency determines that use of steel products of domestic origin would benefit the local or state economy through improved job security and employment opportunity. Whenever the head of a public agency determines that the differential should be increased above fifteen percent (15%) for a particular project, ~~he~~ **the head of the agency** shall file a report with the governor and the legislative services agency detailing the reasons for such determination and the probable impact on the economy of the use of domestic steel in the project. **A report filed under this subsection with the legislative services agency must be in an electronic format under IC 5-14-6.**

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SECTION 58. IC 5-20-1-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 18. ~~Annual Report and Annual Audit.~~ The authority shall, promptly following the close of each fiscal year, submit an annual report of its activities for the preceding year to the governor and the general assembly. ~~Each such~~ **An annual report submitted under this section to the general assembly must be in an electronic format under IC 5-14-6. The** report shall set forth a complete operating and financial statement of the authority during such year, and a copy of such report shall be available to inspection by the public at the Indianapolis office of the authority. The authority shall cause an audit of its books and accounts to be made at least once in each year by an independent certified public accountant and the cost thereof may be paid from any available ~~moneys~~ **money** of the authority.

SECTION 59. IC 5-21-2-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 14. Before December 31 of each year, the commission shall issue a ~~written~~ report to the general assembly and the governor that summarizes the financial and operational performance of the commission during the preceding fiscal year and forecasts the commission's future financial and operational performance. The report issued to the general assembly **must be in an electronic format under IC 5-14-6 and** shall be distributed to the president pro tempore of the senate, the minority leader of the senate, the speaker of the house of representatives, the minority leader of the house of representatives, and the executive director of the legislative services agency.

SECTION 60. IC 6-1.1-11-8, AS AMENDED BY P.L.264-2003, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 8. (a) On or before August 1 of each year, the county auditor of each county shall forward to the department of local government finance the duplicate copies of all approved exemption applications.

(b) The department of local government finance shall review the approved applications forwarded under subsection (a). The department of local government finance may deny an exemption if the department determines that the property is not tax exempt under the laws of this state. However, before denying an exemption, the department of local government finance must give notice to the applicant, and the department must hold a hearing on the exemption application.

(c) With respect to the approved applications forwarded under subsection (a), the department shall annually report to the executive director of the legislative services agency:

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(1) the number forwarded;
(2) the number subjected to field investigation by the department; and
(3) the number denied by the department;

during the year ending on July 1 of the year. The department must submit the report under this subsection not later than August 1 of the year **and in an electronic format under IC 5-14-6.**

(d) The department shall adopt rules under IC 4-22-2 with respect to exempt real property to:
(1) provide just valuations; and
(2) ensure that assessments are:
(A) made; and
(B) recorded;
in accordance with law.

SECTION 61. IC 6-1.1-33.5-2, AS ADDED BY P.L.198-2001, SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 2. The division of data analysis shall do the following:
(1) Compile an electronic data base that includes the following:
(A) The local government data base.
(B) Information on sales of real and personal property, including information from sales disclosure forms filed under IC 6-1.1-5.5.
(C) Personal property assessed values and data entries on personal property return forms.
(D) Real property assessed values and data entries on real property assessment records.
(E) Information on property tax exemptions, deductions, and credits.
(F) Any other data relevant to the accurate determination of real property and personal property tax assessments.
(2) Make available to each county and township software that permits the transfer of the data described in subdivision (1) to the division in a uniform format through a secure connection over the Internet.
(3) Analyze the data compiled under this section for the purpose of performing the functions under section 3 of this chapter.
(4) Conduct continuing studies of personal and real property tax deductions, abatements, and exemptions used throughout Indiana. The division of data analysis shall, before May 1 of each even-numbered year, report on the studies at a meeting of the budget committee and submit a report on the studies to the

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legislative services agency for distribution to the members of the legislative council. **The report must be in an electronic format under IC 5-14-6.**

SECTION 62. IC 6-1.1-33.5-3, AS AMENDED BY P.L.256-2003, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 3. The division of data analysis shall:

(1) conduct continuing studies in the areas in which the department of local government finance operates;

(2) make periodic field surveys and audits of:

(A) tax rolls;

(B) plat books;

(C) building permits;

(D) real estate transfers; and

(E) other data that may be useful in checking property valuations or taxpayer returns;

(3) make test checks of property valuations to serve as the bases for special reassessments under this article;

(4) conduct biennially a coefficient of dispersion study for each township and county in Indiana;

(5) conduct quadrennially a sales assessment ratio study for each township and county in Indiana;

(6) compute school assessment ratios under IC 6-1.1-34; and

(7) report annually to the executive director of the legislative services agency, in ~~a form prescribed by the legislative services agency,~~ **an electronic format under IC 5-14-6,** the information obtained or determined under this section for use by the executive director and the general assembly, including:

(A) all information obtained by the division of data analysis from units of local government; and

(B) all information included in:

(i) the local government data base; and

(ii) any other data compiled by the division of data analysis.

SECTION 63. IC 6-3.1-13-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 23. On or before March 31 each year, the director shall submit a report to the board on the tax credit program under this chapter. The report shall include information on the number of agreements that were entered into under this chapter during the preceding calendar year, a description of the project that is the subject of each agreement, an update on the status of projects under agreements entered into before the preceding calendar year, and the sum of the credits awarded under

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this chapter. A copy of the report shall be ~~delivered~~ **transmitted in an electronic format under IC 5-14-6** to the executive director of the legislative services agency for distribution to the members of the general assembly.

SECTION 64. IC 6-3.1-26-24, AS ADDED BY P.L.224-2003, SECTION 197, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 24. On or before March 31 each year, the director shall submit a report to the board on the tax credit program under this chapter. The report must include information on the number of agreements that were entered into under this chapter during the preceding calendar year, a description of the project that is the subject of each agreement, an update on the status of projects under agreements entered into before the preceding calendar year, and the sum of the credits awarded under this chapter. A copy of the report shall be ~~delivered~~ **transmitted in an electronic format under IC 5-14-6** to the executive director of the legislative services agency for distribution to the members of the general assembly.

SECTION 65. IC 6-8.1-9-14, AS ADDED BY P.L.178-2002, SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 14. (a) The department shall establish, administer, and make available a centralized debt collection program for use by state agencies to collect delinquent accounts, charges, fees, loans, taxes, or other indebtedness owed to or being collected by state agencies. The department's collection facilities shall be available for use by other state agencies only when resources are available to the department.

(b) The commissioner shall prescribe the appropriate form and manner in which collection information is to be submitted to the department.

(c) The debt must be delinquent and not subject to litigation, claim, appeal, or review under the appropriate remedies of a state agency.

(d) The department has the authority to collect for the state or claimant agency (as defined in IC 6-8.1-9.5-1) delinquent accounts, charges, fees, loans, taxes, or other indebtedness due the state or claimant agency that has a formal agreement with the department for central debt collection.

(e) The formal agreement must provide that the information provided to the department be sufficient to establish the obligation in court and to render the agreement as a legal judgment on behalf of the state. After transferring a file for collection to the department for collection, the claimant agency shall terminate all collection procedures and be available to provide assistance to the department. Upon receipt

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of a file for collection, the department shall comply with all applicable state and federal laws governing collection of the debt.

(f) The department may use a claimant agency's statutory authority to collect the claimant agency's delinquent accounts, charges, fees, loans, taxes, or other indebtedness owed to the claimant agency.

(g) The department's right to credit against taxes due may not be impaired by any right granted the department or other state agency under this section.

(h) The department of state revenue may charge the claimant agency a fee not to exceed fifteen percent (15%) of any funds the department collects for a claimant agency. Notwithstanding any law concerning delinquent accounts, charges, fees, loans, taxes, or other indebtedness, the fifteen percent (15%) fee shall be added to the amount due to the state or claimant agency when the collection is made.

(i) Fees collected under subsection (h) shall be retained by the department after the debt is collected for the claimant agency and are appropriated to the department for use by the department in administering this section.

(j) The department shall transfer any funds collected from a debtor to the claimant agency within thirty (30) days after the end of the month in which the funds were collected.

(k) When a claimant agency requests collection by the department, the claimant agency shall provide the department with:

(1) the full name;

(2) the Social Security number or federal identification number, or both;

(3) the last known mailing address; and

(4) additional information that the department may request;

concerning the debtor.

(l) The department shall establish a minimum amount that the department will attempt to collect for the claimant agency.

(m) The commissioner shall report, not later than March 1 for the previous calendar year, to the governor, the budget director, and the legislative council concerning the implementation of the centralized debt collection program, the number of debts, the dollar amounts of debts collected, and an estimate of the future costs and benefits that may be associated with the collection program. **A report to the legislative council under this subsection must be in an electronic format under IC 5-14-6.**

SECTION 66. IC 6-8.1-14-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 3. The department shall submit a report to the governor and legislative

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council no later than October 1 of each year. **A report submitted under this section to the legislative council must be in an electronic format under IC 5-14-6.**

SECTION 67. IC 8-1-1-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 14. (a) The chairman of the commission shall prepare an annual report and file it with the governor and the chairman of the legislative council before October 1 of each year. **A report filed under this subsection with the chairman of the legislative council must be in an electronic format under IC 5-14-6.** The chairman shall include in the report information for the fiscal year ending June 30 of the year in which the report is due.

(b) The annual report required under subsection (a) must include the following:

(1) A statement of the commission's revenues by source and expenditures by purpose.

(2) Statistics relevant to the workload and operations of the commission.

(3) A description of the commission's goals, legal responsibilities, and accomplishments.

(4) Comments on the state of the commission and the various kinds of utilities that it regulates.

(5) Suggestions for new legislation and the rationale for any proposals.

(6) Any other matters that the chairman wishes to bring to the attention of the governor and the general assembly.

(7) Any comments or proposals that any member of the commission gives to the chairman for inclusion in the annual report.

SECTION 68. IC 8-1-2.5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 9. (a) A regulatory flexibility committee established under IC 8-1-2.6-4 to monitor changes in the telephone industry shall also serve to monitor changes and competition in the energy utility industry.

(b) The commission shall ~~before August 15, 1997, and~~ before August 15 of each year ~~after 1997,~~ prepare for presentation to the regulatory flexibility committee an analysis of the effects of competition or changes in the energy utility industry on service and on the pricing of all energy utility services under the jurisdiction of the commission.

(c) In addition to reviewing the commission report prepared under subsection (b), the regulatory flexibility committee shall also issue a

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report and recommendations to the legislative council before ~~November 1, 1997, and before~~ November 1 of each year ~~after 1997~~ that are based on a review of the following issues:

(1) The effects of competition or changes in the energy utility industry and the impact of the competition or changes on the residential rates.

(2) The status of modernization of the energy utility facilities in Indiana and the incentives required to further enhance this infrastructure.

(3) The effects on economic development of this modernization.

(4) The traditional method of regulating energy utilities and the method's effectiveness.

(5) The economic and social effectiveness of traditional energy utility service pricing.

(6) The effects of legislation enacted by the United States Congress.

(7) All other energy utility issues the committee considers appropriate; ~~provided,~~ however, it is not the intent of this section to provide for the review of the statutes cited in section 11 of this chapter.

The report and recommendations issued under this subsection to the legislative council must be in an electronic format under IC 5-14-6.

(d) This section:

(1) does not give a party to a collective bargaining agreement any greater rights under the agreement than the party had before January 1, 1995;

(2) does not give the committee the authority to order a party to a collective bargaining agreement to cancel, terminate, amend or otherwise modify the collective bargaining agreement; and

(3) may not be implemented by the committee in a way that would give a party to a collective bargaining agreement any greater rights under the agreement than the party had before January 1, 1995.

(e) The regulatory flexibility committee shall meet on the call of the co-chairs to study energy utility issues described in subsection (c). The committee shall, with the approval of the commission, retain independent consultants the committee considers appropriate to assist the committee in the review and study. The expenses for the consultants shall be paid with funds from the public utility fees assessed under IC 8-1-6.

(f) The legislative services agency shall provide staff support to the

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committee.

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

SECTION 69. IC 8-1-2.6-4, AS AMENDED BY P.L.224-2003, SECTION 277, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 4. (a) A regulatory flexibility committee is established to monitor competition in the telephone industry.

(b) The committee is composed of the members of a house standing committee selected by the speaker of the house of representatives and a senate standing committee selected by the president pro tempore of the senate. In selecting standing committees under this subsection, the speaker and president pro tempore shall determine which standing committee of the house of representatives and the senate, respectively, has subject matter jurisdiction that most closely relates to the electricity, gas, energy policy, and telecommunications jurisdiction of the regulatory flexibility committee. The chairpersons of the standing committees selected under this subsection shall co-chair the regulatory flexibility committee.

(c) The commission shall, by July 1 of each year, prepare for presentation to the regulatory flexibility committee an analysis of the effects of competition on universal service and on pricing of all telephone services under the jurisdiction of the commission.

(d) In addition to reviewing the commission report prepared under subsection (c), the regulatory flexibility committee shall also issue a report and recommendations to the legislative council by November 1 of each year that is based on a review of the following issues:

(1) The effects of competition in the telephone industry and impact of competition on available subsidies used to maintain universal service.

(2) The status of modernization of the public telephone network in Indiana and the incentives required to further enhance this infrastructure.

(3) The effects on economic development and educational opportunities of this modernization.

(4) The current method of regulating telephone companies and the method's effectiveness.

(5) The economic and social effectiveness of current telephone service pricing.

(6) All other telecommunications issues the committee deems

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appropriate.

The report and recommendations issued under this subsection to the legislative council must be in an electronic format under IC 5-14-6.

(e) The regulatory flexibility committee shall meet on the call of the co-chairpersons to study telecommunications issues described in subsection (d). The committee shall, with the approval of the commission, retain the independent consultants the committee considers appropriate to assist the committee in the review and study. The expenses for the consultants shall be paid by the commission.

SECTION 70. IC 8-1-2.8-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 21. The InTRAC shall do the following:

(1) Establish, implement, and administer, in whole or in part, a statewide dual party relay service system. Any contract for the supply or operation of a dual party relay service system or for the supply of telecommunications devices shall be provided through a competitively selected vendor.

(2) Determine the terms and manner in which each LEC shall pay to the InTRAC the surcharge required under this chapter.

(3) Annually review the costs it incurred during prior periods, make reasonable projections of anticipated funding requirements for future periods, and file a report of the results of the review and projections with the commission by May 1 of each year.

(4) Annually employ an independent accounting firm to prepare audited financial statements for the end of each fiscal year of the InTRAC to consist of:

(A) a balance sheet;

(B) a statement of income; and

(C) a statement of cash flow;

and file a copy of these financial statements with the commission before May 2 of each year.

(5) Enter into contracts with any telephone company authorized by the commission to provide services within Indiana to provide dual party relay services for the telephone company, upon request by the telephone company. However, the InTRAC:

(A) shall require reasonable compensation from the telephone company for the provision of these services;

(B) is not required to contract with its members; and

(C) shall provide dual party relay services to InTRAC members for no consideration other than the payment to the InTRAC of the surcharges collected by the member under this

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chapter.

(6) Send to each of its members and file with the governor and the general assembly before May 2 of each year an annual report that contains the following:

(A) A description of the InTRAC's activities for the previous fiscal year.

(B) A description and evaluation of the dual party relay services that the InTRAC provides.

(C) A report of the volume of services the InTRAC provided during the previous fiscal year.

(D) A copy of the financial statements that subdivision (4) requires.

A report filed under this subdivision with the general assembly must be in an electronic format under IC 5-14-6.

SECTION 71. IC 8-14.5-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 2. (a) A lease entered into under this section must include the following:

(1) A statement that the term of the lease is for a period coextensive with the biennium used for state budgetary and appropriation purposes with a fractional period when the lease begins, if necessary.

(2) A statement that the term of the lease is extended from biennium to biennium, with the extensions not to exceed a lease term of twenty-five (25) years, unless either the authority or the department gives notice of nonextension at least six (6) months before the end of a biennium, in which event the lease expires at the end of the biennium in which the notice is given.

(3) A provision plainly stating that the lease does not constitute an indebtedness of the state within the meaning or application of any constitutional provision or limitation, and that lease rentals are payable by the department solely from biennial appropriations, for the actual use or availability for use of projects provided by the authority, with payment commencing no earlier than the time the use or availability commences.

(4) Provisions requiring the department to pay rent at times and in amounts sufficient to pay in full:

(A) the debt service payable under the terms of any bonds or notes issued by the authority and outstanding with respect to any project, including any required additions to reserves for the bonds or notes maintained by the authority; and

(B) additional rent as provided by the lease;

subject to appropriation of money to pay lease rentals.

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(5) Provisions requiring the department to operate and maintain the project or projects during the term of the lease.

(6) A provision in each master lease for two (2) or more projects requiring that each project added to the master lease shall be covered by a supplemental lease describing the particular project, stating the additional rental payable and providing that all lease covenants, including the obligation to pay the original and additional rent under any supplement, shall be unitary and include all projects covered, whether by the master lease or a supplemental lease.

(b) A lease entered into under this section may contain other terms and conditions that the authority and the department consider appropriate.

(c) The department shall request an appropriation for payment of lease rentals on any lease entered into under this section in writing at a time sufficiently in advance of the date for payment of the lease rentals so that an appropriation may be made in the normal state budgetary process.

(d) If the department fails at any time to pay to the authority when due any lease rentals on any lease under this section, the chairman of the authority shall immediately report the unpaid amount in writing to ~~the general assembly and~~ the governor **and in an electronic format under IC 5-14-6 to the general assembly.**

SECTION 72. IC 8-22-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 2. (a) The airport authority may sue and be sued, and shall adopt an official seal.

(b) The airport authority may appoint and remove or discharge personnel as may be necessary for the performance of the airport's functions irrespective of the civil service, personnel, or other merit system laws of either of the party states.

(c) The airport authority shall elect annually, from its membership, a chairman, a vice chairman, and a treasurer.

(d) The airport authority may establish and maintain or participate in programs of employee benefits as may be appropriate to afford employees of the airport authority terms and conditions of employment similar to those enjoyed by the employees of each of the party states.

(e) The airport authority may borrow, accept, or contract for the services of personnel from a state, the United States, or a subdivision or agency of either, from an interstate agency, or from any other institution or person.

(f) The airport authority may accept for its purposes and functions

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donations and grants of money, equipment, supplies, materials, and services, conditional or otherwise, from a state, the United States, or a subdivision or agency of either, from an interstate agency, or from any other institution or person. The authority may receive, utilize and dispose of the property.

(g) The airport authority may establish and maintain facilities that may be necessary for the transaction of its business. The airport authority may acquire, hold, and convey real and personal property and any interest in it, and may enter into contracts for improvements upon real estate appurtenant to the airport, including farming, extracting minerals, subleasing, subdividing, promoting and developing of real estate that aids and encourages the development and service of the airport. The airport authority may engage contractors to provide airport services and shall carefully observe all appropriate federal or state regulations in the operation of the air facility.

(h) The airport authority may adopt official rules and regulations for the conduct of its business and may amend or rescind them when necessary.

(i) The airport authority shall annually make a report to the governor of each party state concerning the activities of the airport authority for the preceding year, embodying in the report recommendations that have been adopted by the airport authority. The copies of the report shall be submitted to the legislature or general assembly of each of the party states at any regular session. **A copy submitted to the general assembly must be in an electronic format under IC 5-14-6.** The airport authority may issue additional reports that are necessary.

SECTION 73. IC 8-23-5-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 8. (a) The department may install vending machines for items including food, drink, candy, and first aid kits in rest areas on the interstate highway system.

(b) The department shall report **in an electronic format under IC 5-14-6** to the general assembly through the legislative council the results of the installation.

(c) Installation of the vending machines must conform with federal and Indiana law.

SECTION 74. IC 9-16-5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 2. Each audit required by section 1 of this chapter must be:

(1) completed not more than ninety (90) days after commencement of the audit; and

(2) filed with the legislative services agency **in an electronic**

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format under IC 5-14-6 not more than thirty (30) days after completion of the audit.

SECTION 75. IC 9-20-16-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 1. Before January 2 of each odd-numbered year, the Civil Engineering School at Purdue University shall report **in an electronic format under IC 5-14-6** to the general assembly the results of a continuing study of the condition of Indiana's roads and streets as the condition may be affected by trucks and tractor-semitrailer combinations.

SECTION 76. IC 9-27-5-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 5. The director of the state department of toxicology, in conjunction with the office of traffic safety, shall prepare a ~~written~~ report of the annual statistical findings and related recommendations for presentation upon request of the legislative council. **The report must be in an electronic format under IC 5-14-6.**

SECTION 77. IC 10-13-3-38, AS ADDED BY P.L.2-2003, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 38. (a) A law enforcement agency shall collect information concerning bias crimes.

(b) At least two (2) times each year, a law enforcement agency shall submit information collected under subsection (a) to the Indiana central repository for criminal history information. Information shall be reported in the manner and form prescribed by the department.

(c) At least one (1) time each year, the Indiana central repository for criminal history information shall submit a report that includes a compilation of information obtained under subsection (b) to each law enforcement agency and to the legislative council. A report submitted to a law enforcement agency and the legislative council under this subsection may not contain the name of a person who:

(1) committed or allegedly committed a bias crime; or

(2) was the victim or the alleged victim of a bias crime.

A report submitted to the legislative council under this subsection must be in an electronic format under IC 5-14-6.

(d) Except as provided in subsection (e), information collected, submitted, and reported under this section must be consistent with guidelines established for the acquisition, preservation, and exchange of identification records and information by:

(1) the Attorney General of the United States; or

(2) the Federal Bureau of Investigation;

under 28 U.S.C. 534 and the Hate Crime Statistics Act, as amended (28 U.S.C. 534 note).

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(e) Information submitted under subsection (b) and reports issued under subsection (c) shall, in conformity with guidelines prescribed by the department:

(1) be separated in reports on the basis of whether it is an alleged crime, a charged crime, or a crime for which a conviction has been obtained; and

(2) be divided in reports on the basis of whether, in the opinion of the reporting individual and the data collectors, bias was the primary motivation for the crime or only incidental to the crime.

SECTION 78. IC 10-14-8-4, AS ADDED BY P.L.2-2003, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 4. (a) The director shall consult with:

(1) the state health commissioner of the state department of health;

(2) the commissioner of the Indiana department of transportation;

(3) the commissioner of the department of environmental management;

(4) the director of the department of natural resources;

(5) the superintendent of the state police department;

(6) representatives of the:

(A) United States Nuclear Regulatory Commission;

(B) Federal Emergency Management Agency;

(C) United States Department of Energy; and

(D) United States Department of Transportation; and

(7) a representative of a local emergency management agency designated by the director;

to prepare a plan for emergency response to a high level radioactive waste transportation accident in Indiana. The plan must include provisions for evacuation, containment, and cleanup and must designate the role of each state or local government agency involved in the emergency response plan.

(b) The director shall report to the general assembly each year on the:

(1) status of the plan prepared under subsection (a); and

(2) ability of the state to respond adequately to a high level radioactive waste transportation accident in Indiana.

A report under this subsection to the general assembly must be in an electronic format under IC 5-14-6.

SECTION 79. IC 10-15-3-11, AS ADDED BY P.L.2-2003, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 11. Before October 1 of each

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year, the foundation shall prepare an annual report concerning the foundation's activities for the prior year for the public and the general assembly. **A report prepared under this section for the general assembly must be in an electronic format under IC 5-14-6.**

SECTION 80. IC 10-17-8-6, AS ADDED BY P.L.2-2003, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 6. (a) The department, in consultation and cooperation with a department certified medical toxicologist and herbicide specialist, shall compile information submitted under this chapter into a report. The report must contain an evaluation of the information and shall be distributed annually to the legislative services agency, the United States Department of Veterans Affairs, the state department of health, and other veterans groups. The report must also contain:

(1) current research findings on the exposure to chemical defoliants or herbicides or similar agents, including agent orange; and

(2) statistical information compiled from reports submitted by physicians or hospitals.

(b) The department shall forward to the United States Department of Veterans Affairs a copy of all forms submitted to the department under section 5 of this chapter.

(c) A report distributed under subsection (a) to the legislative services agency must be in an electronic format under IC 5-14-6.

SECTION 81. IC 11-10-3-2.5, AS ADDED BY P.L.293-2001, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 2.5. (a) As used in this section, "confirmatory test" means a laboratory test or a series of tests approved by the state department of health and used in conjunction with a screening test to confirm or refute the results of the screening test for the human immunodeficiency virus (HIV) antigen or antibodies to the human immunodeficiency virus (HIV).

(b) As used in this section, "screening test" means a laboratory screening test or a series of tests approved by the state department of health to determine the possible presence of the human immunodeficiency virus (HIV) antigen or antibodies to the human immunodeficiency virus (HIV).

(c) For an individual who is committed to the department after June 30, 2001, the examination required under section 2(a) of this chapter must include the following:

(1) A blood test for hepatitis C.

(2) A screening test for the human immunodeficiency virus (HIV)

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antigen or antibodies to the human immunodeficiency virus (HIV).

(d) If the screening test required under subsection (c)(2) indicates the presence of antibodies to the human immunodeficiency virus (HIV), the department shall administer a confirmatory test to the individual.

(e) The department may require an individual who:

(1) was committed to the department before July 1, 2001; and

(2) is in the custody of the department after June 30, 2001;

to undergo the tests required by subsection (c) and, if applicable, subsection (d).

(f) Except as otherwise provided by state or federal law, the results of a test administered under this section are confidential.

(g) The department shall, beginning September 1, 2002, file an annual report **in an electronic format under IC 5-14-6** with the executive director of the legislative services agency containing statistical information on the number of individuals tested and the number of positive test results determined under this section.

SECTION 82. IC 11-13-1-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 9. (a) The judicial conference of Indiana shall:

(1) keep informed of the work of all probation departments;

(2) compile and publish statistical and other information that may be of value to the probation service;

(3) inform courts and probation departments of legislation concerning probation and of other developments in probation; and

(4) submit to the general assembly before January 15 of each year a report **in an electronic format under IC 5-14-6** compiling the statistics provided to the judicial conference by probation departments under section 4(b) of this chapter.

(b) The conference may:

(1) visit and inspect any probation department and confer with probation officers and judges administering probation; and

(2) require probation departments to submit periodic reports of their work on forms furnished by the conference.

SECTION 83. IC 11-13-8-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 4. The department shall, not later than January 1 of each year, submit an annual report to the general assembly on the operation of the transitional programs established under this chapter. The report **must be in an electronic format under IC 5-14-6 and** must include information concerning the following:

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(1) The number of offenders who participated in the program.

(2) The types of programs in which the offenders participated.

SECTION 84. IC 12-8-1-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 13. (a) Subject to the appropriation limits established by the state's biennial budget for the office of the secretary and its divisions, and after assistance, including assistance under AFDC (IC 12-14), medical assistance (IC 12-15), and food stamps (7 U.S.C. 2016(i)), is distributed to persons eligible to receive assistance, the secretary may adopt rules under IC 4-22-2 to offer programs on a pilot or statewide basis to encourage recipients of assistance under IC 12-14 to become self-sufficient and discontinue dependence on public assistance programs. Programs offered under this subsection may do the following:

(1) Develop welfare-to-work programs.

(2) Develop home child care training programs that will enable recipients to work by providing child care for other recipients.

(3) Provide case management and supportive services.

(4) Develop a system to provide for public service opportunities for recipients.

(5) Provide plans to implement the personal responsibility agreement under IC 12-14-2-21.

(6) Develop programs to implement the school attendance requirement under IC 12-14-2-17.

(7) Provide funds for county planning council activities under IC 12-14-22-13.

(8) Provide that a recipient may earn up to the federal income poverty level (as defined in IC 12-15-2-1) before assistance under this title is reduced or eliminated.

(9) Provide for child care assistance, with the recipient paying fifty percent (50%) of the local market rate as established under 45 CFR 256 for child care.

(10) Provide for medical care assistance under IC 12-15, if the recipient's employer does not offer the recipient health care coverage.

(b) If the secretary offers a program described in subsection (a), the secretary shall annually report the results and other relevant data regarding the program to the legislative council **in an electronic format under IC 5-14-6.**

SECTION 85. IC 12-8-10-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 10. ~~Within~~ **Not more than** thirty (30) days after the completion of each

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audit required by this chapter, the group shall submit a copy of the audit to each of the following:

(1) The state board of accounts.

(2) Each state agency that is a party to a contract covered in the audit.

(3) The legislative council, upon request of the legislative council or when required by federal law. **A report submitted under this subdivision must be in electronic format under IC 5-14-6.**

(4) The appropriate federal agency, when required by federal law.

SECTION 86. IC 12-8-14-4, AS ADDED BY P.L.272-1999, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 4. The office of the secretary shall submit an annual report on the family support program to the governor and to the general assembly before July 1 of each year. **A report submitted under this section to the general assembly must be in an electronic format under IC 5-14-6.**

SECTION 87. IC 12-10-3-30 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 30. The division shall report to the general assembly before February 2 of each year concerning the division's activities under this chapter during the preceding calendar year. The report must include the recommendations of the division relating to the need for continuing care of endangered adults under this chapter **and must be in an electronic format under IC 5-14-6.**

SECTION 88. IC 12-10-4-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 5. (a) The division may award grants to be used for Alzheimer's disease or related senile dementia activities to an entity that does any of the following:

(1) Operates a geriatric assessment unit.

(2) Provides or has the capability of providing diagnostic services or treatment for individuals with symptoms of Alzheimer's disease or a related senile dementia.

(3) Provides counseling to families of individuals with Alzheimer's disease or a related senile dementia.

(4) Conducts research or training in geriatrics.

(b) The division shall submit to the general assembly before November 1 of each year a report on services provided and research conducted with grant money. The report **must be in an electronic format under IC 5-14-6 and** must include the following:

(1) A description of any progress made by an entity awarded a grant under this section in discovering the cause of and a cure for

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Alzheimer's disease and related senile dementia and in improving the quality of care of individuals who have Alzheimer's disease or a related senile dementia.

(2) The characteristics and number of persons served by programs established with grants provided under this section.

(3) The costs of programs established with grants provided under this section.

(4) A general evaluation of the programs established with grants provided under this section.

SECTION 89. IC 12-10-10-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 11. (a) Before October 1 of each year, the division, in conjunction with the office of the secretary, shall prepare a report for review by the board and the general assembly. The report must include the following information regarding clients and services of the community and home options to institutional care for the elderly and disabled program and other long term care home and community based programs:

(1) The amount and source of all local, state, and federal dollars spent.

(2) The use of the community and home options to institutional care for the elderly and disabled program in supplementing the funding of services provided to clients through other programs.

(3) The number and types of participating providers.

(4) An examination of:

(A) demographic characteristics; and

(B) impairment and medical characteristics.

(5) A comparison of costs for all publicly funded long term care programs.

(6) Client care outcomes.

(7) A determination of the estimated number of applicants for services from the community and home options to institutional care for the elderly and disabled program who have:

(A) one (1) assessed activity of daily living that cannot be performed;

(B) two (2) assessed activities of daily living that cannot be performed; and

(C) three (3) or more assessed activities of daily living that cannot be performed;

and the estimated effect of the results under clauses (A), (B), and (C) on program funding, program savings, client access, client care outcomes, and comparative costs with other long term care programs.

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(b) After receiving the report described in subsection (a), the board may do the following:

(1) Review and comment on the report.

(2) Solicit public comments and testimony on the report.

(3) Incorporate its own opinions into the report.

(c) The board shall submit the report **in an electronic format under IC 5-14-6** along with any additions made under subsection (b) to the general assembly after November 15 and before December 31 each year.

(d) Funding for the report must come entirely from:

(1) funds already available for similar purposes;

(2) discretionary funds available to the division or the office of the secretary;

(3) reversion funds; and

(4) private funds and grants.

SECTION 90. IC 12-10-11.5-6, AS ADDED BY P.L.274-2003, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 6. (a) The office of the secretary of family and social services shall annually determine any state savings generated by home and community based services under this chapter by reducing the use of institutional care.

(b) The secretary shall annually report to the governor, the budget agency, the budget committee, the select commission on Medicaid oversight, and the executive director of the legislative services agency the savings determined under subsection (a). **A report under this subsection to the executive director of the legislative services agency must be in an electronic format under IC 5-14-6.**

(c) Savings determined under subsection (a) may be used to fund the state's share of additional home and community based Medicaid waiver slots.

SECTION 91. IC 12-10-13-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 19. (a) The office shall prepare a report each year on the operations of the office.

(b) A copy of the report shall be provided to the following:

(1) The governor.

(2) The general assembly. **The report must be in an electronic format under IC 5-14-6.**

(3) The division.

(4) The federal Commissioner on Aging.

(5) Each area agency on aging.

(6) The state department of health.

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SECTION 92. IC 12-11-8-3, AS AMENDED BY P.L.215-2001, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 3. (a) The institute for autism in cooperation with the appropriate state agencies shall do the following:

(1) Provide informational services about autism.

(2) Provide an information system for services provided to individuals with autism and their families by federal, state, local, and private agencies.

(3) Develop a data base from information received by the division, the division of mental health and addiction, the department of education, and the state department of health relative to the services provided to autistic individuals and their families.

(4) Offer training and technical assistance to providers of services and families of individuals with autism.

(5) Research methods for assessing, planning, implementing, and evaluating programs for individuals with autism and their families.

(6) Develop model curricula and resource materials for providers of services and families of individuals with autism.

(7) Conduct one (1) time every three (3) years a statewide needs assessment study designed to determine the following:

(A) The status of services provided to autistic individuals and their families.

(B) The need for additional or alternative services for autistic individuals and their families.

(b) The institute for autism shall deliver to the general assembly **in an electronic format under IC 5-14-6** the results of the needs assessment study required by subsection (a)(7) before December 1 of each year in which the study is conducted.

SECTION 93. IC 12-11-13-13, AS ADDED BY P.L.272-1999, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 13. (a) The ombudsman shall prepare a report each year on the operations of the program.

(b) A copy of the report required under subsection (a) shall be provided to the following:

(1) The governor.

(2) The legislative council. **The report must be in an electronic format under IC 5-14-6.**

(3) The division.

(4) The members of the Indiana commission on mental retardation

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and developmental disabilities established by P.L.78-1994.

SECTION 94. IC 12-12-5-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 10. (a) Before December 1 of each year, the bureau shall submit to the legislative services agency a report **in an electronic format under IC 5-14-6** detailing the number of blind vendors placed by the bureau in public and private buildings under this chapter.

(b) The legislative services agency shall submit copies of the report to the chairs of the health committees of the senate and the house of representatives.

SECTION 95. IC 12-13-12-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 10. The commission shall issue an annual report stating the findings, conclusions, and recommendations of the commission. The commission shall submit the report to the governor and the legislative council. **A report submitted under this section to the legislative council must be in an electronic format under IC 5-14-6.**

SECTION 96. IC 12-13-13-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 1. The division of family and children shall prepare a report **in an electronic format under IC 5-14-6** for the general assembly regarding the division's management of child abuse and neglect cases.

SECTION 97. IC 12-13-13-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 3. The division shall submit the report **in an electronic format under IC 5-14-6** to the general assembly not later than November 1 of each year.

SECTION 98. IC 12-13-14.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 3. One (1) time every six (6) months, the division shall submit a report to the budget committee and to the general assembly that provides data and statistical information regarding caseloads for each county for child protection caseworkers, child welfare caseworkers and other caseworkers under the jurisdiction of the division of family and children, department of family and social services during the preceding six (6) months. **A report submitted under this section to the general assembly must be in an electronic format under IC 5-14-6.**

SECTION 99. IC 12-14-2-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 23. (a) This section applies only to a person's eligibility for assistance under section 5.1 of this chapter.

(b) As used in this section, "school" means a program resulting in

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high school graduation.

(c) Due to extraordinary circumstances, a person who is the parent of a dependent child, an essential person, or a dependent child may apply, in a manner prescribed by the division, for an exemption from the requirements of this chapter if the person can document that the person has complied with the personal responsibility agreement under section 21 of this chapter and the person demonstrates any of the following:

(1) The person has a substantial physical or mental disability that prevents the person from obtaining or participating in gainful employment.

(2) The person is a minor parent who is in school full time and who has a dependent child.

(3) The person is a minor parent who is enrolled full time in an educational program culminating in a high school equivalency certificate and who has a dependent child.

A person seeking an exemption under this section must show documentation to the division to substantiate the person's claim for an exemption under subdivision (1), (2), or (3).

(d) After receiving an application for exemption from a parent, an essential person, or a dependent child under subsection (c), the division shall investigate and determine if the parent, essential person, or dependent child qualifies for an exemption from this chapter. The director shall make a final determination regarding:

(1) whether to grant an exemption;

(2) the length of an exemption, if granted, subject to subsection (f); and

(3) the extent of an exemption, if granted.

(e) If the director determines that a parent, an essential person, or a dependent child qualifies for an exemption under this chapter, the parent, essential person, or dependent child is entitled to receive one hundred percent (100%) of the payments that the parent, essential person, or dependent child is entitled to receive under section 5 of this chapter, subject to any ratable reduction.

(f) An exemption granted under this section may not exceed one (1) year, but may be renewed.

(g) The division shall send a report each quarter to the legislative council and the budget committee detailing the number and type of exemptions granted under this section. **A report sent under this subsection to the legislative council must be in an electronic format under IC 5-14-6.**

(h) The division may adopt rules under IC 4-22-2 to carry out this

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section.

SECTION 100. IC 12-14-11-7, AS AMENDED BY P.L.159-1999, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 7. (a) The criteria for determining the amount of assistance may include the following:

(1) The age of an applicant for assistance.

(2) Whether the applicant is employed.

(3) Household income during the past one hundred eighty (180) days.

(4) Household size.

(5) Type of fuel used for primary heating or cooling.

(6) The need for assistance.

(7) Residency.

(8) The age and energy efficiency of the applicant's dwelling and heating plant.

(b) Unless prohibited by federal law, the criteria for determining the amount of assistance must include a consideration of an applicant's housing status. The division shall give weight to an applicant's housing status in the following order, from greatest weight to least weight:

(1) An applicant who resides in nonsubsidized housing.

(2) An applicant who resides in subsidized housing in which home energy costs are not included in the rent.

(3) An applicant who resides in subsidized housing in which home energy costs are included in the rent.

(c) The division shall annually:

(1) review the formula used by the division to determine the amount of assistance awarded under this chapter; and

(2) prepare a report that includes:

(A) the following information for the most recent federal fiscal year:

(i) The number of applicants for assistance under this chapter.

(ii) The number of assistance awards made under this chapter.

(iii) The average amount of assistance awarded under this chapter for all recipients and by category of housing status; and

(B) a statement of:

(i) the formula that the division is currently using to determine the amount of assistance under this chapter; and

(ii) the division's intention regarding any change in the formula described in item (i).

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(d) The division shall file the report required under subsection (c)(2) **in an electronic format under IC 5-14-6** with the legislative council before April 1 ~~beginning in 2000.~~ **each year.**

SECTION 101. IC 12-15-1-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 14. The office shall annually submit a report to the legislative council that covers all aspects of the office's evaluation, including the following:

(1) The number and demographic characteristics of the individuals receiving Medicaid during the preceding fiscal year.

(2) The number of births during the preceding fiscal year.

(3) The number of infant deaths during the preceding fiscal year.

(4) The improvement in the number of low birth weight babies for the preceding fiscal year.

(5) The total cost of providing Medicaid during the preceding fiscal year.

(6) The total cost savings during the preceding fiscal year that are realized in other state funded programs because of providing Medicaid.

The report must be in an electronic format under IC 5-14-6.

SECTION 102. IC 12-15-35-28, AS AMENDED BY P.L.184-2003, SECTION 7, AND AS AMENDED BY P.L.193-2003, SECTION 2, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 28. (a) The board has the following duties:

(1) The adoption of rules to carry out this chapter, in accordance with the provisions of IC 4-22-2 and subject to any office approval that is required by the federal Omnibus Budget Reconciliation Act of 1990 under Public Law 101-508 and its implementing regulations.

(2) The implementation of a Medicaid retrospective and prospective DUR program as outlined in this chapter, including the approval of software programs to be used by the pharmacist for prospective DUR and recommendations concerning the provisions of the contractual agreement between the state and any other entity that will be processing and reviewing Medicaid drug claims and profiles for the DUR program under this chapter.

(3) The development and application of the predetermined criteria and standards for appropriate prescribing to be used in retrospective and prospective DUR to ensure that such criteria and standards for appropriate prescribing are based on the compendia and developed with professional input with provisions for timely revisions and assessments as necessary.

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(4) The development, selection, application, and assessment of interventions for physicians, pharmacists, and patients that are educational and not punitive in nature.

(5) The publication of an annual report that must be subject to public comment before issuance to the federal Department of Health and Human Services and to the Indiana legislative council by December 1 of each year. **The report issued to the legislative council must be in an electronic format under IC 5-14-6.**

(6) The development of a working agreement for the board to clarify the areas of responsibility with related boards or agencies, including the following:

(A) The Indiana board of pharmacy.

(B) The medical licensing board of Indiana.

(C) The SURS staff.

(7) The establishment of a grievance and appeals process for physicians or pharmacists under this chapter.

(8) The publication and dissemination of educational information to physicians and pharmacists regarding the board and the DUR program, including information on the following:

(A) Identifying and reducing the frequency of patterns of fraud, abuse, gross overuse, or inappropriate or medically unnecessary care among physicians, pharmacists, and recipients.

(B) Potential or actual severe or adverse reactions to drugs.

(C) Therapeutic appropriateness.

(D) Overutilization or underutilization.

(E) Appropriate use of generic drugs.

(F) Therapeutic duplication.

(G) Drug-disease contraindications.

(H) Drug-drug interactions.

(I) Incorrect drug dosage and duration of drug treatment.

(J) Drug allergy interactions.

(K) Clinical abuse and misuse.

(9) The adoption and implementation of procedures designed to ensure the confidentiality of any information collected, stored, retrieved, assessed, or analyzed by the board, staff to the board, or contractors to the DUR program that identifies individual physicians, pharmacists, or recipients.

(10) The implementation of additional drug utilization review with respect to drugs dispensed to residents of nursing facilities shall not be required if the nursing facility is in compliance with the drug regimen procedures under 410 IAC 16.2-3-8 and 42 CFR

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(11) The research, development, and approval of a preferred drug list for:

(A) Medicaid's fee for service program;

(B) Medicaid's primary care case management program; and

(C) the primary care case management component of the children's health insurance program under IC 12-17.6;

in consultation with the therapeutics committee.

(12) The approval of the review and maintenance of the preferred drug list at least two (2) times per year.

(13) The preparation and submission of a report concerning the preferred drug list at least two (2) times per year to the select joint commission on Medicaid oversight established by IC 2-5-26-3.

(14) The collection of data reflecting prescribing patterns related to treatment of children diagnosed with attention deficit disorder or attention deficit hyperactivity disorder.

(15) Advising the Indiana comprehensive health insurance association established by IC 27-8-10-2.1 concerning implementation of chronic disease management and pharmaceutical management programs under IC 27-8-10-3.5.

(b) The board shall use the clinical expertise of the therapeutics committee in developing a preferred drug list. The board shall also consider expert testimony in the development of a preferred drug list.

(c) In researching and developing a preferred drug list under subsection (a)(11), the board shall do the following:

(1) Use literature abstracting technology.

(2) Use commonly accepted guidance principles of disease management.

(3) Develop therapeutic classifications for the preferred drug list.

(4) Give primary consideration to the clinical efficacy or appropriateness of a particular drug in treating a specific medical condition.

(5) Include in any cost effectiveness considerations the cost implications of other components of the state's Medicaid program and other state funded programs.

(d) Prior authorization is required for coverage under a program described in subsection (a)(11) of a drug that is not included on the preferred drug list.

(e) The board shall determine whether to include a single source covered outpatient drug that is newly approved by the federal Food and Drug Administration on the preferred drug list not later than sixty (60) days after the date *on which the manufacturer notifies the board in*

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writing of the drug's approval. However, if the board determines that there is inadequate information about the drug available to the board to make a determination, the board may have an additional sixty (60) days to make a determination from the date that the board receives adequate information to perform the board's review. Prior authorization may not be automatically required for a single source drug that is newly approved by the federal Food and Drug Administration, and that is:

(1) in a therapeutic classification:

(A) that has not been reviewed by the board; and

(B) for which prior authorization is not required; or

(2) the sole drug in a new therapeutic classification that has not been reviewed by the board.

(f) The board may not exclude a drug from the preferred drug list based solely on price.

(g) The following requirements apply to a preferred drug list developed under subsection (a)(11):

(1) *Except as provided by IC 12-15-35.5-3(b) and IC 12-15-35.5-3(c),* the office or the board may require prior authorization for a drug that is included on the preferred drug list under the following circumstances:

(A) To override a prospective drug utilization review alert.

(B) To permit reimbursement for a medically necessary brand name drug that is subject to generic substitution under IC 16-42-22-10.

(C) To prevent fraud, abuse, waste, overutilization, or inappropriate utilization.

(D) To permit implementation of a disease management program.

(E) To implement other initiatives permitted by state or federal law.

(2) All drugs described in IC 12-15-35.5-3(b) must be included on the preferred drug list.

(3) The office may add a ~~*new single source*~~ drug that has been approved by the federal Food and Drug Administration to the preferred drug list without prior approval from the board.

(4) The board may add a ~~*new single source*~~ drug that has been approved by the federal Food and Drug Administration to the preferred drug list.

(h) At least two (2) times each year, the board shall provide a report to the select joint commission on Medicaid oversight established by IC 2-5-26-3. The report must contain the following information:

(1) The cost of administering the preferred drug list.

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(2) Any increase in Medicaid physician, laboratory, or hospital costs or in other state funded programs as a result of the preferred drug list.

(3) The impact of the preferred drug list on the ability of a Medicaid recipient to obtain prescription drugs.

(4) The number of times prior authorization was requested, and the number of times prior authorization was:

(A) approved; and

(B) disapproved.

(i) The board shall provide the first report required under subsection (h) not later than six (6) months after the board submits an initial preferred drug list to the office.

SECTION 103. IC 12-15-42-14, AS AMENDED BY P.L.1-2002, SECTION 54, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 14. (a) The council shall provide an annual report to the governor, the legislative council, and the health finance commission (IC 2-5-23) not later than July 31 each year. ~~beginning in 2003.~~

(b) The report required under this section must include the following:

(1) The evaluation made by the office under IC 12-15-41-13 and any comments the council has regarding the evaluation.

(2) Recommendations for any necessary legislation or rules.

(c) A report provided under this section to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 104. IC 12-17-12-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 18. The division shall annually report to the governor and the general assembly the following information:

(1) The number of applicants for grants from the fund.

(2) The number of grants awarded by the division.

(3) Amounts left in the fund on June 30 of each year.

(4) Other information requested by the governor or the general assembly.

A report under this section to the general assembly must be in an electronic format under IC 5-14-6.

SECTION 105. IC 12-17-15-15, AS AMENDED BY P.L.153-2001, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 15. The council shall do the following:

(1) Advise and assist the division in the performance of the responsibilities set forth in section 6 of this chapter, particularly

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the following:

(A) Identification of the sources of fiscal and other support for services for early intervention programs.

(B) Use of the existing resources to the full extent in implementing early intervention programs.

(C) Assignment of financial responsibility to the appropriate agency.

(D) Promotion of the interagency agreements.

(E) Development and implementation of utilization review procedures.

(2) Advise and assist the division in the preparation of applications required under 20 U.S.C. 1431 through 1445.

(3) Prepare and submit an annual report to the governor, the general assembly, and the United States Secretary of Education by November 1 of each year concerning the status of early intervention programs for infants and toddlers with disabilities and their families. **A report submitted under this subdivision to the general assembly must be in an electronic format under IC 5-14-6.**

(4) Periodically request from the agencies responsible for providing early childhood intervention services for infants and toddlers with disabilities and preschool special education programs written reports concerning the implementation of each agency's respective programs.

(5) Make recommendations to the various agencies concerning improvements to each agency's delivery of services.

(6) Otherwise comply with 20 U.S.C. 1441.

SECTION 106. IC 12-17-16-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 14. Before October 1 of each year, the board shall prepare a report concerning the program established by this chapter for the public and the general assembly. **A report prepared under this section for the general assembly must be in an electronic format under IC 5-14-6.**

SECTION 107. IC 12-17.2-3.1-11, AS AMENDED BY P.L.96-2001, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 11. The board shall study the laws governing the regulation of child care and make recommendations to the general assembly concerning changes in the law the board finds are appropriate. Before November 1 of each year, the board shall submit a ~~written~~ report **in an electronic format under IC 5-14-6** to the legislative council that identifies the board's recommendations and discusses the status of the board's continuing

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program of study. The board's program of study under this section must include a study of the following topics:

(1) The need for changes in the scope and degree of child care regulation established by statute or rule, or both.

(2) The need to reorganize governmental units involved in the regulation of child care facilities to promote effective and efficient child care regulation, including the form that a needed reorganization should take.

(3) A method for the completion of a statewide needs assessment to determine the availability and projected need for safe and affordable child care.

(4) The need for programs to meet the needs of Indiana residents if the board determines that safe and affordable child care facilities are not available and easily accessible to Indiana residents.

(5) The effect of pending and enacted federal legislation on child care in Indiana and the need for statutory changes to qualify for federal child care grants and to comply with federal child care requirements.

(6) The immunization rates at licensed child care centers to determine if children at the centers have received age appropriate immunizations.

SECTION 108. IC 12-17.6-2-12, AS AMENDED BY P.L.66-2002, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 12. Not later than April 1, the office shall provide a report describing the program's activities during the preceding calendar year to the:

(1) budget committee;

(2) legislative council;

(3) children's health policy board established by IC 4-23-27-2; and

(4) select joint commission on Medicaid oversight established by IC 2-5-26-3.

A report provided under this section to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 109. IC 12-20-28-3, AS AMENDED BY P.L.262-2003, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 3. (a) The definitions in this section apply to a report that is required to be filed under this section.

(b) As used in this section, "total number of households containing poor relief recipients" means the sum to be determined by counting the total number of individuals who file an application for which relief is

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granted. A household may be counted only once during a calendar year regardless of the number of times assistance is provided if the same individual makes the application for assistance.

(c) As used in this section, "total number of recipients" means the number of individuals who are members of a household that receives assistance on at least one (1) occasion during the calendar year. An individual may be counted only one (1) time during a calendar year regardless of the:

(1) number of times assistance is provided; or

(2) number of households in which the individual resides during a particular year.

(d) As used in this section, "total number of requests for assistance" means the number of times an individual or a household separately requests any type of township assistance.

(e) The township trustee shall file an annual statistical report on township housing, medical care, utility, and food assistance with the state board of accounts. The township trustee shall provide a copy of the annual statistical report to the county auditor. The county auditor shall keep the copy of the report in the county auditor's office. Except as provided in subsection (i), the report must be made on a form provided by the state board of accounts. The report must contain the following information:

(1) The total number of requests for assistance.

(2) The total number of poor relief recipients and total number of households containing poor relief recipients.

(3) The total value of benefits provided poor relief recipients.

(4) The total number of poor relief recipients and households receiving utility assistance.

(5) The total value of benefits provided for the payment of utilities.

(6) The total number of poor relief recipients and households receiving housing assistance.

(7) The total value of benefits provided for housing assistance.

(8) The total number of poor relief recipients and households receiving food assistance.

(9) The total value of food assistance provided.

(10) The total number of poor relief recipients and households provided health care.

(11) The total value of health care provided.

(12) The total number of burials and cremations.

(13) The total value of burials and cremations.

(14) The total number of nights of emergency shelter provided to

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the homeless.

(15) The total number of referrals of poor relief applicants to other programs.

(16) The total number of training programs or job placements found for poor relief recipients with the assistance of the township trustee.

(17) The number of hours spent by poor relief recipients at workfare.

(18) The total amount of reimbursement for assistance received from:

(A) recipients;

(B) members of recipients' households; or

(C) recipients' estates;

under IC 12-20-6-10, IC 12-20-27-1, or IC 12-20-27-1.5.

(19) The total amount of reimbursement for assistance received from medical programs under IC 12-20-16-2(e).

If the total number or value of any item required to be reported under this subsection is zero (0), the township trustee shall include the notation "0" in the report where the total number or value is required to be reported.

(f) The state board of accounts shall forward a copy of each annual report forwarded to the board under subsection (e) to the department and the division of family and children.

(g) The division of family and children shall include in the division's periodic reports made to the United States Department of Health and Human Services concerning the Aid to Families with Dependent Children (AFDC) and Supplemental Security Income (SSI) programs information forwarded to the division under subsection (f) concerning the total number of poor relief recipients and the total dollar amount of benefits provided.

(h) The department may not approve the budget of a township trustee who fails to file an annual report under subsection (e) in the preceding calendar year. Before July 1 of each year, the department shall file a report **in an electronic format under IC 5-14-6** with the legislative council that compiles and summarizes the information sent to the state board of accounts by township trustees under subsection (e).

(i) This section does not prevent the electronic transfer of data required to be reported under IC 12-2-1-40 (before its repeal) or this section if the following conditions are met:

(1) The method of reporting is acceptable to both the township trustee reporting the information and the governmental entity to

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which the information is reported.

(2) A written copy of information reported by electronic transfer is on file with the township trustee reporting information by electronic means.

(j) The information required to be reported by the township trustee under this section shall be maintained by the township trustee in accordance with IC 5-15-6.

SECTION 110. IC 12-21-5-1.5, AS AMENDED BY P.L.215-2001, SECTION 60, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 1.5. The division shall do the following:

(1) Adopt rules under IC 4-22-2 to establish and maintain criteria to determine patient eligibility and priority for publicly supported mental health and addiction services. The rules must include criteria for patient eligibility and priority based on the following:

(A) A patient's income.

(B) A patient's level of daily functioning.

(C) A patient's prognosis.

(2) Within the limits of appropriated funds, contract with a network of managed care providers to provide a continuum of care in an appropriate setting that is the least restrictive to individuals who qualify for the services.

(3) Require the providers of services funded directly by the division to be in good standing with an appropriate accrediting body as required by rules adopted under IC 4-22-2 by the division.

(4) Develop a provider profile that must be used to evaluate the performance of a managed care provider and that may be used to evaluate other providers of mental health services that access state administered funds, including Medicaid, and other federal funding. A provider's profile must include input from consumers, citizens, and representatives of the mental health ombudsman program (IC 12-27-9) regarding the provider's:

(A) information provided to the patient on patient rights before treatment;

(B) accessibility, acceptability, and continuity of services provided or requested; and

(C) total cost of care per individual, using state administered funds.

(5) Ensure compliance with all other performance criteria set forth in a provider contract. In addition to the requirements set forth in IC 12-21-2-7, a provider contract must include the

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following:

(A) A requirement that the standards and criteria used in the evaluation of care plans be available and accessible to the patient.

(B) A requirement that the provider involve the patient in the choice of and preparation of the treatment plan to the greatest extent feasible.

(C) A provision encouraging the provider to intervene in a patient's situation as early as possible, balancing the patient's right to liberty with the need for treatment.

(D) A requirement that the provider set up and implement an internal appeal process for the patient.

(6) Establish a toll free telephone number that operates during normal business hours for individuals to make comments to the division in a confidential manner regarding services or service providers.

(7) Develop a confidential system to evaluate complaints and patient appeals received by the division of mental health and addiction and to take appropriate action regarding the results of an investigation. A managed care provider is entitled to request and to have a hearing before information derived from the investigation is incorporated into the provider's profile. Information contained within the provider profile is subject to inspection and copying under IC 5-14-3-3.

(8) Submit a biennial report to the governor and legislative council that includes an evaluation of the continuum of care. **A report submitted under this subdivision to the legislative council must be in an electronic format under IC 5-14-6.**

(9) Conduct an actuarial analysis ~~July 1, 1994, July 1, 1996, and then~~ every four (4) years beginning July 1, 2000.

(10) Annually determine sufficient rates to be paid for services contracted with managed care providers who are awarded a contract under IC 12-21-2-7.

(11) Take actions necessary to assure the quality of services required by the continuum of care under this chapter.

(12) Incorporate the results from the actuarial analysis in subdivision (9) to fulfill the responsibilities of this section.

SECTION 111. IC 12-24-1-7, AS AMENDED BY P.L.215-2001, SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 7. (a) During the closing of Central State Hospital, and after the institution is closed, the division of mental health and addiction shall secure, maintain, and fund

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appropriate long term inpatient beds for individuals who have been determined by a community mental health center to:

(1) have a chronic and persistent mental disorder or chronic addictive disorder; and

(2) be in need of care that meets the following criteria:

(A) Twenty-four (24) hour supervision of a patient is available.

(B) A patient receives:

(i) active treatment as appropriate for a chronic and persistent mental disorder or chronic addictive disorder;

(ii) case management services from a state approved provider; and

(iii) maintenance of care under the direction of a physician.

(C) Crisis care.

(b) An individual placed in a long term inpatient bed under this section shall receive at least the care described in subsection (a)(2)(A) through (a)(2)(C).

(c) The number of long term inpatient beds that must be secured, maintained, and funded under subsection (a) must satisfy both of the following:

(1) The number of long term inpatient beds in the county where the hospital was located may not be less than twenty-one (21) adults per one hundred thousand (100,000) adults in the county where the hospital was located.

(2) The total number of long term inpatient beds may not be less than twenty-one (21) adults per one hundred thousand (100,000) adults in the catchment area served by Central State Hospital. The division may reduce the total number of long term inpatient beds required by this subdivision whenever the division determines that caseloads justify a reduction. However:

(A) the total number of long term inpatient beds may not be reduced below the number required by subdivision (1); and

(B) the number of long term inpatient beds in the county where the hospital was located may not be reduced below the number required by subdivision (1).

(d) The division is not required to secure, maintain, and fund long term inpatient beds under this section that exceed the number of individuals who have been determined by a community mental health center to be in need of inpatient care under subsection (a). However, subject to the limitations of subsection (c), the division shall at all times retain the ability to secure, maintain, and fund long term inpatient beds for individuals who satisfy the criteria in subsection (a) as

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determined by the community mental health centers.

(e) An individual may not be placed in a long term inpatient bed under this section at Larue D. Carter Memorial Hospital if the placement adversely affects the research and teaching mission of the hospital.

(f) Notwithstanding any other law, the director of the division of mental health and addiction may not terminate normal patient care or other operations at Central State Hospital unless the division has developed a plan to comply with this section. Before closing Central State Hospital, the director shall submit a report **in an electronic format under IC 5-14-6** to the legislative council containing the following information:

(1) The plans the division has made and implemented to comply with this section.

(2) The disposition of patients made and to be made from July 1, 1993, to the estimated date of closing of Central State Hospital.

(3) Other information the director considers relevant.

SECTION 112. IC 12-24-1-10, AS AMENDED BY P.L.224-2003, SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 10. (a) Notwithstanding any other law, the director of the division of disability, aging, and rehabilitative services may not terminate normal patient care or other operations at Muscatatuck State Developmental Center unless the division has complied with this section.

(b) The division shall conduct at least one (1) public hearing at a handicap accessible location in the county where Muscatatuck State Developmental Center is located to obtain written and oral testimony from all persons interested in the effect that the center's downsizing would have on:

(1) Muscatatuck State Developmental Center:

(A) residents;

(B) residents' families; and

(C) employees; and

(2) communities surrounding Muscatatuck State Developmental Center.

(c) The division shall conduct a study of the following issues:

(1) The risks to the health and well-being of residents of Muscatatuck State Developmental Center and the families of residents that arise from:

(A) downsizing Muscatatuck State Developmental Center; and

(B) transferring residents to new placements.

(2) The types of placements needed to adequately serve residents

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of Muscatatuck State Developmental Center in a setting that is located within the vicinity of the families of residents, including:

(A) the availability of adequate placements; and

(B) the need to develop new placement opportunities.

(3) The economic impact that downsizing will have on:

(A) Muscatatuck State Developmental Center:

(i) residents;

(ii) residents' families; and

(iii) employees; and

(B) communities surrounding Muscatatuck State Developmental Center.

(4) The existence of environmental hazards on the property where Muscatatuck State Developmental Center is located.

(5) Opportunities for reuse of the Muscatatuck State Developmental Center property in a manner that will enhance the economy of the area.

(d) After the public hearing required under subsection (b), the division shall submit a report to the legislative council and the budget agency that contains the following information:

(1) A summary of the testimony received at the public hearing required under subsection (b).

(2) The results of the division's study under subsection (c).

(3) Other information the director of the division considers relevant.

A report submitted under this subsection to the legislative council must be in an electronic format under IC 5-14-6.

(e) The division shall develop a plan for the downsizing of Muscatatuck State Developmental Center. The plan must include the following:

(1) A plan and timetable for placement of appropriate residents of Muscatatuck State Developmental Center in adequate placements that fully meet the needs of the residents before downsizing Muscatatuck State Developmental Center.

(2) A plan for moving residents to alternative placements that protects the physical health, mental health, and safety of the residents.

(3) A plan for keeping:

(A) Muscatatuck State Developmental Center:

(i) residents;

(ii) residents' families; and

(iii) employees; and

(B) communities surrounding Muscatatuck State

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Developmental Center;

informed of each significant step taken in the planning, resident placement, and downsizing process.

(4) An environmental plan for the elimination of any environmental hazards on the property where Muscatatuck State Developmental Center is located.

(5) A plan and timetable for the reuse of the Muscatatuck State Developmental Center property in a manner that will provide for the best economic use of the property.

(6) A plan for monitoring compliance with the standards set to assure the health and safety of residents, compliance with this section, and compliance with the plans developed under this section.

The division shall submit the plan required under this subsection to the legislative council and the budget agency at the same time **and in the same format** that the report required under subsection (d) is submitted.

(f) The report required under subsection (d) and the plan required under subsection (e) must be approved by the budget director after review by the legislative council and the budget committee.

(g) The director may not complete the closure of Muscatatuck State Developmental Center until:

(1) the report and plan are approved by the budget director under subsection (f); and

(2) residents of Muscatatuck State Developmental Center are placed in adequate placements that:

(A) fully meet the capabilities and needs of the residents; and

(B) are located sufficiently close to the families of residents so that the families may maintain the same level of contact with the residents that the families had before the residents were transferred from Muscatatuck State Developmental Center.

SECTION 113. IC 13-15-12-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 1. Every twelve (12) months, the commissioner shall submit to the following a report that contains an evaluation of the actions taken by the department to improve the department's process of issuing permits:

(1) The governor.

(2) The general assembly. **The report must be in an electronic format under IC 5-14-6.**

(3) The boards.

SECTION 114. IC 13-18-13-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 5. The department shall do the following:

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(1) Manage all aspects of the program and supplemental program, except as provided under section 6 of this chapter.

(2) Be the point of contact in relations with the United States Environmental Protection Agency, except as provided under section 6 of this chapter.

(3) Cooperate with the budget agency in the administration and management of the program and supplemental program.

(4) Cooperate with the budget agency in preparing and providing program information.

(5) Review each proposed financial assistance agreement to determine whether the agreement meets the environmental and technical aspects of the program or supplemental program.

(6) Periodically inspect project design and construction to determine compliance with the following:

(A) This chapter.

(B) The federal Clean Water Act.

(C) Construction plans and specifications.

(7) Negotiate, jointly with the budget agency, the negotiable aspects of each financial assistance agreement.

(8) If not accepted and held by the budget agency, accept and hold any letter of credit from the federal government through which the state receives grant payments for the program and disbursements to the fund.

(9) Prepare, jointly with the budget agency, annual reports concerning the following:

(A) The fund.

(B) The program.

(C) The supplemental fund.

(D) The supplemental program.

(10) Submit the reports prepared under subdivision (9) to the governor and the general assembly. **A report submitted under this subdivision to the general assembly must be in an electronic format under IC 5-14-6.**

(11) Enter into memoranda of understanding with the budget agency concerning the administration and management of the following:

(A) The fund.

(B) The program.

(C) The supplemental fund.

(D) The supplemental program.

SECTION 115. IC 13-18-13-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 6.

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The budget agency shall do the following:

(1) Manage and implement the financial aspects of the program and supplemental program.

(2) Cooperate with the department in the administration and management of the program and supplemental program.

(3) If not accepted and held by the department, accept and hold any letter of credit from the federal government through which the state receives grant payments for the program and disbursements to the fund.

(4) Be the point of contact with political subdivisions and other interested persons in preparing and providing program information.

(5) Negotiate, jointly with the department, the negotiable aspects of each financial assistance agreement.

(6) Prepare or cause to be prepared each financial assistance agreement.

(7) Sign each financial assistance agreement.

(8) Conduct or cause to be conducted an evaluation as to the financial ability of each political subdivision to pay the loan or other financial assistance and other obligations evidencing the loans or other financial assistance, if required to be paid, and comply with the financial assistance agreement in accordance with the terms of the agreement.

(9) Prepare, jointly with the department, annual reports concerning the following:

(A) The fund.

(B) The program.

(C) The supplemental fund.

(D) The supplemental program.

(10) Submit the reports prepared under subdivision (9) to the governor and the general assembly. **A report submitted under this subdivision to the general assembly must be in an electronic format under IC 5-14-6.**

(11) Enter into memoranda of understanding with the department concerning the administration and management of the following:

(A) The fund.

(B) The program.

(C) The supplemental fund.

(D) The supplemental program.

SECTION 116. IC 13-18-17-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 1. (a) The interagency groundwater task force is established to do all of

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the following:

(1) Study groundwater contamination in Indiana.

(2) Coordinate efforts among the agencies to address groundwater pollution problems.

(3) Coordinate the implementation of the Indiana groundwater quality protection and management strategy.

(4) Develop policies to prevent groundwater pollution.

(b) The task force consists of the following:

(1) The commissioner.

(2) The director of the department of natural resources.

(3) The commissioner of the state department of health.

(4) The state chemist.

(5) The state fire marshal.

(6) One (1) representative of the business community.

(7) One (1) representative of the environmentalist community.

(8) One (1) representative of the agricultural community.

(9) One (1) representative of labor.

(10) One (1) representative of local government.

(c) The governor shall appoint the members provided for in subsection (b)(6) through (b)(10). The term of a member appointed under this subsection is two (2) years. A member may be appointed to successive terms.

(d) Each member of the task force who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). A member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(e) An agency head listed in subsection (b):

(1) shall provide staff support to the task force; and

(2) may appoint a proxy to participate in task force proceedings when the agency head is not present.

(f) The agency heads referred to in subsection (b)(1) through (b)(5) shall invite participation in the task force by representatives of the governor's office and the United States Environmental Protection Agency.

(g) The task force may adopt bylaws to govern the conduct of task force activities. The task force shall hold at least one (1) public meeting in four (4) months.

(h) The task force shall present an annual report on the activities of the task force to the governor and the general assembly. **A report**

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presented under this subsection to the general assembly must be in an electronic format under IC 5-14-6.

SECTION 117. IC 13-18-21-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 5. The department shall do the following:

(1) Manage all aspects of the program, except as provided by section 6 of this chapter.

(2) Be the point of contact in relations with the United States Environmental Protection Agency, except as provided in section 6 of this chapter.

(3) Cooperate with the budget agency in the administration and management of the program.

(4) Cooperate with the budget agency in preparing and providing program information.

(5) Review each proposed financial assistance agreement to determine whether the agreement meets the environmental and technical aspects of the program.

(6) Periodically inspect project design and construction to determine compliance with the following:

(A) This chapter.

(B) The federal Safe Drinking Water Act (42 U.S.C. 300f et seq.).

(C) Construction plans and specifications.

(7) Negotiate, jointly with the budget agency, the negotiable aspects of each financial assistance agreement.

(8) If not accepted and held by the budget agency, accept and hold any letter of credit from the federal government through which the state receives grant payments for the program and disbursements to the fund.

(9) Prepare, jointly with the budget agency, annual reports concerning the following:

(A) The fund.

(B) The program.

(C) The supplemental fund.

(D) The supplemental program.

(10) Submit the reports prepared under subdivision (9) to the governor and the general assembly. **A report submitted under this subdivision to the general assembly must be in an electronic format under IC 5-14-6.**

(11) Enter into memoranda of understanding with the budget agency concerning the administration and management of the following:

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(A) The fund.
(B) The program.
(C) The supplemental fund.
(D) The supplemental program.

SECTION 118. IC 13-18-21-6, AS AMENDED BY P.L.132-1999, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 6. The budget agency shall do the following:

(1) Manage and implement the financial aspects of the program.
(2) Cooperate with the department in the administration and management of the program.
(3) If not accepted and held by the department, accept and hold any letter of credit from the federal government through which the state receives grant payments for the program and disbursements to the fund.
(4) Be the point of contact with participants and other interested persons in preparing and providing program information.
(5) Negotiate, jointly with the department, the negotiable aspects of each financial assistance agreement.
(6) Prepare or cause to be prepared each financial assistance agreement.
(7) Execute each financial assistance agreement.
(8) Conduct or cause to be conducted an evaluation as to the financial ability of each participant to pay the loan or other financial assistance and other obligations evidencing the loans or other financial assistance, if required to be paid, and comply with the financial assistance agreement.
(9) Prepare, jointly with the department, annual reports concerning the fund and the program.
(10) Submit the reports prepared under subdivision (9) to the governor and the general assembly. **A report submitted under this subdivision to the general assembly must be in an electronic format under IC 5-14-6.**
(11) Enter into memoranda of understanding with the department concerning the administration and management of the fund and the program.

SECTION 119. IC 13-19-5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 3. The authority shall do the following under this chapter:

(1) Be responsible for the management of all aspects of the program.
(2) Prepare and provide program information.

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(3) Negotiate the negotiable aspects of each financial assistance agreement and submit the agreement to the budget agency for approval.

(4) Sign each financial assistance agreement.

(5) Review each proposed project and financial assistance agreement to determine if the project meets the credit, economic, or fiscal criteria established by rule or guidance document.

(6) Periodically inspect or cause to be inspected projects to determine compliance with this chapter.

(7) Prepare annual reports concerning the fund and the program and submit the reports to the governor and the general assembly. **A report submitted under this subdivision to the general assembly must be in an electronic format under IC 5-14-6.**

(8) Enter into memoranda of understanding with the department and the budget agency concerning the administration and management of the fund and the program.

SECTION 120. IC 13-20-13-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 10. (a) The department shall report annually to the governor and the general assembly on the following:

(1) Waste tire management as required by this chapter.

(2) The status of the waste tire management fund.

(3) The status of programs funded by the fund.

(b) A report issued by the department under this section may include recommendations for revisions to waste tire management programs.

(c) Before the department may issue a report under this section, the department must solicit public comment on the report.

(d) A report issued by the department under this section to the general assembly must be in an electronic format under IC 5-14-6.

SECTION 121. IC 13-20-20-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 12. (a) Before February 1 of each year, the department shall submit an annual report to the:

(1) governor;

(2) legislative council; and

(3) budget director.

A report submitted under this subsection to the legislative council must be in an electronic format under IC 5-14-6.

(b) The report must contain the following:

(1) A description of each project funded through grants under this chapter.

(2) A statement of the total amount of money that the department

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expends through grants under this chapter during the immediately preceding year.

(3) An estimate of the amount of money that is required to meet the eligible grant requests for the current year.

(4) Proposals of recommendations for any changes, in funding or otherwise, to the grant project.

SECTION 122. IC 13-27-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 1. Each year the commissioner shall prepare and submit to the governor and the general assembly a report regarding the pollution prevention information gathered under this article, including:

(1) a description of the operations and activities of the programs under this article; and

(2) recommendations the commissioner has for legislative action.

A report submitted under this section to the general assembly must be in an electronic format under IC 5-14-6.

SECTION 123. IC 13-27.5-2-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 9. (a) Before January 1 of each year, the institute shall prepare and submit to:

(1) the governor;

(2) the board;

(3) the commissioner; and

(4) the general assembly;

a report on the institute's operations and activities under this chapter including the status, funding, and results of all projects. **A report submitted to the general assembly must be in an electronic format under IC 5-14-6.**

(b) The report must do the following:

(1) Include recommendations the institute has for legislation.

(2) Identify state and federal economic and financial incentives that can best accelerate and maximize the research, development, demonstration, and support of clean manufacturing technologies and practices.

(3) Include an assessment by the institute of the grants program administered by the department under IC 13-27-2.

(4) Include a proposed work plan for the following year.

(5) Identify state and federal policies that may serve as disincentives to the adoption of clean manufacturing technologies and practices by manufacturers.

SECTION 124. IC 14-12-2-33 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 33.

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Before October 1 of each year, the trust committee shall prepare a report concerning the program established by this chapter for the public and the general assembly. **A report prepared for the general assembly must be in an electronic format under IC 5-14-6.**

SECTION 125. IC 14-13-3-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 13. Before November 1 of each year, the commission shall make a report of the commission's activities to each municipality that appointed a commission member. The commission shall also make an annual report to the following:

(1) The governor, upon request of the governor.

(2) The legislative council, upon request of the legislative council.

The report must be in an electronic format under IC 5-14-6.

SECTION 126. IC 14-13-4-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 14. Before November 1 of each year, the commission shall make a report of the commission's activities to each municipality that appointed a commission member. The commission shall also make an annual report to the following:

(1) The governor, upon request of the governor.

(2) The legislative council, upon request of the legislative council.

The report must be in an electronic format under IC 5-14-6.

SECTION 127. IC 14-13-5-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 15. Before November 1 of each year, the commission shall make a report of the commission's activities to the following:

(1) Each municipality that appointed a member of the commission.

(2) The governor.

(3) The general assembly. **The report must be in an electronic format under IC 5-14-6.**

SECTION 128. IC 14-21-1-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 18. (a) A:

(1) historic site or historic structure owned by the state; or

(2) historic site or historic structure listed on the state or national register;

may not be altered, demolished, or removed by a project funded, in whole or in part, by the state unless the review board has granted a certificate of approval.

(b) An application for a certificate of approval:

(1) must be filed with the division; and

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(2) shall be granted or rejected by the review board after a public hearing.

(c) Subsections (a) and (b) do not apply to real property that is owned by a state educational institution (as defined in IC 20-12-0.5-1).

(d) The commission for higher education and each state educational institution, in cooperation with the division of historic preservation and archeology, shall develop and continually maintain a survey of historic sites and historic structures owned by the state educational institution. Historic sites and historic structures include buildings, structures, outdoor sculpture, designed landscapes, gardens, archeological sites, cemeteries, campus plans, and historic districts. A survey developed under this subsection must conform with the Indiana Historic Sites and Structures Survey Manual.

(e) The state historic preservation officer no later than one (1) year after receipt of a ten (10) year capital plan under IC 14-21-1-18.5 shall:

(1) review a proposed state college or university project that involves a historic site or historic structure owned by a state educational institution; and

(2) submit an advisory report to the commission for higher education, the state educational institution, and the general assembly. **An advisory report submitted under this subdivision to the general assembly must be in an electronic format under IC 5-14-6.**

(f) Not more than thirty (30) days after a state college or university, under section 18.6 of this chapter, submits to the division a description of a proposed project that involves the substantial alteration, demolition, or removal of a historic site or historic structure, the state historic preservation officer shall:

(1) review the description of the proposed project; and

(2) submit to the state college or university an advisory report concerning the proposed project.

The state college or university shall review and consider the advisory report before proceeding with the substantial alteration, demolition, or removal of a historic site or historic structure.

SECTION 129. IC 14-25-7-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 16. The natural resources study committee created by IC 2-5-5-1 shall do the following:

(1) Oversee the water resource management program of this chapter and the needs of the people of Indiana.

(2) Report the findings and recommendations **in an electronic format under IC 5-14-6** to the general assembly through the

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legislative council.

SECTION 130. IC 14-30-1-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 12. The commission shall make an annual report of the commission's activities to the following:

(1) The executive of each county in the basin.

(2) Upon request to the following:

(A) The governor.

(B) The general assembly. **The report must be in an electronic format under IC 5-14-6.**

SECTION 131. IC 14-32-8-9, AS ADDED BY P.L.160-1999, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 9. The districts shall coordinate with the division of soil conservation to compile and provide a report to the executive director of the legislative services agency each year. The report **must be in an electronic format under IC 5-14-6 and** must describe:

(1) the expenditures of the clean water Indiana fund; and

(2) the number, type, status, and effectiveness of conservation efforts funded by the clean water Indiana program.

SECTION 132. IC 15-1-1.5-8, AS AMENDED BY P.L.99-2000, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 8. The committee shall do the following:

(1) Serve as liaison between the commission, the board of trustees of the barn, the board, and the general assembly.

(2) Review policies affecting the activities of the commission, the barn, the state fair, the facilities at the fairgrounds, and the property owned by the commission.

(3) Provide long range guidance for the commission, the board of trustees of the barn, and the board.

(4) Review annually the commission's, the board of trustees of the barn's, and the board's budgets and other accounts and report financial conditions to the legislative council. **A report under this subdivision to the legislative council must be in electronic format under IC 5-14-6.**

(5) Further advise the budget committee regarding appropriations and other financial matters concerning the commission, the board of trustees of the barn, and the board.

~~(5)~~ **(6)** Propose, review, and make recommendations concerning legislation affecting the commission, the barn, and the board.

SECTION 133. IC 16-19-13-3, AS ADDED BY P.L.52-1999,

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SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 3. The office is established for the following purposes:

(1) To educate and advocate for women's health by requesting that the state department, either on its own or in partnership with other entities, establish appropriate forums, programs, or initiatives designed to educate the public regarding women's health, with an emphasis on preventive health and healthy lifestyles.

(2) To assist the state health commissioner in identifying, coordinating, and establishing priorities for programs, services, and resources the state should provide for women's health issues and concerns relating to the reproductive, menopausal, and postmenopausal phases of a woman's life, with an emphasis on postmenopausal health.

(3) To serve as a clearinghouse and resource for information regarding women's health data, strategies, services, and programs that address women's health issues, including the following:

(A) Diseases that significantly impact women, including heart disease, cancer, and osteoporosis.

(B) Menopause.

(C) Mental health.

(D) Substance abuse.

(E) Sexually transmitted diseases.

(F) Sexual assault and domestic violence.

(4) To collect, classify, and analyze relevant research information and data conducted or compiled by:

(A) the state department; or

(B) other entities in collaboration with the state department;

and to provide interested persons with information regarding the research results, except as prohibited by law.

(5) To develop and recommend funding and program activities for educating the public on women's health initiatives, including the following:

(A) Health needs throughout a woman's life.

(B) Diseases that significantly affect women, including heart disease, cancer, and osteoporosis.

(C) Access to health care for women.

(D) Poverty and women's health.

(E) The leading causes of morbidity and mortality for women.

(F) Special health concerns of minority women.

(6) To make recommendations to the state health commissioner regarding programs that address women's health issues for

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inclusion in the state department's biennial budget and strategic planning.

(7) To seek funding from private or governmental entities to carry out the purposes of this chapter.

(8) To prepare materials for publication and dissemination to the public on women's health.

(9) To conduct public educational forums in Indiana to raise public awareness and to educate citizens about women's health programs, issues, and services.

(10) To coordinate the activities and programs of the office with other entities that focus on women's health or women's issues, including the Indiana commission for women (IC 4-23-25-3).

(11) To represent the state health commissioner, upon request, before the general assembly and the Indiana commission for women established by IC 4-23-25-3.

(12) To provide an annual report to the governor, the legislative council, and the Indiana commission for women regarding the successes of the programs of the office, priorities and services needed for women's health in Indiana, and areas for improvement. **A report provided under this subdivision to the legislative council must be in an electronic format under IC 5-14-6.**

This section does not allow the director or any employees of the office to advocate, promote, refer to, or otherwise advance abortion or abortifacients.

SECTION 134. IC 16-21-6-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 10. Each year the state health commissioner or the commissioner's designee shall make a compilation of the data obtained from the reports required under sections 3 and 6 of this chapter and report **in an electronic format under IC 5-14-6** the findings and recommendations to the general assembly not later than December 1 of the year the reports are filed. However, the commissioner is not required to incorporate a report that is required to be filed by a hospital with the state department less than one hundred twenty (120) days before December 1, but shall incorporate the report data in the report to be made the following year.

SECTION 135. IC 16-30-2-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 1. (a) The state department shall identify and assess the health needs of the citizens and communities of Indiana.

(b) The state department shall submit annually to the governor and to the general assembly a report of the health needs and the state

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department's recommendations. Each report must be submitted by November 1 of each year. **A report submitted to the general assembly must be in an electronic format under IC 5-14-6.**

(c) The report required by subsection (b) must address, on a county by county basis, the health needs of Indiana concerning the provision of the following types of services:

(1) Public health services described in this title.

(2) Disease treatment services described in IC 16-45 and IC 16-46.

(3) Food and drug control services described in IC 16-42 and IC 16-43.

(4) All other services within the jurisdiction of the state department.

(d) The report required by subsection (b) must, under section 4 of this chapter, assess the adequacy of the existing number of beds in health care facilities and the need for the addition of beds.

SECTION 136. IC 16-38-4-8, AS AMENDED BY P.L.11-2002, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 8. (a) The state department shall establish a birth problems registry for the purpose of recording all cases of birth problems that occur in Indiana residents and compiling necessary and appropriate information concerning those cases, as determined by the state department, in order to:

(1) conduct epidemiologic and environmental studies and to apply appropriate preventive and control measures;

(2) inform the parents of children with birth problems:

(A) at the time of discharge from the hospital; or

(B) if a birth problem is diagnosed during a physician or hospital visit that occurs before the child is two (2) years of age, at the time of diagnosis;

about physicians, care facilities and appropriate community resources, including local step ahead agencies and the infants and toddlers with disabilities program (IC 12-17-15); or

(3) inform citizens regarding programs designed to prevent or reduce birth problems.

(b) The state department shall record in the birth problems registry:

(1) all data concerning birth problems of children that are provided from the certificate of live birth; and

(2) any additional information that may be provided by an individual or entity described in section 7(a)(2) of this chapter concerning a birth problem that is:

(A) designated in a rule adopted by the state department; and

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(B) recognized:
(i) after the child is discharged from the hospital as a newborn; and
(ii) before the child is two (2) years of age.

(c) The state department shall:
(1) provide a physician and a local health department with necessary forms for reporting under this chapter; and
(2) report **in an electronic format under IC 5-14-6** to the legislative council any birth problem trends that are identified through the data collected under this chapter.

SECTION 137. IC 16-38-4-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 18. The state department shall report to the legislative council and the governor each year before November 1, the following:
(1) The numbers and types of birth problems occurring in Indiana by county.
(2) The amount of use of the birth problems registry by researchers.
(3) Proposals for the prevention of birth problems occurring in Indiana.

A report under this section to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 138. IC 16-38-4-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 19. (a) During the year 2006, a committee of the general assembly shall review the need to continue the registry. The committee shall submit its recommendations **in an electronic format under IC 5-14-6** to the general assembly before December 31, 2006.

(b) The registry is abolished July 1, 2007.

SECTION 139. IC 16-46-5-18, AS AMENDED BY P.L.72-2001, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 18. The state department shall file an annual report with the governor and the general assembly on the following:
(1) The receipt, disbursement, and use of funds.
(2) The identification of shortage areas.
(3) The number of applications for loan repayment by the following categories:
(A) Profession.
(B) Specialty.
(C) Underserved area to be served.
(4) The number and amount of loan repayments provided by the

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state department.

A report filed under this section with the general assembly must be in an electronic format under IC 5-14-6.

SECTION 140. IC 16-46-6-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 11. The council shall submit a report **in an electronic format under IC 5-14-6** to the general assembly before November 1 of each year. The report must include the following:

(1) The findings and conclusions of the council.

(2) Recommendations of the council.

SECTION 141. IC 20-1-1.6-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 6. (a) The superintendent of public instruction shall:

(1) appoint a full-time director to administer the academy;

(2) employ staff necessary to implement this chapter;

(3) appoint members of the advisory board; and

(4) submit to the general assembly an annual report before July 1 of each year.

(b) The annual report of the superintendent of public instruction **must be in an electronic format under IC 5-14-6 and** must include the following:

(1) A summary of the activities of the academy.

(2) Data on the number of persons trained.

(3) An analysis of the extent to which the purposes of the academy have been accomplished.

(4) A proposal for a program and budget for the two (2) years following the year that is the subject of the report.

SECTION 142. IC 20-1-18.3-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 10. (a) The commission shall develop and implement a long range state plan for a comprehensive vocational education program in Indiana.

(b) This plan shall be kept current. The plan and any revisions made to this plan shall be made available to the governor, the general assembly, the Indiana state board of education and the department of education, the commission for higher education, the state human resource investment council, the Indiana commission on proprietary education, and any other appropriate state or federal agency. **A plan or revised plan submitted under this section to the general assembly must be in an electronic format under IC 5-14-6.**

(c) The plan must set forth specific goals for public vocational education at all levels and must include the following:

(1) The preparation of each graduate for both employment and

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further education.

(2) Accessibility of vocational education to persons of all ages who desire to explore and learn for economic and personal growth.

(3) Projected employment opportunities in various vocational and technical fields.

(4) A study of the supply of and the demand for a labor force skilled in particular vocational and technical areas.

(5) A study of technological and economic change affecting Indiana.

(6) An analysis of the private vocational sector in Indiana.

(7) Recommendations for improvement in the state vocational education program.

(8) The educational levels expected of programs proposed to meet the projected employment needs.

SECTION 143. IC 20-1-18.3-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 11. The commission shall also do the following:

(1) Make recommendations to the general assembly concerning the development, duplication, and accessibility of employment training and vocational education on a regional and statewide basis.

(2) Consult with any state agency, commission, or organization that supervises or administers programs of vocational education concerning the coordination of vocational education, including the following:

(A) The department of commerce.

(B) The state human resource investment council.

(C) A private industry council (as defined in 29 U.S.C. 1501 et seq.).

(D) The department of labor.

(E) The Indiana commission on proprietary education.

(F) The commission for higher education.

(G) The Indiana state board of education.

(3) Review and make recommendations concerning plans submitted by the Indiana state board of education and the commission for higher education. The commission may request the resubmission of plans or parts of plans that do not meet the following criteria:

(A) Consistency with the long range state plan of the commission.

(B) Evidence of compatibility of plans within the system.

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(C) Avoidance of duplication of existing services.

(4) Report to the general assembly on the commission's conclusions and recommendations concerning interagency cooperation, coordination, and articulation of vocational education and employment training. **A report under this subdivision must in an electronic format under IC 5-14-6.**

(5) Study and develop a plan concerning the transition between secondary level vocational education and postsecondary level vocational education.

(6) Enter into agreements with the federal government that may be required as a condition of receiving federal funds under the Vocational Education Act (20 U.S.C. 2301 et seq.). An agreement entered into under this subdivision is subject to the approval of the budget agency.

SECTION 144. IC 20-1-18.4-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 8. The state board of education shall develop a definition for and report biennially to the:

(1) general assembly;

(2) governor; and

(3) commission;

on attrition and persistence rates by students enrolled in secondary vocational education. **A biennial report under this section to the general assembly must be in an electronic format under IC 5-14-6.**

SECTION 145. IC 20-1-20-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 12. Beginning in 1991, the panel shall submit a report before August 1 of each year to the governor, the general assembly, the Indiana state board of education, and the commission for higher education detailing the panel's work. **A report submitted under this section to the general assembly must be in an electronic format under IC 5-14-6.**

SECTION 146. IC 20-5.5-3-9, AS ADDED BY P.L.100-2001, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 9. (a) A sponsor must notify the department of the following:

(1) The receipt of a proposal.

(2) The acceptance of a proposal.

(3) The rejection of a proposal, including the reasons for the rejection.

(b) The department shall annually do the following:

(1) Compile the information received under subsection (a) into a report.

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(2) Submit the report **in an electronic format under IC 5-14-6** to the legislative council.

SECTION 147. IC 20-5.5-3-12, AS ADDED BY P.L.100-2001, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 12. (a) The department shall monitor the number of charter schools approved by universities.

(b) Within six (6) months after twenty (20) charter schools have been approved by universities, the department shall issue a report to the charter school review panel identifying:

(1) the purpose and organization of all charter schools sponsored by universities;

(2) the procedure by which charter schools have been approved and monitored by university sponsors; and

(3) recommendations regarding the future of university sponsorships.

(c) The report completed under subsection (b) shall be submitted **in an electronic format under IC 5-14-6** to the legislative council.

SECTION 148. IC 20-8.1-6.1-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 12. (a) Annually before the date specified in the rules adopted by the Indiana state board of education, each school corporation shall report the information specified in subsection (b) for each student:

(1) for whom tuition support is paid by another school corporation;

(2) for whom tuition support is paid by the state; and

(3) who is enrolled in the school corporation but has the equivalent of a legal settlement in another state or country;

to the county office (as defined in IC 12-7-2-45) for the county in which the principal office of the school corporation is located and to the department of education.

(b) Each school corporation shall provide the following information for each school year beginning with the school year beginning July 1, 1994, for each category of student described in subsection (a):

(1) The amount of tuition support and other support received for the students described in subsection (a).

(2) The operating expenses, as determined under section 8 of this chapter, incurred for the students described in subsection (a).

(3) Special equipment expenditures that are directly related to educating students described in subsection (a).

(4) The number of transfer students described in subsection (a).

(5) Any other information required under the rules adopted by the Indiana state board of education after consultation with the office

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of the secretary of family and social services.

(c) The information required under this section shall be reported in the format and on the forms specified by the Indiana state board of education.

(d) Not later than November 30 of each year beginning after December 31, 1994, the department of education shall compile the information required from school corporations under this section and submit the compiled information in the form specified by the office of the secretary of family and social services to the office of the secretary of family and social services.

(e) Not later than November 30 of each year beginning after December 31, 1994, each county office shall submit the following information to the office of the secretary of family and social services for each child who is described in IC 12-19-7-1(1) and is placed in another state or is a student in a school outside the school corporation where the child has legal settlement:

(1) The name of the child.

(2) The name of the school corporation where the child has legal settlement.

(3) The last known address of the custodial parent or guardian of the child.

(4) Any other information required by the office of the secretary of family and social services.

(f) Not later than December 31 of each year, ~~beginning after December 31, 1994,~~ the office of the secretary of family and social services shall submit a report to the members of the budget committee and the executive director of the legislative services agency that compiles and analyzes the information required from school corporations under this section. The report shall identify the types of state and local funding changes that are needed to provide adequate state and local money to educate transfer students. **A report submitted under this subsection to the executive director of the legislative services agency must be in an electronic format under IC 5-14-6.**

SECTION 149. IC 20-10.1-5.5-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 7. The division:

(1) shall aid school corporations in developing bilingual-bicultural programs by evaluating instructional materials, compiling material on the theory and practice of bilingual-bicultural instruction, encouraging innovative programs, and otherwise providing technical assistance to the corporations;

(2) shall aid school corporations in developing and administering

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in-service training programs for school administrators and personnel involved in bilingual-bicultural programs;

(3) shall monitor and evaluate bilingual-bicultural programs conducted by school corporations;

(4) shall make an annual report on the status of the bilingual-bicultural programs to the governor and the general assembly;

(5) shall establish bilingual-bicultural educational resource centers for the use of the school corporations; and

(6) may promulgate regulations to implement this chapter.

A report made under subdivision (4) to the general assembly must be in an electronic format under IC 5-14-6.

SECTION 150. IC 20-10.1-25.1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 4. The articles of incorporation and bylaws of the corporation must provide for the following:

(1) That the exclusive purposes of the corporation are to:

(A) administer a statewide computer project placing computers in homes of public school students (commonly referred to as the "buddy system project") and any other educational technology program or project jointly authorized by the state superintendent and the governor; and

(B) advise the state superintendent and the governor on education related technology initiatives, specifically those initiatives implemented through the educational technology program under IC 20-10.1-25.

(2) That the board of directors of the corporation is composed of sixteen (16) individuals who shall serve at the pleasure of the state superintendent and the governor and who shall be appointed jointly by the state superintendent and the governor as follows:

(A) Four (4) individuals who represent private business.

(B) Three (3) individuals who are public school educators with one (1) representing an urban school corporation, one (1) representing a suburban school corporation, and one (1) representing a rural school corporation.

(C) Four (4) individuals who are members of the general assembly and who are appointed as follows:

(i) Two (2) members of the house of representatives, appointed by the speaker of the house of representatives with not more than one (1) from a particular political party.

(ii) Two (2) members of the senate, appointed by the president pro tempore of the senate with not more than one

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(1) from a particular political party.

(D) Five (5) individuals who represent education.

(3) That the state superintendent shall designate the chairman of the board from the membership of the board.

(4) That the board may select other officers the board considers necessary, including a vice chairman, treasurer, or secretary.

(5) That the chairman of the board may appoint subcommittees that the chairman considers necessary to carry out the duties of the corporation.

(6) That the corporation, with the approval of the state superintendent, shall appoint or contract with a person to be president. The person shall serve as the chief operating officer of the corporation, and may employ consultants to carry out the corporation's duties under this chapter.

(7) That a majority of the entire membership constitutes a quorum to do business. However, no action of the corporation is valid unless approved by at least nine (9) members of the corporation.

(8) That each member of the board of directors of the corporation who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). Such a member is, however, entitled to reimbursement for traveling expenses and other expenses actually incurred in the state travel policies and procedures established by the department of administration and approved by the budget agency.

(9) That each member of the board of directors of the corporation who is a state employee, but who is not a member of the general assembly, is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the department of administration and approved by the budget agency.

(10) That each member of the board of directors of the corporation who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.

(11) That the corporation may receive money from any source, including state appropriations, may enter into contracts, and may expend funds for any activities necessary, convenient, or expedient to carry out the exclusive purposes of the corporation.

(12) That an individual who makes a donation to the corporation may designate:

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(A) the particular school corporation; or
(B) the educational technology program implemented by the corporation under IC 20-10.1-25;
entitled to receive the donation and that the corporation may not authorize the distribution of that donation in a manner that disregards or otherwise interferes with the donor's designation. However, an individual who wishes to make a donation under this chapter is not entitled to specify, designate, or otherwise require that the corporation utilize the donation to purchase particular technology equipment or patronize a particular vendor of technology equipment.
(13) That if the corporation elects to expend funds that have not been designated to a particular school corporation or educational technology program under IC 20-10.1-25, the corporation shall first expend those unspecified funds to school corporations or programs that have not been the recipient of a designated donation under subdivision (12).
(14) That the corporation shall take into account other programs and distributions available to school corporations for at-risk students.
(15) That any changes in the articles of incorporation or bylaws must be approved by the board.
(16) That the corporation shall submit an annual report to the general assembly before November 2 of each year and that the report must include detailed information on the structure, operation, and financial status of the corporation **and must be in an electronic format under IC 5-14-6.**
(17) That the corporation is subject to an annual audit by the state board of accounts and that the corporation shall pay the full costs of the audit.

SECTION 151. IC 20-10.1-27-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 12. (a) By June 1 of each school year, each participating school corporation shall submit to the department a written report, on forms developed by the department, outlining the activities undertaken as part of the school corporation's pilot project.

(b) By November 1 of each year, the department shall submit a comprehensive report to the governor and the general assembly on the pilot program, including the department's conclusions and recommendations with regard to the impact that the pilot program has made on decreasing criminal gang activity in Indiana. **A report submitted under this subsection to the general assembly must be in**

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an electronic format under IC 5-14-6.

SECTION 152. IC 20-12-0.5-8, AS AMENDED BY P.L.24-2003, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 8. The commission shall have the following powers and duties:

(1) To develop, continually keep current, and implement a long range plan for postsecondary education. In developing this plan, the commission shall take into account the plans and interests of the state private institutions, anticipated enrollments in state postsecondary institutions, financial needs of students, and other factors pertinent to the quality of educational opportunity available to the citizens of Indiana. The plan shall define the educational missions and the projected enrollments of the various state educational institutions.

(2) To consult with and make recommendations to the commission on vocational and technical education within the department of workforce development on all postsecondary vocational education programs. The commission shall biennially prepare a plan for implementing postsecondary vocational education programming after considering the long range state plan developed under IC 20-1-18.3-10. The commission shall submit this plan to the commission on vocational and technical education within the department of workforce development for its review and recommendations, and shall specifically report on how the plan addresses preparation for employment.

(3) To make recommendations to the general assembly and the governor concerning the long range plan, and prepare to submit drafts and proposed legislation needed to implement the plan. The commission may also make recommendations to the general assembly concerning the plan for postsecondary vocational education under subdivision (2).

(4) To review the legislative request budgets of all state educational institutions preceding each session of the general assembly and to make recommendations concerning appropriations and bonding authorizations to state educational institutions including public funds for financial aid to students by any state agency. The commission may review all programs of any state educational institution, regardless of the source of funding, and may make recommendations to the governing board of the institution, the governor, and the general assembly concerning the funding and the disposition of the programs. In making this review, the commission may request and shall receive, in such

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form as may reasonably be required, from all state educational institutions, complete information concerning all receipts and all expenditures.

(5) To submit to the commission on vocational and technical education within the department of workforce development for its review under IC 20-1-18.3-15 the legislative budget requests prepared by state educational institutions for state and federal funds for vocational education. These budget requests shall be prepared upon request of the budget director, shall cover the period determined by the budget director, and shall be made available to the commission within the department of workforce development before review by the budget committee.

(6) To make, or cause to be made, studies of the needs for various types of postsecondary education and to make recommendations to the general assembly and the governor concerning the organization of these programs. The commission shall make or cause to be made studies of the needs for various types of postsecondary vocational education and shall submit to the commission on vocational and technical education within the department of workforce development ~~its~~ **the commission's** findings in this regard.

(7) To approve or disapprove the establishment of any new branches, regional or other campuses, or extension centers or of any new college or school, or the offering on any campus of any additional associate, baccalaureate, or graduate degree, or of any additional program of two (2) semesters, or their equivalent in duration, leading to a certificate or other indication of accomplishment. After March 29, 1971, no state educational institution shall establish any new branch, regional campus, or extension center or any new or additional academic college, or school, or offer any new degree or certificate as defined in this subdivision without the approval of the commission or without specific authorization by the general assembly. Any state educational institution may enter into contractual agreements with governmental units or with business and industry for specific programs to be wholly supported by the governmental unit or business and industry without the approval of the commission.

(8) If so designated by the governor or the general assembly, to serve as the agency for the purposes of receiving or administering funds available for postsecondary education programs, projects, and facilities for any of the acts of the United States Congress where the acts of Congress require the state to designate such an

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agency or commission. However, this subdivision does not provide for the designation of the commission by the governor as the recipient of funds which may be provided by acts of the United States Congress, received by an agency, a board, or a commission designated by the general assembly.

(9) To designate and employ an executive officer and necessary employees, to designate ~~their~~ **the** titles **of the executive officer and necessary employees,** and to fix the compensation in terms of the employment.

(10) To appoint appropriate advisory committees composed of representatives of state educational institutions, representatives of private colleges and universities, students, faculty, and other qualified persons.

(11) To employ all powers properly incident to or connected with any of the foregoing purposes, powers, or duties, including the power to adopt rules.

(12) To develop a definition for and report biennially to the:

(A) general assembly;

(B) governor; and

(C) commission on vocational and technical education within the department of workforce development;

on attrition and persistence rates by students enrolled in state vocational education. **A report under this subdivision to the general assembly must be in an electronic format under IC 5-14-6.**

(13) To submit a report to the legislative council not later than August 30 of each year on the status of the transfer of courses and programs between state educational institutions. The report must include any changes made during the immediately preceding academic year.

(14) To direct the activities of the committee, including the activities set forth in subdivisions (15) and (16).

(15) To develop through the committee statewide transfer of credit agreements for courses that are most frequently taken by undergraduates.

(16) To develop through the committee statewide agreements under which associate of arts and associate of science programs articulate fully with related baccalaureate degree programs.

(17) To publicize by all appropriate means, including an Internet web site, a master list of course transfer of credit agreements and program articulation agreements.

SECTION 153. IC 20-12-70-16 IS AMENDED TO READ AS

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FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 16. The commission shall do the following:

(1) Prepare a statistical report on a fiscal year basis that describes awards to students attending institutions under this chapter.

(2) Deliver the report described in subdivision (1) to the legislative council before August 15 of the year following the fiscal year covered in the report. **The report must be in an electronic format under IC 5-14-6.**

SECTION 154. IC 20-12-75-11, AS ADDED BY P.L.273-1999, SECTION 203, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 11. (a) The commission for higher education established by IC 20-12-0.5-2 shall make a community college system report to the budget committee and the legislative council by August 1 of each year. Vincennes University and Ivy Tech State College shall assist the commission for higher education in the preparation of this report.

(b) The report described in subsection (a) must include all of the following information:

(1) Enrollment at each community college system site.

(2) Projected enrollments.

(3) Costs to students.

(4) Revenues, expenditures, and other financial information.

(5) Program information.

(6) Other information pertinent to the educational opportunity offered by the community college system.

(c) The report described in subsection (a) that is submitted to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 155. IC 21-9-4-8, AS AMENDED BY P.L.135-2002, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 8. The authority shall prepare an annual report for the education savings programs and services and promptly transmit the annual report to the governor and the general assembly. The authority shall make available, upon request, copies of the annual report to qualified beneficiaries, account owners, and the public. **A report transmitted under this section to the general assembly must be in an electronic format under IC 5-14-6.**

SECTION 156. IC 22-1-1-11, AS AMENDED BY P.L.187-2003, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 11. The commissioner of labor is authorized and directed to do the following:

(1) To investigate and adopt rules under IC 4-22-2 prescribing

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what safety devices, safeguards, or other means of protection shall be adopted for the prevention of accidents in every employment or place of employment, to determine what suitable devices, safeguards, or other means of protection for the prevention of industrial accidents or occupational diseases shall be adopted or followed in any or all employments or places of employment, and to adopt rules under IC 4-22-2 applicable to either employers or employees, or both for the prevention of accidents and the prevention of industrial or occupational diseases.

(2) Whenever, in the judgment of the commissioner of labor, any place of employment is not being maintained in a sanitary manner or is being maintained in a manner detrimental to the health of the employees therein, to obtain any necessary technical or expert advice and assistance from the state department of health. The state department of health, upon the request of the commissioner of labor, shall furnish technical or expert advice and assistance to the commissioner and take the steps authorized or required by the health laws of the state.

(3) Annually forward the report received from the mining board under IC 22-10-1.5-5(a)(6) to the legislative council **in an electronic format under IC 5-14-6** and request from the general assembly funding for necessary additional mine inspectors.

(4) Administer the mine safety fund established under IC 22-10-12-16.

SECTION 157. IC 22-4-18-7, AS ADDED BY P.L.179-1999, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 7. (a) The department annually shall prepare a written report of its training activities and the training activities of the various workforce investment boards during the immediately preceding state fiscal year. The department's annual report for a particular state fiscal year must include information for each training project for which either the department or a workforce development board provided any funding during that state fiscal year. At a minimum, the following information must be provided for such a training project:

(1) A description of the training project, including the name and address of the training provider.

(2) The amount of funding that either the department or a workforce investment board provided for the project and an indication of which entity provided the funding.

(3) The number of trainees who participated in the project.

(4) Demographic information about the trainees, including the age

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of each trainee, the education attainment level of each trainee, and for those training projects that have specific gender requirements, the gender of each trainee.

(5) The results of the project, including skills developed by trainees, any license or certification associated with the training project, the extent to which trainees have been able to secure employment or obtain better employment, and descriptions of the specific jobs which trainees have been able to secure or to which trainees have been able to advance.

(b) With respect to trainees that have been able to secure employment or obtain better employment, the department of workforce development shall compile data on the retention rates of those trainees in the jobs which the trainees secured or to which they advanced. The department shall include information concerning those retention rates in each of its annual reports.

(c) On or before October 1 of each state fiscal year, each workforce investment board shall provide the department with a written report of its training activities for the immediately preceding state fiscal year. The workforce development board shall prepare the report in the manner prescribed by the department. However, at a minimum, the workforce development board shall include in its report the information required by subsection (a) for each training project for which the workforce development board provided any funding during the state fiscal year covered by the report. In addition, the workforce development board shall include in each report retention rate information as set forth in subsection (b).

(d) The department shall provide a copy of its annual report for a particular state fiscal year to the:

(1) governor;

(2) legislative council; and

(3) unemployment insurance board;

on or before December 1 of the immediately preceding state fiscal year. **An annual report provided under this subsection to the legislative council must be in an electronic format under IC 5-14-6.**

SECTION 158. IC 22-4.1-5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 3. All discretionary grants awarded by the department must be reported annually **in an electronic format under IC 5-14-6** to the legislative council.

SECTION 159. IC 23-5-2-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 10. Any and all associations or corporations organized under or having

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existence by virtue of this chapter shall remain subject to the control of the general assembly of the state of Indiana, and may be, by law, required and compelled to make a report of all its proceedings to any general assembly of this state, and any general assembly of this state may, by law, repeal this chapter, and require and compel the dissolution and settling up of all corporations or associations organized under this chapter within any period not less than three (3) years after the passage of such repealing law. **A report under this section to the general assembly must be in an electronic format under IC 5-14-6.**

SECTION 160. IC 23-6-4-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 22. Each credit corporation shall make an annual report of its condition to the governor and the general assembly before March 2 of each year. **An annual report under this section to the general assembly must be in an electronic format under IC 5-14-6.**

SECTION 161. IC 24-4.7-3-5, AS ADDED BY P.L.189-2001, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 5. (a) The division shall, after June 30 and before October 1 of each year, report to the regulatory flexibility committee established by IC 8-1-2.6-4 on the following:

(1) For the state fiscal year ending June 30, 2002, the expenses incurred by the division in establishing the listing.

(2) The total amount of fees deposited in the fund during the most recent state fiscal year.

(3) The expenses incurred by the division in maintaining and promoting the listing during the most recent state fiscal year.

(4) The projected budget required by the division to comply with this article during the current state fiscal year.

(5) Any other expenses incurred by the division in complying with this article during the most recent state fiscal year.

(6) The total number of subscribers on the listing at the end of the most recent state fiscal year.

(7) The number of new subscribers added to the listing during the most recent state fiscal year.

(8) The number of subscribers removed from the listing for any reason during the most recent state fiscal year.

(b) The regulatory flexibility committee shall, before November 1 of each year, issue **in an electronic format under IC 5-14-6** a report and recommendations to the legislative council concerning the information received under subsection (a).

SECTION 162. IC 26-1-9.1-527, AS ADDED BY P.L.57-2000, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2003 (RETROACTIVE)]: Sec. 527. The secretary of state shall report annually to the general assembly on the operation of the filing office. The report **must be in an electronic format under IC 5-14-6 and** must contain a statement of the extent to which:

(1) the filing office rules are not in harmony with the rules of filing offices in other jurisdictions that enact substantially IC 26-1-9.1-501 through IC 26-1-9.1-527 and the reasons for these variations; and

(2) the filing office rules are not in harmony with the most recent version of the Model Rules promulgated by the International Association of Corporate Administrators, or any successor organization, and the reasons for these variations.

SECTION 163. IC 27-1-3-30, AS ADDED BY P.L.166-2003, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 30. (a) As used in this section, "accident and sickness insurance policy" has the meaning set forth in IC 27-8-14.2-1.

(b) As used in this section, "health maintenance organization" has the meaning set forth in IC 27-13-1-19.

(c) As used in this section, "mandated benefit" means certain health coverage or an offering of certain health coverage that is required under:

(1) an accident and sickness insurance policy; or

(2) a contract with a health maintenance organization.

(d) As used in this section, "mandated benefit proposal" means a bill or resolution pending before the general assembly that, if enacted, would require certain health coverage or an offering of certain health coverage under:

(1) an accident and sickness insurance policy; or

(2) a contract with a health maintenance organization.

(e) The commissioner shall establish a task force to review mandated benefits and mandated benefit proposals.

(f) The task force must consist of nine (9) members appointed by the governor as follows:

(1) Two (2) members representing the insurance industry.

(2) Two (2) members representing consumers.

(3) Two (2) members representing health care providers.

(4) Two (2) members representing the business sector.

(5) The commissioner or the commissioner's designee.

A registered lobbyist may not serve as a member of the task force.

(g) Members of the task force shall serve on a voluntary basis without reimbursement.

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(h) The department shall provide administrative support for the functions of the task force.

(i) The task force shall review mandated benefits and mandated benefit proposals as determined by the members of the task force and report **in an electronic format under IC 5-14-6** to the legislative council not later than December 31 of each year.

(j) Any recommendations made by the task force must be approved by at least five (5) members of the task force.

(k) The department may adopt rules under IC 4-22-2 to implement this section.

(l) Information that identifies a person and that is obtained by the task force under this section is confidential.

SECTION 164. IC 27-1-29-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 7. (a) The commission is granted all powers necessary, convenient, or appropriate to carry out and effectuate its public and corporate purposes under this chapter and IC 27-1-29.1 including, but not limited to, and except as otherwise restricted in this chapter or IC 27-1-29.1:

(1) The power to have perpetual existence as a body corporate and politic, and an independent instrumentality, but not a state agency, exercising essential public functions.

(2) The power to sue and be sued.

(3) The power to adopt and alter an official seal.

(4) The power to make and enforce bylaws and rules for the conduct of its business, which bylaws and rules may be adopted by the commission without complying with IC 4-22-2.

(5) The power to make contracts and incur liabilities, borrow money, issue its negotiable bonds or notes in accordance with this chapter, subject to provisions for registration of negotiable bonds and notes, and provide for and secure their payment and provide for the rights of their holders, and purchase and hold and dispose of any of its bonds or notes.

(6) The power to acquire, hold, use, and dispose of its income, revenues, funds, and money.

(7) The power to acquire, rent, lease, hold, use, and dispose of property for its purposes.

(8) The power to fix and revise from time to time and charge and collect fees and charges for the use of its services or facilities.

(9) The power to accept gifts or grants of property, funds, money, materials, labor, supplies, or services from the United States, any governmental unit, or any person, carry out the terms or provisions or make agreements with respect to the gifts or grants,

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and do all things necessary, useful, desirable, or convenient in connection with procuring, accepting, or disposing of the gifts or grants.

(10) The power to do anything authorized by this article, through its officers, agents, or employees or by contracts with a person.

(11) The power to procure insurance against any losses in connection with its property, operations, or assets in amounts and from insurers as it considers desirable.

(12) The power to cooperate with and exchange services, personnel, and information with any federal, state, or local government agency.

(b) The commission may:

(1) implement a statewide program of loss control and risk management to minimize the liabilities of members of the fund;

(2) contract with any persons or entities to obtain or provide the services of risk managers, actuaries, loss control specialists, attorneys, and other professionals in carrying out its powers and duties under this chapter and to pay for those services from the fund;

(3) exercise control over the defense of members of the fund against tort claims, including the selection and retention of legal counsel, the direction of counsel in the conduct of cases, and the negotiation and acceptance or rejection of any settlement;

(4) establish procedures by which political subdivisions can gain or regain membership and relinquish membership in the fund;

(5) establish procedures and criteria for the imposition of assessments to be paid by members of the fund, and the payment of members' liabilities;

(6) establish programs for the payment of money from the fund to compensate members for damage to or loss of real or personal property;

(7) establish programs for the payment of:

(A) liabilities covered under IC 34-13-3 (or IC 34-4-16.5 before its repeal); and

(B) liabilities that are not covered under IC 34-13-3 (or IC 34-4-16.5 before its repeal), including, but not limited to, liability due to alleged violations of the Constitution of the United States or federal civil rights statutes by law enforcement officers;

(8) establish programs by which members can protect their elected officers and employees against liability arising from their alleged errors or omissions;

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(9) establish procedures by which a member of the fund can settle small claims that are within the deductible provision of coverage under the fund;

(10) capitalize the fund by levying against each member of the fund an annual surcharge over and above the assessment imposed against the member under section 12 of this chapter; and

(11) establish any other programs or procedures the commission considers necessary for the implementation of this chapter.

The amount of the surcharge levied against a member of the fund for a particular year under subdivision (10) may not exceed twenty-five percent (25%) of the member's assessment for the same year.

(c) The commission shall file a report **in an electronic format under IC 5-14-6** with the ~~members of the~~ general assembly each year concerning the operations of the commission and the condition of the fund.

SECTION 165. IC 27-6-5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 1. (a) In order to obtain for the citizens of the state of Indiana and for their insurers the benefit of federal reinsurance against property losses resulting from riots and civil disorders, as provided in the Urban Property Protection and Reinsurance Act of 1968 (12 U.S.C. 1749bbb et seq.), the state of Indiana is hereby authorized to cooperate with the United States government and its Secretary of Housing and Urban Development. The Indiana insurance commissioner is hereby designated as the state agency to cooperate with the federal government pursuant to that act.

(b) The insurance commissioner shall annually report to the general assembly on the statewide plan to assure fair access to insurance requirements (FAIR plan, as provided in 12 U.S.C. 1749bbb-3). The report must be submitted no later than November 1 of each year. The report must contain information concerning the classes of coverage provided under the plan during the preceding year and any other information requested by the general assembly. **The report must be in an electronic format under IC 5-14-6.**

SECTION 166. IC 27-8-10-2.3, AS ADDED BY P.L.167-2002, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 2.3. A member shall, not later than October 31 of each year, certify an independently audited report to the:

(1) association;

(2) legislative council; and

(3) department of insurance;

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of the amount of tax credits taken against assessments by the member under section 2.1(n)(1) of this chapter during the previous calendar year. **A report certified under this section to the legislative council must be in an electronic format under IC 5-14-6.**

SECTION 167. IC 33-1-15-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 7. The commission on courts shall do the following:

(1) Review and report on all requests for new courts or changes in jurisdiction of existing courts. A request for review under this subdivision must be received by the commission not later than July 1 of each year. A request received after July 1 may not be considered unless a majority of the commission members agree to consider the request.

(2) Conduct research concerning requests for new courts or changes in jurisdiction of existing courts. This research may include the conduct of surveys sampling members of the bar, members of the judiciary, and local officials to determine needs and problems.

(3) Conduct public hearings throughout Indiana concerning requests for new courts or changes in jurisdiction of existing courts. The commission shall hold at least one (1) public hearing on each request presented to the commission.

(4) Review and report on any other matters relating to court administration that the commission determines appropriate, including the following:

(A) Court fees.

(B) Court personnel, except constables that have jurisdiction in a county that contains a consolidated city.

(C) Salaries of court officers and personnel, except constables that have jurisdiction in a county that contains a consolidated city.

(D) Jury selection.

(E) Any other issues relating to the operation of the courts.

(5) Submit a report **in an electronic format under IC 5-14-6** before November 1 of each year to the general assembly that includes the following:

(A) A recommendation on all requests considered by the commission during the preceding year for the creation of new courts or changes in the jurisdiction of existing courts.

(B) If the commission recommends the creation of new courts or changes in jurisdiction of existing courts, the following:

(i) A draft of legislation implementing the changes.

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(ii) A fiscal analysis of the cost to the state and local governments of implementing recommended changes.

(iii) Summaries of any research supporting the recommended changes.

(iv) Summaries of public hearings held concerning the recommended changes.

(C) A recommendation on any issues considered by the commission under subdivision (4).

SECTION 168. IC 33-2.1-7-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 5. The reports required by section 3(a)(3) of this chapter shall be directed to the commission on judicial qualifications, the chief justice of the state, the clerk of the supreme court, and the ~~Indiana~~ legislative council, and shall be accessible to the judicial officers of the various courts and to the general public. The reports shall be titled "The Indiana Judicial Report". **A report directed under this section to the legislative council must be in an electronic format under IC 5-14-6.**

SECTION 169. IC 33-2.1-10-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 7. The committee shall submit a report to the supreme court administrator and to the legislative services agency not later than August 1 of each year. **A report submitted under this section to the legislative services agency must be in an electronic format under IC 5-14-6.**

SECTION 170. IC 33-9-13-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 3. (a) The commission shall do the following:

(1) Make recommendations to the supreme court of Indiana concerning standards for indigent defense services provided for defendants against whom the state has sought the death sentence under IC 35-50-2-9, including the following:

(A) Determining indigency and eligibility for legal representation.

(B) Selection and qualifications of attorneys to represent indigent defendants at public expense.

(C) Determining conflicts of interest.

(D) Investigative, clerical, and other support services necessary to provide adequate legal representation.

(2) Adopt guidelines and standards for indigent defense services under which the counties will be eligible for reimbursement under IC 33-9-14, including but not limited to the following:

(A) Determining indigency and the eligibility for legal representation.

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(B) The issuance and enforcement of orders requiring the defendant to pay for the costs of court appointed legal representation under IC 33-9-11.5.

(C) The use and expenditure of funds in the county supplemental public defender services fund established by IC 33-9-11.5.

(D) Qualifications of attorneys to represent indigent defendants at public expense.

(E) Compensation rates for salaried, contractual, and assigned counsel.

(F) Minimum and maximum caseloads of public defender offices and contract attorneys.

(3) Make recommendations concerning the delivery of indigent defense services in Indiana.

(4) Make an annual report to the governor, the general assembly, and the supreme court on the operation of the public defense fund. **A report made under this subdivision to the general assembly must be in an electronic format under IC 5-14-6.**

SECTION 171. IC 33-20-9-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 1. The board shall file a report with:

(1) the governor;

(2) the legislative council; and

(3) the chief justice of the supreme court;

before December 31 of each year. **A report filed under this section with the legislative council must be in an electronic format under IC 5-14-6.**

SECTION 172. IC 34-52-2-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 6. (a) Each agency subject to an order to pay fees or expenses or that pays fees or other expenses under this chapter shall report annually **in an electronic format under IC 5-14-6** to the general assembly the amount of fees and other expenses ordered or paid during the preceding fiscal year by that agency.

(b) In its report, the agency shall describe:

(1) the number, nature, and amount of the awards;

(2) the claims involved in the controversy; and

(3) any other relevant information to aid the general assembly in evaluating the scope and impact of these awards.

SECTION 173. IC 34-57-3-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 13. The chief justice of Indiana shall prepare and submit an annual report

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to the governor and the general assembly that evaluates and makes recommendations concerning the operation and success of the centers funded under this chapter. **A report submitted under this section to the general assembly must be in an electronic format under IC 5-14-6.**

SECTION 174. IC 35-33.5-2-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 4. (a) Not later than December 31 of each year, a prosecuting attorney who during that year:

(1) has received a warrant or an extension; or

(2) represents a county in which an arrest or a conviction has occurred as the result of the warrant or extension;

shall report **in an electronic format under IC 5-14-6** the information described in subsection (b) to the legislative council.

(b) A prosecuting attorney shall report the following information under subsection (a):

(1) The information required in section 5 of this chapter.

(2) The number of arrests resulting from an interception made under a warrant or extension and the designated offense for which each arrest was made.

(3) The number of charges filed as a result of an interception.

(4) The number of motions to suppress made with respect to an interception and the number of motions granted or denied.

(5) The number of convictions resulting from an interception, the designated offense for which each conviction was obtained, and a general assessment of the importance of interception in obtaining the convictions.

(6) A general description of the interceptions made under a warrant or an extension, including the following:

(A) The approximate nature and frequency of incriminating communications intercepted.

(B) The approximate nature and frequency of other communications intercepted.

(C) The approximate number of persons whose communications were intercepted.

(D) The approximate nature, amount, and cost of manpower and other resources used in relation to the interceptions.

SECTION 175. IC 35-47-7-6, AS ADDED BY P.L.96-2003, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 6. (a) The:

(1) practitioner (as defined in IC 25-1-9-2) who initially treats a person for an injury that the practitioner has identified as resulting

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from fireworks or pyrotechnics; or

(2) administrator or the administrator's designee of the hospital or outpatient surgical center if a person is initially treated in a hospital or an outpatient surgical center for an injury that the administrator has identified as resulting from fireworks or pyrotechnics;

shall report the case to the state health data center of the state department of health not more than five (5) business days after the time the person is treated. The report may be made in writing on a form prescribed by the state department of health.

(b) A person submitting a report under subsection (a) shall make a reasonable attempt to include the following information:

(1) The name, address, and age of the injured person.

(2) The date and time of the injury and the location where the injury occurred.

(3) If the injured person was less than eighteen (18) years of age, whether an adult was present when the injury occurred.

(4) Whether the injured person consumed alcoholic beverages within three (3) hours before the injury occurred.

(5) A description of the firework or pyrotechnic that caused the injury.

(6) The nature and extent of the injury.

(c) A report made under this section is considered confidential for purposes of IC 5-14-3-4(a)(1).

(d) The state department of health shall compile the data collected under this section and submit **in an electronic format under IC 5-14-6** a report of the compiled data to the legislative council not later than December 31, 2004.

(e) This section expires January 1, 2005.

SECTION 176. IC 35-48-2-1, AS AMENDED BY P.L.107-2002, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 1. (a) The board shall administer this article and may recommend to the general assembly the addition, deletion, or rescheduling of all substances listed in the schedules in sections 4, 6, 8, 10, and 12 of this chapter by submitting **in an electronic format under IC 5-14-6** a report of such recommendations to the legislative council. In making a determination regarding a substance, the board shall consider the following:

(1) The actual or relative potential for abuse.

(2) The scientific evidence of its pharmacological effect, if known.

(3) The state of current scientific knowledge regarding the

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substance.

(4) The history and current pattern of abuse.

(5) The scope, duration, and significance of abuse.

(6) The risk to public health.

(7) The potential of the substance to produce psychic or physiological dependence liability.

(8) Whether the substance is an immediate precursor of a substance already controlled under this article.

(b) After considering the factors enumerated in subsection (a), the board shall make findings and recommendations concerning the control of the substance if it finds the substance has a potential for abuse.

(c) If the board finds that a substance is an immediate precursor, substances which are precursors of the controlled precursor shall not be subject to control solely because they are precursors of the controlled precursor.

(d) If any substance is designated or rescheduled to a more restrictive schedule as a controlled substance under federal law and notice is given to the board, the board shall recommend similar control of the substance under this article in the board's report to the general assembly, unless the board objects to inclusion or rescheduling. In that case, the board shall publish the reasons for objection and afford all interested parties an opportunity to be heard. At the conclusion of the hearing, the board shall publish its findings.

(e) If a substance is rescheduled to a less restrictive schedule or deleted as a controlled substance under federal law, the substance is rescheduled or deleted under this article. If the board objects to inclusion, rescheduling, or deletion of the substance, the board shall notify the chairman of the legislative council not more than thirty (30) days after the federal law is changed and the substance may not be rescheduled or deleted until the conclusion of the next complete session of the general assembly. The notice from the board to the chairman of the legislative council must be published.

(f) There is established a sixteen (16) member controlled substances advisory committee to serve as a consultative and advising body to the board in all matters relating to the classification, reclassification, addition to, or deletion from of all substances classified as controlled substances in schedules I to IV or substances not controlled or yet to come into being. In addition, the advisory committee shall conduct hearings and make recommendations to the board regarding revocations, suspensions, and restrictions of registrations as provided in IC 35-48-3-4. All hearings shall be conducted in accordance with IC 4-21.5-3. The advisory committee shall be made up of:

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(1) two (2) physicians licensed under IC 25-22.5, one (1) to be elected by the medical licensing board of Indiana from among its members and one (1) to be appointed by the governor;
(2) two (2) pharmacists, one (1) to be elected by the state board of pharmacy from among its members and one (1) to be appointed by the governor;
(3) two (2) dentists, one (1) to be elected by the state board of dentistry from among its members and one (1) to be appointed by the governor;
(4) the state toxicologist or the designee of the state toxicologist;
(5) two (2) veterinarians, one (1) to be elected by the state board of veterinary medical examiners from among its members and one (1) to be appointed by the governor;
(6) one (1) podiatrist to be elected by the board of podiatric medicine from among its members;
(7) one (1) advanced practice nurse with authority to prescribe legend drugs as provided by IC 25-23-1-19.5 who is:
(A) elected by the state board of nursing from among the board's members; or
(B) if a board member does not meet the requirements under IC 25-23-1-19.5 at the time of the vacancy on the advisory committee, appointed by the governor;
(8) the superintendent of the state police department or the superintendent's designee;
(9) three (3) members appointed by the governor who have demonstrated expertise concerning controlled substances; and
(10) one (1) member appointed by the governor who is a psychiatrist with expertise in child and adolescent psychiatry.

(g) All members of the advisory committee elected by a board shall serve a term of one (1) year and all members of the advisory committee appointed by the governor shall serve a term of four (4) years. Any elected or appointed member of the advisory committee, may be removed for cause by the authority electing or appointing the member. If a vacancy occurs on the advisory committee, the authority electing or appointing the vacating member shall elect or appoint a successor to serve the unexpired term of the vacating member. The board shall acquire the recommendations of the advisory committee pursuant to administration over the controlled substances to be or not to be included in schedules I to V, especially in the implementation of scheduled substances changes as provided in subsection (d).

(h) Authority to control under this section does not extend to distilled spirits, wine, or malt beverages, as those terms are defined or

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used in IC 7.1, or to tobacco.

(i) The board shall exclude any nonnarcotic substance from a schedule if that substance may, under the Federal Food, Drug, and Cosmetic Act or state law, be sold over the counter without a prescription.

SECTION 177. IC 36-2-9-20, AS AMENDED BY P.L.245-2003, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 20. The county auditor shall:

(1) maintain an electronic data file of the information contained on the tax duplicate for all:

(A) parcels; and

(B) personal property returns;

for each township in the county as of each assessment date;

(2) maintain the file in the form required by:

(A) the legislative services agency; and

(B) the department of local government finance; and

(3) transmit the data in the file with respect to the assessment date of each year before March 1 of the next year to:

(A) the legislative services agency **in an electronic format under IC 5-14-6;** and

(B) the department of local government finance.

SECTION 178. IC 36-7-11.5-10, AS ADDED BY P.L.92-2003, SECTION 62, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 10. (a) The commission shall prepare an annual report concerning the fund and submit the report **in an electronic format under IC 5-14-6** to the legislative council before October 1 of each year.

(b) The annual report must include the following:

(1) A list of the projects completed during the preceding calendar year for which funds were distributed under section 9 of this chapter.

(2) If applicable, evidence of compliance with the United States Secretary of the Interior's standards for historic rehabilitation.

(3) A list of the projects related to the restoration, repair, or maintenance of the exterior, interior, and landscape features of the historic hotels located in the historic hotel district.

(4) A list of the projects that may be initiated in the ensuing calendar year related to the restoration, repair, or maintenance of the exterior, interior, and landscape features of the historic hotels located in the historic hotel district.

SECTION 179. IC 36-7-13.5-11, AS AMENDED BY P.L.1-2002, SECTION 160, IS AMENDED TO READ AS FOLLOWS

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[EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 11. The commission shall:

(1) identify qualifying properties;

(2) prepare a comprehensive master plan for development and redevelopment within the corridor that:

(A) plans for remediation of environmental contamination;

(B) accounts for economic development and transportation issues relating to environmental contamination; and

(C) establishes priorities for development or redevelopment of qualifying properties;

(3) establish guidelines for the evaluation of applications for grants from the fund;

(4) after reviewing a report from the department of environmental management under section 22 of this chapter, refer to the executive committee applications for grants from the fund under section 21 of this chapter that the commission recommends for approval;

(5) prepare and provide information to political subdivisions on the availability of financial assistance from the fund;

(6) coordinate the implementation of the comprehensive master plan;

(7) monitor the progress of implementation of the comprehensive master plan;

(8) report at least annually to the governor, the lieutenant governor, the legislative council, and all political subdivisions that have territory within the corridor on:

(A) the activities of the commission; and

(B) the progress of implementation of the comprehensive master plan; and

(9) employ an executive director and other individuals that are necessary to carry out the commission's duties.

An annual report under subdivision (8) to the legislative council must be in an electronic format under IC 5-14-6.

SECTION 180. IC 36-7-23-50 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: Sec. 50. The board shall, at the close of each fiscal year, submit **in an electronic format under IC 5-14-6** an annual report of its activities for the preceding year to the legislative council. Each member of the general assembly may receive a copy of the report by submitting a request to the executive director of the legislative council.

SECTION 181. IC 12-14-24-10 IS REPEALED [EFFECTIVE JULY 1, 2003 (RETROACTIVE)].

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SECTION 182. THE FOLLOWING ARE REPEALED [EFFECTIVE UPON PASSAGE]: P.L.238-1986; P.L.109-1997, SECTION 4; P.L.149-1999, SECTION 1; P.L.24-2003, SECTION 3.

SECTION 183. P.L.291-2001, SECTION 128, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: SECTION 128. (a) There is created the civil war flags commission.

(b) The powers and duties of the civil war flags commission are as follows:

(1) Solicit donations from school children and businesses for the purpose of restoring and preserving civil war flags.

(2) Accept donations from organizations and individuals for the purpose of restoring and preserving civil war flags.

(3) Coordinate fund raising activities for the purpose of restoring and preserving the civil war flags.

(4) Deposit receipts from donations and other sources in the civil war flags fund ~~(IC 10-7-2-6.5).~~ **(IC 10-18-1-14).**

(5) Advise the Indiana war memorials commission on the use of money in the civil war flags fund ~~(IC 10-7-2-6.5).~~ **(IC 10-18-1-14).**

(c) The civil war flag commission consists of the following persons appointed as follows:

(1) Two (2) members of the house of representatives, not more than one (1) of whom may be from the same political party, appointed by the speaker of the house of representatives. The members appointed under this subdivision are nonvoting members of the commission.

(2) Two (2) members of the senate, not more than one (1) of whom may be from the same political party, appointed by the president pro tempore of the senate. The members appointed under this subdivision are nonvoting members of the commission.

(3) Two (2) members of a Civil War Round Table organization appointed by the governor.

(4) One (1) member of the Indiana war memorials commission ~~(IC 10-7-2-1)~~ **(IC 10-18-1-2)** appointed by the governor.

(5) Two (2) members of the Save the Colors Coalition appointed by the governor.

(6) One (1) member of the Sons of Union Veterans appointed by the governor.

(7) One (1) member of the veterans affairs commission ~~(IC 10-5-1-5)~~ **(IC 10-17-1-3)** appointed by the governor.

(8) Two (2) members of the general public appointed by the

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governor.

(9) Six (6) students from ten (10) to nineteen (19) years of age appointed by the governor upon the recommendation of the civil war flags commission. The commission shall base its recommendations to the governor upon the results of an essay contest that the commission shall establish and judge. The members appointed under this subdivision are nonvoting members of the commission.

(d) The commission shall organize itself and elect those officers that it considers necessary to accomplish the purposes of the commission. A nonvoting member of the commission may serve as an officer of the commission.

(e) The civil war flags commission shall be organized as a nonprofit organization and may not spend more than two percent (2%) of the funds collected on administrative costs, including soliciting for additional funds. There is continuously appropriated from the civil war flags fund established under ~~IC 10-7-2-6.5~~ **IC 10-18-1-14** to the civil war flags commission an amount sufficient to pay for those administrative costs of the civil war flags commission that does not exceed two percent (2%) of the funds collected by the civil war flags commission and deposited in the civil war flags fund.

(f) The civil war flags commission shall report **in an electronic format under IC 5-14-6** to the legislative council on the commission's activities by November 1 of each year.

(g) Any state funds appropriated to the Indiana war memorials commission ~~(IC 10-7-2-1)~~ **(IC 10-18-1-2)** that are subject to reversion at the end of the state fiscal year, not to exceed fifty thousand dollars ($50,000), do not revert to the state general fund but are appropriated to the civil war flags fund established under ~~IC 10-7-2-6.5.~~ **1C 10-18-1-14.** The funds shall be deposited in the civil war flags fund within sixty (60) days of the end of the state fiscal year.

(h) This SECTION expires July 1, 2006.

SECTION 184. P.L.28-2000, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: SECTION 1. (a) The rail corridor safety committee is established.

(b) The committee consists of eight (8) members as follows:

(1) Four (4) members of the house of representatives appointed by the speaker of the house of representatives. Not more than two (2) members appointed under this subdivision may represent the same political party.

(2) Four (4) members of the senate appointed by the president pro

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tempore of the senate. Not more than two (2) members appointed under this subdivision may represent the same political party.

(c) The chairman of the legislative council shall designate one (1) member of the committee to be chairperson of the committee.

(d) Each member of the committee appointed under subsection (b)(1) or (b)(2) is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on legislative study committees established by the legislative council.

(e) The committee shall do the following:

(1) Study the safety of rail corridors, including corridors at overpasses, underpasses, and crossings.

(2) Review railroad safety records.

(3) Study methods of encouraging cooperation among the railroads, local government, state government, and federal government to enhance the safety of railroads.

(4) Study other topics as assigned by the legislative council.

(f) The committee shall issue a final report to the legislative council regarding the matters listed under subsection (e) before November 1, 2005. **The report must be in an electronic format under IC 5-14-6.**

(g) The committee is under the jurisdiction of the legislative council and shall operate under policies and procedures established by the legislative council.

(h) Staff and administrative support for the committee shall be provided by the legislative services agency.

(i) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.

(j) This SECTION expires November 1, 2005.

SECTION 185. P.L.220-2001, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: SECTION 1. (a) As used in this SECTION, "commission" refers to the Indiana commission on excellence in health care established by subsection (d).

(b) As used in this SECTION, "health care professional" has the meaning set forth in IC 16-27-1-1.

(c) As used in this SECTION, "health care provider" includes the following:

(1) A hospital or an ambulatory outpatient surgical center licensed under IC 16-21.

(2) A hospice program (as defined in IC 16-25-1.1-4).

(3) A home health agency licensed under IC 16-27-1.

(4) A health facility licensed under IC 16-28.

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(d) There is established the Indiana commission on excellence in health care.

(e) The commission consists of the following members:

(1) Four (4) members appointed from the house of representatives by the speaker of the house of representatives. Not more than two (2) of the members appointed under this subdivision may be members of the same political party.

(2) Four (4) members appointed from the senate by the president pro tempore of the senate. Not more than two (2) of the members appointed under this subdivision may be members of the same political party.

(3) The governor or the governor's designee.

(4) The state health commissioner appointed under IC 16-19-4-2 or the commissioner's designee.

(5) One (1) member appointed by the governor who is a former dean or former faculty member of the Indiana University School of Medicine.

(6) One (1) member appointed by the governor who is a former dean or former faculty member of an Indiana school of nursing.

(7) One (1) member appointed by the governor who is a health care provider or a representative for individuals who have both a mental illness and a developmental disability.

(f) The commission shall operate under the rules of the legislative council. The commission shall meet upon the call of the chairperson.

(g) The affirmative votes of at least seven (7) voting members of the commission are required for the commission to take any action, including the approval of a final report.

(h) The speaker of the house of representatives shall appoint the chairperson of the commission during odd-numbered years beginning January 1. The president pro tempore of the senate shall appoint the chairperson of the commission during even-numbered years beginning January 1.

(i) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(j) Each member of the commission who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4

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and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(k) Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.

(l) The legislative services agency shall provide staff to support the commission. The legislative services agency is not required to provide staff assistance to the subcommittees of the commission except to the extent the subcommittees require copying services.

(m) The expenses of the commission shall be paid from funds appropriated to the legislative services agency.

(n) The commission shall study the quality of health care, including mental health, and develop a comprehensive statewide strategy for improving the health care delivery system. The commission shall do the following:

(1) Identify existing data sources that evaluate quality of health care in Indiana and collect, analyze, and evaluate this data.

(2) Establish guidelines for data sharing and coordination.

(3) Identify core sets of quality measures for standardized reporting by appropriate components of the health care continuum.

(4) Recommend a framework for quality measurement and outcome reporting.

(5) Develop quality measures that enhance and improve the ability to evaluate and improve care.

(6) Make recommendations regarding research and development needed to advance quality measurement and reporting.

(7) Evaluate regulatory issues relating to the pharmacy profession and recommend changes necessary to optimize patient safety.

(8) Facilitate open discussion of a process to ensure that comparative information on health care quality is valid, reliable, comprehensive, understandable, and widely available in the public domain.

(9) Sponsor public hearings to share information and expertise, identify best practices, and recommend methods to promote their acceptance.

(10) Evaluate current regulatory programs to determine what changes, if any, need to be made to facilitate patient safety.

(11) Review public and private health care purchasing systems to

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determine if there are sufficient mandates and incentives to facilitate continuous improvement in patient safety.

(12) Analyze how effective existing regulatory systems are in ensuring continuous competence and knowledge of effective safety practices.

(13) Develop a framework for organizations that license, accredit, or credential health care professionals and health care providers to more quickly and effectively identify unsafe providers and professionals and to take action necessary to remove an unsafe provider or professional from practice or operation until the professional or provider has proven safe to practice or operate.

(14) Recommend procedures for development of a curriculum on patient safety and methods of incorporating the curriculum into training, licensure, and certification requirements.

(15) Develop a framework for regulatory bodies to disseminate information on patient safety to health care professionals, health care providers, and consumers through conferences, journal articles and editorials, newsletters, publications, and Internet websites.

(16) Recommend procedures to incorporate recognized patient safety considerations into practice guidelines and into standards related to the introduction and diffusion of new technologies, therapies, and drugs.

(17) Recommend a framework for development of community based collaborative initiatives for error reporting and analysis and implementation of patient safety improvements.

(18) Evaluate the role of advertising in promoting or adversely affecting patient safety.

(19) Evaluate and make recommendations regarding the need for licensure of additional persons who participate in the delivery of health care to Indiana residents.

(20) Evaluate the benefits and problems of the current disciplinary systems and make recommendations regarding alternatives and improvements.

(21) Study and make recommendations concerning the long term care system, including self-directed care plans and the regulation and reimbursement of public and private facilities that provide long term care.

(22) Study any other topic required by the chairperson.

(o) The commission may create subcommittees to study topics, receive testimony, and prepare reports on topics assigned by the commission. The chairperson shall select from the topics listed under

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subsection (n) the topics to be studied by the commission and subcommittees each year. The chairperson shall appoint persons to act as chairperson and secretary of each subcommittee. The commission shall by majority vote appoint members to each subcommittee. A member of a subcommittee, including a commission member while serving on a subcommittee, is not entitled to per diem, mileage, or travel allowances.

(p) The commission shall submit:

(1) interim reports not later than October 1, 2001, and October 1, 2002; and

(2) a final report not later than October 1, 2003;

to the governor, members of the health finance commission, and the legislative council. With the consent of the chairperson of the commission and the chairperson of the health finance commission, the commission and the health finance commission may conduct joint meetings. **A final report submitted under this subsection to the legislative council must be in an electronic format under IC 5-14-6.**

(q) This SECTION expires July 1, 2004.

SECTION 186. P.L.248-2001, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: SECTION 4. (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 seventeen (17) voting members and one (1) nonvoting member 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:

(A) commissioner of the department; or

(B) commissioner's designee;

who serves as a nonvoting member.

(4) Nine (9) individuals who are not members of the general assembly and who are appointed by the governor as follows:

(A) Two (2) individuals representing business and industry,

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not more than one (1) of whom may be affiliated with the same political party.

(B) Two (2) individuals representing local government, one (1) of whom may be a solid waste management district director and not more than one (1) of whom may be affiliated with the same political party.

(C) Two (2) individuals representing environmental interests, one (1) of whom may be a solid waste management district director and not more than one (1) of whom may be affiliated with the same political party.

(D) One (1) individual representing the general public.

(E) Two (2) individuals representing the following interests:

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

(ii) One (1) representative of agriculture.

Until an appointment is made under clause (A), (B), (C), (D), or (E), an unfilled position shall be held by the corresponding member of the environmental quality service council serving on December 31, 2000, who was appointed under P.L.248-1996, SECTION 1(d)(4) to represent the same interest as must be represented by the person appointed to the unfilled 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) If a vacancy occurs among the members of the council, the appointing authority of the member whose position is vacant shall fill the vacancy by appointment. 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 appointment 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 one (1) time 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, on interim study committees established by the legislative council.

(j) The council shall do the following:

(1) Study issues designated by the legislative council.

(2) Advise the commissioner of the department on policy issues

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decided upon by the council.

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

(4) 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.

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

(6) Submit a final report to the legislative council that contains at least the following:

(A) An outline of activities of the council.

(B) Recommendations for any department action.

(C) Recommendations for any legislative action.

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

(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) **A report submitted under this SECTION to the legislative council must be in an electronic format under IC 5-14-6.**

(o) This SECTION expires December 31, 2005.

SECTION 187. P.L.137-2002, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: SECTION 5. (a) As used in this SECTION, "commission" refers to the Indiana commission on excellence in health care established by subsection (d).

(b) As used in this SECTION, "health care professional" has the meaning set forth in IC 16-27-1-1.

(c) As used in this SECTION, "health care provider" includes the following:

(1) A hospital or an ambulatory outpatient surgical center licensed under IC 16-21.

(2) A hospice program (as defined in IC 16-25-1.1-4).

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(3) A home health agency licensed under IC 16-27-1.
(4) A health facility licensed under IC 16-28.

(d) There is established the Indiana commission on excellence in health care.

(e) The commission consists of the following members:

(1) Four (4) members appointed from the house of representatives by the speaker of the house of representatives. Not more than two (2) of the members appointed under this subdivision may be members of the same political party.

(2) Four (4) members appointed from the senate by the president pro tempore of the senate. Not more than two (2) of the members appointed under this subdivision may be members of the same political party.

(3) The governor or the governor's designee.

(4) The state health commissioner appointed under IC 16-19-4-2 or the commissioner's designee.

(5) One (1) member appointed by the governor who is a former dean or former faculty member of the Indiana University School of Medicine.

(6) One (1) member appointed by the governor who is a former dean or former faculty member of an Indiana school of nursing.

(7) One (1) member appointed by the governor who is a health care provider or a representative for individuals who have both a mental illness and a developmental disability.

(f) The commission shall operate under the rules of the legislative council. The commission shall meet upon the call of the chairperson.

(g) The affirmative votes of at least seven (7) voting members of the commission are required for the commission to take any action, including the approval of a final report.

(h) The speaker of the house of representatives shall appoint the chairperson of the commission during odd-numbered years beginning January 1. The president pro tempore of the senate shall appoint the chairperson of the commission during even-numbered years beginning January 1.

(i) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(j) Each member of the commission who is a state employee but

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who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(k) Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.

(l) The legislative services agency shall provide staff to support the commission. The legislative services agency is not required to provide staff assistance to the subcommittees of the commission except to the extent the subcommittees require copying services.

(m) The expenses of the commission shall be paid from funds appropriated to the legislative services agency.

(n) The commission shall study the quality of health care, including mental health, and develop a comprehensive statewide strategy for improving the health care delivery system. The commission shall do the following:

(1) Identify existing data sources that evaluate quality of health care in Indiana and collect, analyze, and evaluate this data.

(2) Establish guidelines for data sharing and coordination.

(3) Identify core sets of quality measures for standardized reporting by appropriate components of the health care continuum.

(4) Recommend a framework for quality measurement and outcome reporting.

(5) Develop quality measures that enhance and improve the ability to evaluate and improve care.

(6) Make recommendations regarding research and development needed to advance quality measurement and reporting.

(7) Evaluate regulatory issues relating to the pharmacy profession and recommend changes necessary to optimize patient safety.

(8) Facilitate open discussion of a process to ensure that comparative information on health care quality is valid, reliable, comprehensive, understandable, and widely available in the public domain.

(9) Sponsor public hearings to share information and expertise, identify best practices, and recommend methods to promote their acceptance.

(10) Evaluate current regulatory programs to determine what

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changes, if any, need to be made to facilitate patient safety.

(11) Review public and private health care purchasing systems to determine if there are sufficient mandates and incentives to facilitate continuous improvement in patient safety.

(12) Analyze how effective existing regulatory systems are in ensuring continuous competence and knowledge of effective safety practices.

(13) Develop a framework for organizations that license, accredit, or credential health care professionals and health care providers to more quickly and effectively identify unsafe providers and professionals and to take action necessary to remove an unsafe provider or professional from practice or operation until the professional or provider has proven safe to practice or operate.

(14) Recommend procedures for development of a curriculum on patient safety and methods of incorporating the curriculum into training, licensure, and certification requirements.

(15) Develop a framework for regulatory bodies to disseminate information on patient safety to health care professionals, health care providers, and consumers through conferences, journal articles and editorials, newsletters, publications, and Internet websites.

(16) Recommend procedures to incorporate recognized patient safety considerations into practice guidelines and into standards related to the introduction and diffusion of new technologies, therapies, and drugs.

(17) Recommend a framework for development of community based collaborative initiatives for error reporting and analysis and implementation of patient safety improvements.

(18) Evaluate the role of advertising in promoting or adversely affecting patient safety.

(19) Evaluate and make recommendations regarding the need for licensure of additional persons who participate in the delivery of health care to Indiana residents.

(20) Evaluate the benefits and problems of the current disciplinary systems and make recommendations regarding alternatives and improvements.

(21) Study and make recommendations concerning the long term care system, including self-directed care plans and the regulation and reimbursement of public and private facilities that provide long term care.

(22) Study and make recommendations concerning increasing the number of:

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(1) nurses;
(2) respiratory care practitioners;
(3) speech pathologists; and
(4) dental hygienists.

(23) Study any other topic required by the chairperson.

(o) The commission may create subcommittees to study topics, receive testimony, and prepare reports on topics assigned by the commission. The chairperson shall select from the topics listed under subsection (n) the topics to be studied by the commission and subcommittees each year. The chairperson shall appoint persons to act as chairperson and secretary of each subcommittee. The commission shall by majority vote appoint initial members to each subcommittee. Each subcommittee may by a majority vote of the members appointed to the subcommittee make a recommendation to the commission to appoint additional members to the subcommittee. The commission may by a majority vote of the members appointed to the commission appoint or remove members of a subcommittee. A member of a subcommittee, including a commission member while serving on a subcommittee, is not entitled to per diem, mileage, or travel allowances.

(p) The commission shall submit:

(1) interim reports not later than October 1, 2001, and October 1, 2002; and

(2) a final report not later than October 1, 2003;

to the governor, members of the health finance commission, and the legislative council. With the consent of the chairperson of the commission and the chairperson of the health finance commission, the commission and the health finance commission may conduct joint meetings. **A final report submitted under this subsection to the legislative council must be in an electronic format under IC 5-14-6.**

(q) This SECTION expires July 1, 2004.

SECTION 188. P.L.167-2002, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: SECTION 2. (a) As used in this SECTION, "association" has the meaning set forth in IC 27-8-10-1.

(b) As used in this SECTION, "association policy" has the meaning set forth in IC 27-8-10-1.

(c) As used in this SECTION, "insured" has the meaning set forth in IC 27-8-10-1.

(d) Beginning December 1, 2002, not later than December 31 of each calendar year, the association shall report the following information for the immediately preceding calendar year to the legislative council and the department of insurance:

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(1) The rate of turnover of insureds.

(2) The percentage of premiums for association policies that are paid by the following:

(A) An insured.

(B) A third party.

(3) The amount that each individual association member is:

(A) assessed under IC 27-8-10-2.1(g); and

(B) able to take in tax credits under IC 27-8-10-2.1(n).

(4) The impact of insuring federally eligible individuals under association policies.

(e) **A report under this SECTION to the legislative council must be in an electronic format under IC 5-14-6.**

(f) This SECTION expires June 30, 2005.

SECTION 189. P.L.11-2003, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: SECTION 3. (a) As used in this SECTION, "division" refers to the division of mental health and addiction.

(b) Except as provided in subsection (c), notwithstanding IC 12-23-1-6(4), IC 12-23-14-7, and 440 IAC 4.4-2-1(e), the division may not grant specific approval to be a new provider of any of the following:

(1) Methadone.

(2) Levo-alphacetylmethadol.

(3) Levo-alpha-acetylmethadol.

(4) Levomethadyl acetate.

(5) LAAM.

(6) Buprenorphine.

(c) The division may not grant specific approval to be a new provider of one (1) or more of the drugs listed under subsection (b) unless:

(1) the drugs will be provided in a county with a population of more than forty thousand (40,000);

(2) there are no other providers located in the county or in a county contiguous to the county where the provider will provide the drugs; and

(3) the provider supplies, in writing:

(A) a needs assessment for Indiana citizens under guidelines established by the division; and

(B) any other information required by the division.

(d) Except as provided in subsection (k), the division shall prepare a report by June 30 of each year concerning treatment offered by methadone providers that contains the following information:

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(1) The number of methadone providers in the state.
(2) The number of patients on methadone during the previous year.
(3) The length of time each patient received methadone and the average length of time all patients received methadone.
(4) The cost of each patient's methadone treatment and the average cost of methadone treatment.
(5) The rehabilitation rate of patients who have undergone methadone treatment.
(6) The number of patients who have become addicted to methadone.
(7) The number of patients who have been rehabilitated and are no longer on methadone.
(8) The number of individuals, by geographic area, who are on a waiting list to receive methadone.
(9) Patient information as reported to a central registry created by the division.

(e) Each methadone provider in the state shall provide information requested by the division for the report under subsection (d). The information provided to the division may not reveal the specific identity of a patient.

(f) The information provided to the division under subsection (e) must be based on a calendar year.

(g) The information required under subsection (e) for calendar year 1998 must be submitted to the division not later than June 30, 1999. Subsequent information must be submitted to the division not later than:

(1) February 29, 2004, for calendar year 2003;
(2) February 28, 2005, for calendar year 2004;
(3) February 28, 2006, for calendar year 2005;
(4) February 28, 2007, for calendar year 2006; and
(5) February 29, 2008, for calendar year 2007.

(h) Failure of a certified provider to submit the information required under subsection (e) may result in suspension or termination of the provider's certification.

(i) The division shall report to the governor and the legislative council the failure of a certified provider to provide information required by subsection (e).

(j) The division shall distribute the report prepared under subsection (d) to the governor and legislative council.

(k) The first report the division is required to prepare under subsection (d) is due not later than September 30, 1999.

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(l) The division shall establish a central registry to receive the information required by subsection (d)(9).

(m) **A report distributed under this SECTION to the legislative council must be in an electronic format under IC 5-14-6.**

(n) This SECTION expires July 1, 2008.

SECTION 190. P.L.31-2003, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: SECTION 1. (a) As used in this SECTION, "member" refers to a person appointed under subsection (c)(3) or (c)(4) or to a legislator whose district includes all or part of Lake County, Porter County, LaPorte County, St. Joseph County, or Elkhart County.

(b) The northwest Indiana transportation study commission is established.

(c) The commission consists of fourteen (14) voting members appointed as follows:

(1) Six (6) members of the senate, not more than three (3) of whom may be members of the same political party, appointed by the president pro tempore of the senate.

(2) Six (6) members of the house of representatives, not more than three (3) of whom may be members of the same political party, appointed by the speaker of the house of representatives.

(3) One (1) individual who is not a legislator, appointed by the Northwestern Indiana Regional Planning Commission.

(4) One (1) individual who is not a legislator, appointed by the Michiana Area Council of Governments.

(d) The chairman of the legislative council shall select one (1) member of the commission to serve as the chairperson and the vice chairman of the legislative council shall select one (1) member of the commission to serve as the vice chairperson.

(e) The commission shall:

(1) monitor the development of commuter transportation and rail service in the Lowell-Chicago and Valparaiso-Chicago corridors;

(2) study all aspects of regional mass transportation and road and highway needs in Lake County, Porter County, LaPorte County, St. Joseph County, and Elkhart County; and

(3) study other topics as assigned by the legislative council.

(f) The commission shall submit a final report of the commission's findings and recommendations to the legislative council before November 1, 2005. **The report must be in an electronic format under IC 5-14-6.**

(g) Each member of the commission is entitled to receive the same per diem, mileage, and travel allowances paid to individuals serving as

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legislative or lay members on interim study committees established by the legislative council.

(h) The legislative services agency shall provide staff support to the commission.

(i) This SECTION expires November 2, 2005.

SECTION 191. P.L.59-2003, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: SECTION 3. (a) As used in this SECTION, "state department" refers to the state department of health established by IC 16-19-1-1.

(b) The state department shall collect the following data for each county concerning each county resident diagnosed with lead poisoning:

(1) The individual's name.

(2) The individual's address.

(3) Whether the individual is a child or an adult.

(4) The results of the blood test used to diagnose the individual.

(5) The individual's normal limits for the test.

(c) Personal information collected under subsection (b) is confidential.

(d) The state department shall, not later than:

(1) December 31, 2003, for data collected during 2003; and

(2) December 31, 2004, for data collected during 2004;

report to the governor's office and the legislative council the number of adults and the number of children diagnosed with lead poisoning in each county.

(e) **A report under this SECTION to the legislative council must be in an electronic format under IC 5-14-6.**

(f) This SECTION expires December 31, 2005.

SECTION 192. P.L.82-2003, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: SECTION 1. (a) As used in this SECTION, "commission" refers to the Indiana commission on excellence in health care established by subsection (d).

(b) As used in this SECTION, "health care professional" has the meaning set forth in IC 16-27-1-1.

(c) As used in this SECTION, "health care provider" includes the following:

(1) A hospital or an ambulatory outpatient surgical center licensed under IC 16-21.

(2) A hospice program (as defined in IC 16-25-1.1-4).

(3) A home health agency licensed under IC 16-27-1.

(4) A health facility licensed under IC 16-28.

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(d) There is established the Indiana commission on excellence in health care.

(e) The commission consists of the following members:

(1) Four (4) members appointed from the house of representatives by the speaker of the house of representatives. Not more than two (2) of the members appointed under this subdivision may be members of the same political party.

(2) Four (4) members appointed from the senate by the president pro tempore of the senate. Not more than two (2) of the members appointed under this subdivision may be members of the same political party.

(3) The governor or the governor's designee.

(4) The state health commissioner appointed under IC 16-19-4-2 or the commissioner's designee.

(5) One (1) member appointed by the governor who is a former dean or former faculty member of the Indiana University School of Medicine.

(6) One (1) member appointed by the governor who is a former dean or former faculty member of an Indiana school of nursing.

(7) One (1) member appointed by the governor who is a health care provider or a representative for individuals who have both a mental illness and a developmental disability.

(f) The commission shall operate under the rules of the legislative council. The commission shall meet upon the call of the chairperson.

(g) The affirmative votes of at least seven (7) voting members of the commission are required for the commission to take any action, including the approval of a final report.

(h) The speaker of the house of representatives shall appoint the chairperson of the commission during odd-numbered years beginning January 1. The president pro tempore of the senate shall appoint the chairperson of the commission during even-numbered years beginning January 1.

(i) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(j) Each member of the commission who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4

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and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(k) Each member of the commission who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council.

(l) The legislative services agency shall provide staff to support the commission. The legislative services agency is not required to provide staff assistance to the subcommittees of the commission except to the extent the subcommittees require copying services.

(m) The expenses of the commission shall be paid from funds appropriated to the legislative services agency.

(n) The commission shall study the quality of health care, including mental health, and develop a comprehensive statewide strategy for improving the health care delivery system. The commission shall do the following:

(1) Identify existing data sources that evaluate quality of health care in Indiana and collect, analyze, and evaluate this data.

(2) Establish guidelines for data sharing and coordination.

(3) Identify core sets of quality measures for standardized reporting by appropriate components of the health care continuum.

(4) Recommend a framework for quality measurement and outcome reporting.

(5) Develop quality measures that enhance and improve the ability to evaluate and improve care.

(6) Make recommendations regarding research and development needed to advance quality measurement and reporting.

(7) Evaluate regulatory issues relating to the pharmacy profession and recommend changes necessary to optimize patient safety.

(8) Facilitate open discussion of a process to ensure that comparative information on health care quality is valid, reliable, comprehensive, understandable, and widely available in the public domain.

(9) Sponsor public hearings to share information and expertise, identify best practices, and recommend methods to promote their acceptance.

(10) Evaluate current regulatory programs to determine what changes, if any, need to be made to facilitate patient safety.

(11) Review public and private health care purchasing systems to

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determine if there are sufficient mandates and incentives to facilitate continuous improvement in patient safety.

(12) Analyze how effective existing regulatory systems are in ensuring continuous competence and knowledge of effective safety practices.

(13) Develop a framework for organizations that license, accredit, or credential health care professionals and health care providers to more quickly and effectively identify unsafe providers and professionals and to take action necessary to remove an unsafe provider or professional from practice or operation until the professional or provider has proven safe to practice or operate.

(14) Recommend procedures for development of a curriculum on patient safety and methods of incorporating the curriculum into training, licensure, and certification requirements.

(15) Develop a framework for regulatory bodies to disseminate information on patient safety to health care professionals, health care providers, and consumers through conferences, journal articles and editorials, newsletters, publications, and Internet websites.

(16) Recommend procedures to incorporate recognized patient safety considerations into practice guidelines and into standards related to the introduction and diffusion of new technologies, therapies, and drugs.

(17) Recommend a framework for development of community based collaborative initiatives for error reporting and analysis and implementation of patient safety improvements.

(18) Evaluate the role of advertising in promoting or adversely affecting patient safety.

(19) Evaluate and make recommendations regarding the need for licensure of additional persons who participate in the delivery of health care to Indiana residents.

(20) Evaluate the benefits and problems of the current disciplinary systems and make recommendations regarding alternatives and improvements.

(21) Study and make recommendations concerning the long term care system, including self-directed care plans and the regulation and reimbursement of public and private facilities that provide long term care.

(22) Study and make recommendations concerning increasing the number of:

(1) nurses;

(2) respiratory care practitioners;

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(3) speech pathologists; and
(4) dental hygienists.
(23) Study any other topic required by the chairperson.

(o) The commission may create subcommittees to study topics, receive testimony, and prepare reports on topics assigned by the commission. The chairperson shall select from the topics listed under subsection (n) the topics to be studied by the commission and subcommittees each year. The chairperson shall appoint persons to act as chairperson and secretary of each subcommittee. The commission shall by majority vote appoint initial members to each subcommittee. Each subcommittee may by a majority vote of the members appointed to the subcommittee make a recommendation to the commission to appoint additional members to the subcommittee. The commission may by a majority vote of the members appointed to the commission appoint or remove members of a subcommittee. A member of a subcommittee, including a commission member while serving on a subcommittee, is not entitled to per diem, mileage, or travel allowances.

(p) The commission shall submit:
(1) interim reports not later than October 1, 2001, and October 1, 2002; and
(2) a final report not later than October 31, 2004;

to the governor, members of the health finance commission, and the legislative council. With the consent of the chairperson of the commission and the chairperson of the health finance commission, the commission and the health finance commission may conduct joint meetings. **A final report submitted under this subsection to the legislative council must be in an electronic format under IC 5-14-6.**

(q) This SECTION expires November 1, 2004.

SECTION 193. P.L.140-2003, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: SECTION 1. (a) As used in this SECTION, "committee" refers to the sentencing policy study committee established by subsection (c).

(b) The general assembly finds that a comprehensive study of sentencing laws and policies is desirable in order to:
(1) assure that sentencing laws and policies protect the public safety;
(2) establish fairness and uniformity in sentencing laws and policies;
(3) determine whether incarceration or alternative sanctions are appropriate for various categories of criminal offenses; and
(4) maximize cost effectiveness in the administration of

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sentencing laws and policies.

(c) The sentencing policy study committee is established to evaluate sentencing laws and policies as they relate to:

(1) the purposes of the criminal justice and corrections systems;

(2) the availability of sentencing options; and

(3) the inmate population in department of correction facilities.

If based on the committee's evaluation under this subsection it determines changes are necessary or appropriate, the committee shall make recommendations to the general assembly for the modification of sentencing laws and policies and for the addition, deletion, or expansion of sentencing options.

(d) The committee shall do the following:

(1) Evaluate the existing classification of criminal offenses into felony and misdemeanor categories. In determining the proper category for each felony and misdemeanor, the committee shall consider, to the extent they have relevance, the following:

(A) The nature and degree of harm likely to be caused by the offense, including whether it involves property, irreplaceable property, a person, a number of persons, or a breach of the public trust.

(B) The deterrent effect a particular classification may have on the commission of the offense.

(C) The current incidence of the offense in Indiana.

(D) The rights of the victim.

(2) Recommend structures to be used by a sentencing court in determining the most appropriate sentence to be imposed in a criminal case, including any combination of imprisonment, probation, restitution, community service, or house arrest. The committee shall also consider:

(A) the nature and characteristics of the offense;

(B) the severity of the offense in relation to other offenses;

(C) the characteristics of the defendant that mitigate or aggravate the seriousness of the criminal conduct and the punishment deserved for that conduct;

(D) the defendant's number of prior convictions;

(E) the available resources and capacity of the department of correction, local confinement facilities, and community based sanctions; and

(F) the rights of the victim.

The committee shall include with each set of sentencing structures an estimate of the effect of the sentencing structures on the department of correction and local facilities with respect to

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both fiscal impact and inmate population.

(3) Review community corrections and home detention programs for the purpose of:

(A) standardizing procedures and establishing rules for the supervision of home detainees; and

(B) establishing procedures for the supervision of home detainees by community corrections programs of adjoining counties.

(4) Determine the long range needs of the criminal justice and corrections systems and recommend policy priorities for those systems.

(5) Identify critical problems in the criminal justice and corrections systems and recommend strategies to solve the problems.

(6) Assess the cost effectiveness of the use of state and local funds in the criminal justice and corrections systems.

(7) Recommend a comprehensive community corrections strategy based upon:

(A) a review of existing community corrections programs;

(B) the identification of additional types of community corrections programs necessary to create an effective continuum of corrections sanctions;

(C) the identification of categories of offenders who should be eligible for sentencing to community corrections programs and the impact that changes to the existing system of community corrections programs would have on sentencing practices;

(D) the identification of necessary changes in state oversight and coordination of community corrections programs;

(E) an evaluation of mechanisms for state funding and local community participation in the operation and implementation of community corrections programs; and

(F) an analysis of the rate of recidivism of clients under the supervision of existing community corrections programs.

(8) Propose plans, programs, and legislation for improving the effectiveness of the criminal justice and corrections systems.

(9) Evaluate the use of faith based organizations as an alternative to incarceration.

(e) The committee may study other topics assigned by the legislative council or as directed by the committee chair.

(f) The committee consists of fifteen (15) members appointed as follows:

(1) Two (2) members of the senate, not more than one (1) of

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whom may be affiliated with the same political party, to be appointed by the president pro tempore of the senate.

(2) Two (2) members of the house of representatives, not more than one (1) of whom may be affiliated with the same political party, to be appointed by the speaker of the house of representatives.

(3) The chief justice of the supreme court or the chief justice's designee.

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

(5) The director of the Indiana criminal justice institute or the director's designee.

(6) The executive director of the prosecuting attorneys council or the executive director's designee.

(7) The executive director of the public defenders council or the executive director's designee.

(8) One (1) person with experience in administering community corrections programs appointed by the governor.

(9) One (1) person with experience in administering probation programs appointed by the governor.

(10) Two (2) judges who exercise juvenile jurisdiction, not more than one (1) of whom may be affiliated with the same political party, to be appointed by the governor.

(11) Two (2) judges who exercise criminal jurisdiction, not more than one (1) of whom may be affiliated with the same political party, to be appointed by the governor.

(g) The chairman of the legislative council shall appoint a legislative member of the committee to serve as chair of the committee. Whenever there is a new chairman of the legislative council, the new chairman may remove the chair of the committee and appoint another chair.

(h) If a legislative member of the committee ceases to be a member of the chamber from which the member was appointed, the member also ceases to be a member of the committee.

(i) A legislative member of the committee may be removed at any time by the appointing authority who appointed the legislative member.

(j) If a vacancy exists on the committee, the appointing authority who appointed the former member whose position is vacant shall appoint an individual to fill the vacancy.

(k) The committee shall submit a final report of the results of its study to the legislative council before November 1, 2004. **The final report must be in electronic format under IC 5-14-6.**

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(l) The Indiana criminal justice institute shall provide staff support to the committee.

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

(n) The affirmative votes of a majority of the members appointed to the committee are required for the committee to take action on any measure, including the final report.

(o) Except as otherwise specifically provided by this act, the committee shall operate under the rules of the legislative council. All funds necessary to carry out this act shall be paid from appropriations to the legislative council and legislative services agency.

(p) This SECTION expires December 31, 2004.

SECTION 194. P.L.193-2003, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: SECTION 12. (a) As used in this SECTION, "association" refers to the comprehensive health insurance association established under IC 27-8-10-2.1.

(b) The office of Medicaid policy and planning established by IC 12-8-6-1 and the association shall cooperatively investigate methods of decreasing association costs related to coverage of individuals diagnosed with hemophilia, including the potential for a demonstration waiver under Section 1115 of the federal Social Security Act.

(c) The office and the association shall, not later than December 31, 2003, compile the results of the investigation required under subsection (b) and report **the results** to the legislative council **in an electronic format under IC 5-14-6.**

(d) This SECTION expires June 30, 2004.

SECTION 195. P.L.198-2003, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: SECTION 1. (a) As used in this SECTION, "commission" refers to the commission on abused and neglected children and their families established by subsection (b).

(b) The commission on abused and neglected children and their families is established to develop and present an implementation plan for a continuum of services for children at risk of abuse or neglect and children who have been abused or neglected and their families.

(c) The commission consists of the following members appointed not later than August 15, 2003:

(1) One (1) prosecuting attorney or a deputy prosecuting attorney.

(2) One (1) attorney who specializes in juvenile law.

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(3) One (1) representative from law enforcement.
(4) Two (2) children's advocates.
(5) One (1) guardian ad litem or court appointed special advocate.
(6) One (1) juvenile court judge.
(7) One (1) public agency children's services caseworker.
(8) One (1) private agency children's services caseworker.
(9) The director of the division of family and children or the director's designee.
(10) One (1) counselor or social worker from Indiana's "at risk" school program.
(11) One (1) pediatrician.
(12) One (1) medical social worker.
(13) Two (2) faculty members, including:
(A) one (1) faculty member from an Indiana accredited graduate school of social work, who shall serve as the chair of the commission; and
(B) one (1) faculty member from an Indiana accredited undergraduate school of social work.
(14) One (1) county director to be appointed from the Indiana State Association of County Welfare Administrators.
(15) One (1) foster parent who is a member of a foster advocacy organization.
(16) One (1) adoptive parent who is a member of an adoptive parent advocacy organization.
(17) One (1) nonprofit family services agency provider.
(18) One (1) representative of child caring institution providers.
(19) One (1) psychologist who works with abused and neglected children.
(20) One (1) individual who has experience and training in juvenile fire setting identification and intervention.
(21) Two (2) members of the house of representatives appointed by the speaker of the house of representatives. The members appointed under this subdivision may not be members of the same political party.
(22) Two (2) members of the senate appointed by the president pro tempore of the senate. The members appointed under this subdivision may not be members of the same political party.

The speaker of the house of representatives shall appoint the members under subdivisions (2), (5), (8), (10), (15), and (17) and one (1) member under subdivision (4). The president pro tempore of the senate shall appoint the members under subdivisions (3), (11), (12), (16), (18), and (19) and one (1) member under subdivision (4). The governor shall

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appoint the members under subdivisions (1), (6), (7), (14), and (20) and both members under subdivision (13). Vacancies shall be filled by the appointing authority for the remainder of the unexpired term.

(d) Each member of the commission shall have an interest or experience in improving the quality of services provided to children at risk of abuse or neglect and abused or neglected children and their families in Indiana.

(e) A majority of the voting members of the commission constitutes a quorum.

(f) The Indiana accredited graduate school of social work represented by the chair of the commission shall staff the commission.

(g) The commission shall meet at the call of the chair and shall meet as often as necessary to carry out the purpose of this SECTION.

(h) The expenses of administering the commission shall be paid from the resources of the Indiana accredited graduate school of social work represented by the chair of the commission. Expenses under this subsection include the following:

(1) Photocopying and printing costs.

(2) Costs of supplies.

(i) Members of the commission are not entitled to a salary per diem or reimbursement of expenses for service on the commission.

(j) The commission's responsibilities include the following:

(1) Reviewing Indiana's public and private family services delivery system for children at risk of abuse or neglect and for children who have been reported as suspected victims of child abuse or neglect.

(2) Reviewing federal, state, and local funds appropriated to meet the service needs of children and their families.

(3) Reviewing current best practices standards for the provision of child and family services.

(4) Examining the qualifications and training of service providers, including foster parents, adoptive parents, child caring institution staff, child placing agency staff, case managers, supervisors, and administrators, and making recommendations for a training curriculum and other necessary changes.

(5) Recommending methods to improve use of available public and private funds to address the service needs described in subdivision (2).

(6) Providing information concerning identified unmet needs of children and families and providing recommendations concerning the development of resources to meet the identified needs.

(7) Suggesting policy, program, and legislative changes related to

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the family services described in subdivision (1) to accomplish the following:

(A) Enhancement of the quality of the services.

(B) Identification of potential resources to promote change to enhance the services.

(8) Preparing a report consisting of the commission's findings and recommendations, and the presentation of the implementation plan for a continuum of services for children at risk of abuse or neglect and for abused or neglected children and their families specified under subsection (b).

(k) In carrying out the commission's responsibilities, the commission shall consider pertinent studies on children at risk of abuse or neglect and on abused or neglected children and their families.

(l) The affirmative votes of a majority of the commission's members are required for the commission to take action on any measure, including recommendations included in the report required under subsection (j)(8).

(m) The commission shall submit the report required under subsection (j)(8) to the governor, the legislative council, and the board for the coordination of child care regulation established by IC 12-17.2-3.1-1 not later than August 15, 2004. The report must be available to the public upon request not later than December 31, 2004. **A report submitted under this subsection to the legislative council must be in an electronic format under IC 5-14-6.**

(n) This SECTION expires January 1, 2005.

SECTION 196. P.L.211-2003, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: SECTION 10. (a) An insurer that issues a policy of accident and sickness insurance that contains a waiver under IC 27-8-5-2.5(e) or IC 27-8-5-19.2, both as added by this act, shall submit to the commissioner of the department of insurance the following information for the reporting periods specified under subsection (b) on a form prescribed by the commissioner:

(1) The number of policies that the insurer issued with a waiver.

(2) A list of specified conditions that the insurer waived.

(3) The number of waivers issued for each specified condition listed under subdivision (2).

(4) The number of waivers issued categorized by the period of time for which coverage of a specified condition was waived.

(5) The number of applicants who were denied insurance coverage by the insurer because of a specified condition.

(6) The number of:

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(A) complaints; and
(B) requests for external grievance review;
filed in relation to a waiver.

(b) An insurer shall submit the information required under subsection (a) as follows:

(1) Not later than August 1, 2004, for the reporting period July 1, 2003, through June 30, 2004.
(2) Not later than August 1, 2005, for the reporting period July 1, 2004, through June 30, 2005.
(3) Not later than August 1, 2006, for the reporting period July 1, 2005, through June 30, 2006.
(4) Not later than August 1, 2007, for the reporting period July 1, 2006, through June 30, 2007.

(c) The commissioner of the department of insurance shall forward the information submitted:

(1) under subsection (b)(1) not later than November 1, 2004;
(2) under subsection (b)(2) not later than November 1, 2005;
(3) under subsection (b)(3) not later than November 1, 2006; and
(4) under subsection (b)(4) not later than November 1, 2007;

to the legislative council.

(d) The commissioner of the department of insurance shall compile the information submitted under subsection (b) and, not later than November 1 of each year, report the information to the legislative council and ~~each member of~~ the general assembly **in an electronic format under IC 5-14-6.**

(e) The commissioner of the department of insurance shall after June 30 of each year beginning in 2004 perform written or oral interviews with every available certificate holder of a certificate of coverage issued under IC 27-8-5-19.2, as added by this act, and compile the results of the interviews and report the results to the legislative council:

(1) for the period beginning July 1, 2003, and ending June 30, 2004, not later than November 1, 2004;
(2) for the period beginning July 1, 2004, and ending June 30, 2005, not later than November 1, 2005;
(3) for the period beginning July 1, 2005, and ending June 30, 2006, not later than November 1, 2006; and
(4) for the period beginning July 1, 2006, and ending June 30, 2007, not later than November 1, 2007.

All costs related to this subsection must be borne by the insurers selected under IC 27-8-5-19.2, as added by this act.

(f) This SECTION expires June 30, 2008.

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SECTION 197. [EFFECTIVE JULY 1, 2003 (RETROACTIVE)] **A report submitted to the legislative council by the division of disability, aging, and rehabilitative services under P.L.224-2003, SECTION 8, must be in an electronic format under IC 5-14-6.**

SECTION 198. P.L.240-2003, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003 (RETROACTIVE)]: SECTION 12. (a) As used in this SECTION, "boards" refers to:

(1) the air pollution control board;
(2) the water pollution control board; and
(3) the solid waste management board.

(b) Before November 1, 2003, the environmental quality service council shall:

(1) consider whether the rulemaking operations of the boards are sufficiently independent of the influence of:
    (A) the department of environmental management; and
    (B) other state agencies or entities;
(2) consider the overall efficiency of rulemaking operations of the boards; and
(3) submit its final report on the matters described in subdivisions (1) and (2) to:
    (A) the governor; and
    (B) the executive director of the legislative services agency.

A report submitted under subdivision (3)(B) must be in electronic format under IC 5-14-6.

(c) As part of its consideration under subsections (b)(1) and (b)(2), the environmental quality service council shall examine the following:

(1) The composition of the boards.
(2) The appointing authorities for members of the boards.
(3) The extent to which the boards control staff who serve the boards.
(4) The sources and availability of data concerning:
    (A) the fiscal impact; and
    (B) other aspects;
of proposed rules.
(5) The involvement of employees of:
    (A) the department of environmental management; and
    (B) other state agencies or entities;
in the rulemaking process.
(6) The procedures to initiate and adopt proposed rules.
(7) The procedures to determine which issues are addressed in proposed rules and which issues are addressed in nonrule policy

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documents.

(8) The requirements for public notice and public participation in the rulemaking process.

(9) The means by which other states maintain independent and efficient operations of environmental rulemaking entities.

(10) Any other matter the environmental quality service council considers appropriate.

(d) This SECTION expires January 1, 2004.

SECTION 199. **An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Technology, Research and Development, to which was referred House Bill 1032, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

HASLER, Chair

Committee Vote: yeas 11, nays 0.

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