

# COMMITTEE REPORT

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## MADAM PRESIDENT:

The Senate Committee on Appointments and Claims, to which was referred Senate Bill No. 431, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1           Page 4, delete lines 22 through 34.
- 2           Page 4, line 35, delete "8" and insert "7".
- 3           Page 5, between lines 3 and 4, begin a new paragraph and insert:
- 4           "SECTION 4. [EFFECTIVE UPON PASSAGE] (a) "The
- 5           toxicology department advisory council is established to provide
- 6           oversight and guidance for the development of the toxicology
- 7           department.
- 8           (b) The council consists of the following members:
- 9           (1) The governor, or the governor's designee, who must be the
- 10           same person as the person who serves as the governor's
- 11           designee as a member of the trustees of the criminal justice
- 12           institute under IC 5-2-6-4. The governor or the governor's
- 13           designee shall be the chairperson of the council.
- 14           (2) The executive director of the Indiana judicial center, or
- 15           the executive director's designee, who must be the same
- 16           person as the person who serves as the executive director's
- 17           designee as a member of the trustees of the criminal justice
- 18           institute under IC 5-2-6-4(a)(6).
- 19           (3) The executive director of the Indiana prosecuting
- 20           attorneys council, or the executive director's designee, who
- 21           must be the same person as the person who serves as the

- 1 executive director's designee as a member of the trustees of  
2 the criminal justice institute under IC 5-2-6-4(a)(5).
- 3 (4) The executive director of the public defender council, or  
4 the executive director's designee, who must be the same  
5 person as the person who serves as the executive director's  
6 designee as a member of the trustees of the criminal justice  
7 institute under IC 5-2-6-4 (a)(7).
- 8 (5) The superintendent of state police, or the superintendent's  
9 designee, who must be the same person as the person who  
10 serves as the superintendent's designee as a member of the  
11 trustees of the criminal justice institute under IC 5-2-6-4  
12 (a)(3).
- 13 (6) A member of the Indiana state senate who shall be  
14 appointed by the president pro tempore of the senate, and  
15 who must be the same person as the advisory member to the  
16 trustees of the criminal justice institute appointed under  
17 IC 5-2-6-4(b).
- 18 (7) A member of the Indiana house of representatives who  
19 shall be appointed by the speaker of the house of  
20 representatives, and who must be the same person as the  
21 advisory member to the trustees of the criminal justice  
22 institute appointed under IC 5-2-6-4(b).
- 23 (8) The following two (2) persons appointed by the governor:  
24 (A) One (1) sheriff, who shall be the same person as the  
25 member of the board of trustees of the criminal justice  
26 institute appointed under IC 5-2-6-4(a)(9)(A).  
27 (B) One (1) chief of police, who shall be the same person as  
28 a member of the board of trustees of the criminal justice  
29 institute appointed under IC 5-2-6-4(a)(9)(B).
- 30 (9) One (1) member appointed by the governor who has  
31 training and experience as a forensic scientist.
- 32 (10) One (1) member appointed by the governor who has  
33 experience, through volunteer activities or advocacy, in the  
34 issue of impaired driving.
- 35 (c) Service on the council does not constitute holding a public  
36 office.
- 37 (d) Each member of the council who is not a member of the  
38 general assembly is not entitled to the minium salary per diem  
39 provided by IC 4-10-11-2.1(b). A member who is not a member of  
40 the general assembly is also not entitled to reimbursement for  
41 traveling expenses as provided under IC 4-13-1-4 and other  
42 expenses actually incurred in connection with the member's duties

1 as provided in the state policies and procedures established by the  
2 department of administration and approved by the budget agency.

3 (e) Each member of the council who is a member of the general  
4 assembly is entitled to receive the same per diem, mileage, and  
5 travel allowances paid to legislative members of interim study  
6 committees established by the legislative council. Per diem,  
7 mileage, and travel allowances paid under this subsection shall be  
8 paid from appropriations made to the legislative council or the  
9 legislative service agency.

10 (f) The affirmative votes of a majority of the members  
11 appointed to the council are required for the council to take action  
12 on any measure, including final reports.

13 (g) This SECTION expires June 30, 2012."

14 Page 5, after line 5, begin a new paragraph and insert:

15 "SECTION 5. An emergency is declared for this act."

16 Renumber all SECTIONS consecutively.

(Reference is to SB 431 as introduced.)

**and when so amended that said bill do pass .**

Committee Vote: Yeas 5, Nays 0.

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**Senator Zakas, Chairperson**