



February 17, 2012

ENGROSSED HOUSE BILL No. 1002

DIGEST OF HB 1002 (Updated February 15, 2012 5:03 pm - DI 110)

Citations Affected: IC 2-5; IC 4-4; IC 4-12; IC 4-22; IC 4-23; IC 5-2; IC 5-20; IC 5-22; IC 5-28; IC 5-29; IC 5-31; IC 6-1.1; IC 6-3.1; IC 8-4.5; IC 8-16; IC 9-18; IC 10-17; IC 10-18; IC 11-10; IC 12-13; IC 14-8; IC 14-9; IC 14-10; IC 14-21; IC 14-25; IC 15-11; IC 15-17; IC 16-41; IC 20-20; IC 20-40; IC 22-4.1; noncode.

Synopsis: Elimination of commissions, boards, and committees. Reenacts the public officers compensation advisory commission that was repealed in 2011. Decreases the membership of the Indiana war memorials commission from ten to nine members with one member from each congressional district. Consolidates duplicative reporting required for the Indiana economic development corporation (IEDC). Consolidates reporting requirements imposed on the IEDC for various programs administered by the IEDC into the state economic incentives and compliance report. Repeals the chapter requiring the IEDC to study the steel industry and provide expertise to public officials regarding the steel industry. Repeals and otherwise eliminates reporting requirements
(Continued next page)

Effective: Upon passage; July 1, 2012; January 1, 2013.

Wolkins, Dobis, Koch

(SENATE SPONSORS — LAWSON C, LANDSKE)

January 9, 2012, read first time and referred to Select Committee on Government Reduction.

January 23, 2012, amended, reported — Do Pass.

January 27, 2012, read second time, amended, ordered engrossed.

January 30, 2012, engrossed. Read third time, passed. Yeas 97, nays 0.

SENATE ACTION

February 1, 2012, read first time and referred to Committee on Public Policy.

February 16, 2012, amended, reported favorably — Do Pass.

EH 1002—LS 7047/DI 14+



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imposed on the IEDC to consolidate those requirements at another location in the Indiana Code. Repeals the commission on the social status of black males and the Native American Indian affairs commission and re-enacts them in the article of the Indiana Code dealing with commissions. Transfers staffing responsibility for the commission on the social status of black males from the division of family resources, family and social services, to the civil rights commission. Transfers staffing responsibility for the Native American Indian affairs commission, the Indiana commission for women, and the commission on Hispanic/Latino affairs from the department of workforce development to the civil rights commission. Makes conforming technical changes. Provides that a capital investment tax credit may not be granted after December 31, 2016. Repeals the law that establishes the tobacco farmers and rural community impact fund. Repeals the law that allows certain political subdivisions to borrow money for rural community water supply systems. Removes obsolete references to the abandoned railroad corridors board. Reduces the membership of the natural resources advisory council from eleven to seven members; provides for the council to meet in January and on the call of the chairperson; and makes conforming changes. Broadens the requirements for the appointment of one member of the board of animal health. Repeals the following committees, commissions, and boards: (1) Office of community and rural affairs advisory council. (2) Tobacco farmers and rural community impact fund. (3) Indiana arts commission trust fund board. (4) Council on library automation. (5) Library advisory council. (6) Law enforcement, school policing, and youth work group. (7) Affordable housing and community development fund advisory committee. (8) Indiana tourism council. (9) Indiana health informatics corporation. (10) Ohio River bridges project commission. (11) Veterans' home advisory committee. (12) Mental health corrections quality advisory committee. (13) Department of local government finance rule adoption committee. (14) Courthouse preservation advisory commission. (15) Rural community water supply loan program. (16) Water shortage task force. (17) Water resources task force. (18) Corporation for educational technology. (19) Educational technology council. (20) School air quality panel. (21) Building and trades advisory committee. Makes conforming changes.

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February 17, 2012

Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1002

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

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

- 1 SECTION 1. IC 2-5-1.2-1, AS ADDED BY P.L.220-2011,
2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2012]: Sec. 1. (a) Except as provided in subsection (b) or
4 otherwise in this article, this chapter applies to all committees
5 established under this article.
6 (b) This chapter does not apply to the following:
7 (1) The legislative council and code revision commission
8 (IC 2-5-1.1).
9 (2) The public officers compensation advisory commission
10 (~~IC 2-5-1.5~~). **(IC 2-5-1.6)**.
11 (3) The commission on interstate cooperation (IC 2-5-2).
12 (4) The commission on state tax and financing policy (IC 2-5-3).
13 (5) The natural resources study committee (IC 2-5-5).
14 (6) The pension management oversight commission (IC 2-5-12).
15 (7) The probate code study commission (IC 2-5-16).

EH 1002—LS 7047/DI 14+



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- 1 (8) The administrative rules oversight committee (IC 2-5-18).
 2 (9) The census data advisory committee (IC 2-5-19).
 3 (10) The commission on military and veterans affairs (IC 2-5-20).
 4 (11) A committee covered by IC 2-5-21.
 5 (12) The health finance commission (IC 2-5-23).
 6 (13) The water resources study committee (IC 2-5-25).
 7 (14) The select joint commission on Medicaid oversight
 8 (IC 2-5-26).
 9 (15) The commission on developmental disabilities (IC 2-5-27.2).
 10 ~~(16) The joint study committee on mass transit and transportation~~
 11 ~~alternatives (IC 2-5-28).~~
 12 ~~(17)~~ **(16)** The youth advisory council (IC 2-5-29).
 13 ~~(18)~~ **(17)** The unemployment insurance oversight committee
 14 (IC 2-5-30).
 15 ~~(19)~~ **(18)** The criminal law and sentencing policy study committee
 16 (IC 2-5-33.4).

17 SECTION 2. IC 2-5-1.6 IS ADDED TO THE INDIANA CODE AS
 18 A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
 19 1, 2012]:

20 **Chapter 1.6. Public Officers Compensation Advisory**
 21 **Commission**

22 **Sec. 1. As used in this chapter, "commission" refers to the**
 23 **public officers compensation advisory commission established by**
 24 **section 6 of this chapter.**

25 **Sec. 1.5. As used in this chapter, "compensation" refers to all of**
 26 **the following elements of compensation:**

- 27 (1) Salary.
 28 (2) Deferred compensation.
 29 (3) Health, vision, and dental insurance.
 30 (4) Pension and other retirement benefits.
 31 (5) Any other:

32 (A) amount paid to an individual; or

33 (B) benefit provided to an individual;

34 to compensate the individual for services provided as a public
 35 officer.

36 **Sec. 1.7. As used in this chapter, "compensation value" means**
 37 **the dollar value of all elements of compensation for a public officer.**

38 **Sec. 2. As used in this chapter, "growth rate" refers to the rate**
 39 **of change in Indiana nonfarm income determined by the Bureau of**
 40 **Economic Analysis of the United States Department of Commerce.**

41 **Sec. 3. As used in this chapter, "political subdivision" has the**
 42 **meaning set forth in IC 36-1-2-13.**



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1 **Sec. 4. As used in this chapter, "public employee" refers to any**
 2 **of the following:**

- 3 **(1) An employee of the state.**
 4 **(2) An employee of a political subdivision.**
 5 **(3) An employee of any other entity whose salary is paid in**
 6 **any part from funds derived from taxes imposed by the state**
 7 **or a political subdivision.**

8 **Sec. 5. As used in this chapter, "public officer" refers to any of**
 9 **the following:**

- 10 **(1) The governor.**
 11 **(2) The lieutenant governor.**
 12 **(3) The secretary of state.**
 13 **(4) The auditor of state.**
 14 **(5) The treasurer of state.**
 15 **(6) The attorney general.**
 16 **(7) The state superintendent of public instruction.**
 17 **(8) A justice of the supreme court of Indiana.**
 18 **(9) A judge of the court of appeals of Indiana.**
 19 **(10) A judge of the Indiana tax court.**
 20 **(11) A judge of a circuit, superior, or probate court.**
 21 **(12) A member of the general assembly.**

22 **Sec. 6. There is established the public officers compensation**
 23 **advisory commission.**

24 **Sec. 7. (a) The commission consists of the following members:**

- 25 **(1) Two (2) members appointed by the speaker of the house of**
 26 **representatives. The members appointed under this**
 27 **subdivision may not be members of the same political party.**
 28 **(2) Two (2) members appointed by the president pro tempore**
 29 **of the senate. The members appointed under this subdivision**
 30 **may not be members of the same political party.**
 31 **(3) Two (2) members appointed by the governor. The**
 32 **members appointed under this subdivision may not be**
 33 **members of the same political party.**
 34 **(4) Two (2) members appointed by the chief justice of the**
 35 **supreme court of Indiana. The members appointed under this**
 36 **subdivision may not be members of the same political party.**
 37 **(5) One (1) member appointed by the chief judge of the court**
 38 **of appeals of Indiana.**

39 **(b) The following may not be a commission member:**

- 40 **(1) A public officer.**
 41 **(2) A public employee.**
 42 **(3) An individual who has a pecuniary interest in the salary of**

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1 a public officer. For purposes of this subdivision, an
2 individual has a pecuniary interest in the salary of a public
3 officer if an increase in the salary of a public officer will result
4 in an ascertainable increase in the income or net worth of the
5 individual.

6 Sec. 8. (a) The term of a commission member begins on the later
7 of the following:

- 8 (1) July 1 after the member is appointed.
- 9 (2) The day the member accepts the member's appointment.
- 10 (b) The term of a commission member expires on July 1 of the
- 11 fourth year after the year the member's term begins.
- 12 (c) A member may be reappointed to serve a new term.

13 Sec. 9. (a) If there is a vacancy on the commission, the public
14 officer who appointed the member whose position is vacant shall
15 appoint an individual to fill the vacancy.

16 (b) The member appointed under this section shall fill the
17 vacancy for the remainder of the unexpired term.

18 Sec. 10. (a) Before July 1 of each odd-numbered year, the
19 chairman of the legislative council shall appoint one (1) member to
20 be chair of the commission.

21 (b) The member appointed as chair of the commission serves as
22 chair beginning July 1 after appointment.

23 (c) A member of the commission may be reappointed as chair of
24 the commission.

25 Sec. 11. Five (5) commission members constitute a quorum. The
26 affirmative votes of at least five (5) commission members are
27 necessary for the commission to take official action other than to
28 adjourn or to meet to hear reports or testimony.

29 Sec. 12. The commission shall meet at the call of the chair and
30 at other times as the commission considers necessary.

31 Sec. 13. Each member of the commission is entitled to the
32 following:

- 33 (1) The salary per diem provided under IC 4-10-11-2.1(b).
- 34 (2) Reimbursement for traveling expenses as provided under
- 35 IC 4-13-1-4.
- 36 (3) Other expenses actually incurred in connection with the
- 37 member's duties as provided in the state policies and
- 38 procedures established by the Indiana department of
- 39 administration and approved by the budget agency.

40 Sec. 14. The legislative services agency shall provide
41 administrative support for the commission. At the request of the
42 legislative services agency, the state personnel department or the

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1 Indiana judicial center established by IC 33-38-9-4 shall assign
2 staff to provide research and other support to assist the legislative
3 services agency in providing administrative support to the
4 commission.

5 Sec. 15. The legislative services agency may contract with
6 consultants on behalf of the commission, as the commission
7 considers necessary, to implement this chapter.

8 Sec. 16. Except as otherwise provided by this chapter, the
9 commission is subject to the rules of the legislative council.

10 Sec. 17. The commission shall make reports to the general
11 assembly as required by this chapter or by the legislative council.
12 The reports to the legislative council must be in an electronic
13 format under IC 5-14-6.

14 Sec. 18. The commission shall meet at least one (1) time not later
15 than July 1 of each even-numbered year to do the following:

- 16 (1) For each public officer listed in section 5 of this chapter,
17 determine the most recent year that the compensation value
18 for the public officer increased.
- 19 (2) Receive information relating to the compensation of public
20 officers.
- 21 (3) Consider recommendations for suitable compensation for
22 public officers.
- 23 (4) Take testimony relating to the compensation of public
24 officers.

25 Sec. 19. (a) Not later than September 1 of each even-numbered
26 year, the commission shall make written recommendations to the:

- 27 (1) legislative council; and
- 28 (2) budget committee;

29 concerning suitable elements of compensation for public officers.
30 The recommendations to the legislative council must be in an
31 electronic format under IC 5-14-6.

32 (b) When making recommendations, the commission shall do
33 the following:

- 34 (1) Make a separate recommendation of compensation value,
35 which may include a recommendation for no adjustment of
36 compensation value, for each separate public officer listed in
37 section 5 of this chapter. The commission may not recommend
38 an increase in the compensation value for a public officer to
39 an amount that exceeds the compensation value the public
40 officer would receive if the compensation value for the public
41 officer increased each year since the most recent year the
42 public officer received an increase in compensation value by

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1 the growth rate for each respective year.

2 **(2) Recommend maintaining or abolishing existing elements**

3 **of compensation or establishing new elements of**

4 **compensation.**

5 **(3) Recommend a compensation plan that enables an**

6 **individual who is a public officer to select elements of**

7 **compensation to meet the individual's own circumstances**

8 **while ensuring that individuals who hold the same public**

9 **office receive compensation of equal compensation value.**

10 **(4) Make other recommendations the commission considers**

11 **useful to provide suitable compensation for public officers.**

12 **Sec. 20. For purposes of this chapter, a health care adjustment**

13 **under IC 33-38-5-8.2 is considered part of the compensation of a**

14 **public officer who is a judicial officer.**

15 **Sec. 21. A commission recommendation does not take effect**

16 **unless enacted by the general assembly.**

17 **Sec. 22. There is annually appropriated to the legislative**

18 **services agency from the state general fund money necessary for**

19 **the operation of the commission.**

20 **Sec. 23. Notwithstanding IC 1-1-1-8, the provisions of this**

21 **chapter are not severable.**

22 SECTION 3. IC 4-4-9.7-8 IS REPEALED [EFFECTIVE JULY 1,

23 2012]. ~~Sec. 8: The director shall establish a board to advise the office~~

24 ~~in the implementation of the duties of the office.~~

25 SECTION 4. IC 4-4-31.4 IS REPEALED [EFFECTIVE JULY 1,

26 2012]. (Native American Indian Affairs Commission).

27 SECTION 5. IC 4-12-9 IS REPEALED [EFFECTIVE JULY 1,

28 2012]. (Tobacco Farmers and Rural Community Impact Fund).

29 SECTION 6. IC 4-22-2-37.1, AS AMENDED BY P.L.229-2011,

30 SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

31 JULY 1, 2012]: Sec. 37.1. (a) This section applies to a rulemaking

32 action resulting in any of the following rules:

33 (1) An order adopted by the commissioner of the Indiana

34 department of transportation under IC 9-20-1-3(d) or

35 IC 9-21-4-7(a) and designated by the commissioner as an

36 emergency rule.

37 (2) An action taken by the director of the department of natural

38 resources under IC 14-22-2-6(d) or IC 14-22-6-13.

39 (3) An emergency temporary standard adopted by the

40 occupational safety standards commission under

41 IC 22-8-1.1-16.1.

42 (4) An emergency rule adopted by the solid waste management

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- 1 board under IC 13-22-2-3 and classifying a waste as hazardous.
 2 (5) A rule, other than a rule described in subdivision (6), adopted
 3 by the department of financial institutions under IC 24-4.5-6-107
 4 and declared necessary to meet an emergency.
 5 (6) A rule required under IC 24-4.5-1-106 that is adopted by the
 6 department of financial institutions and declared necessary to
 7 meet an emergency under IC 24-4.5-6-107.
 8 (7) A rule adopted by the Indiana utility regulatory commission to
 9 address an emergency under IC 8-1-2-113.
 10 (8) An emergency rule adopted by the state lottery commission
 11 under IC 4-30-3-9.
 12 (9) A rule adopted under IC 16-19-3-5 or IC 16-41-2-1 that the
 13 executive board of the state department of health declares is
 14 necessary to meet an emergency.
 15 (10) An emergency rule adopted by the Indiana finance authority
 16 under IC 8-21-12.
 17 (11) An emergency rule adopted by the insurance commissioner
 18 under IC 27-1-23-7 or IC 27-1-12.1.
 19 (12) An emergency rule adopted by the Indiana horse racing
 20 commission under IC 4-31-3-9.
 21 (13) An emergency rule adopted by the air pollution control
 22 board, the solid waste management board, or the water pollution
 23 control board under IC 13-15-4-10(4) or to comply with a
 24 deadline required by or other date provided by federal law,
 25 provided:
 26 (A) the variance procedures are included in the rules; and
 27 (B) permits or licenses granted during the period the
 28 emergency rule is in effect are reviewed after the emergency
 29 rule expires.
 30 (14) An emergency rule adopted by the Indiana election
 31 commission under IC 3-6-4.1-14.
 32 (15) An emergency rule adopted by the department of natural
 33 resources under IC 14-10-2-5.
 34 (16) An emergency rule adopted by the Indiana gaming
 35 commission under IC 4-32.2-3-3(b), IC 4-33-4-2, IC 4-33-4-3,
 36 IC 4-33-4-14, IC 4-33-22-12, or IC 4-35-4-2.
 37 (17) An emergency rule adopted by the alcohol and tobacco
 38 commission under IC 7.1-3-17.5, IC 7.1-3-17.7, or
 39 IC 7.1-3-20-24.4.
 40 (18) An emergency rule adopted by the department of financial
 41 institutions under IC 28-15-11.
 42 (19) An emergency rule adopted by the office of the secretary of

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- 1 family and social services under IC 12-8-1-12.
 2 (20) An emergency rule adopted by the office of the children's
 3 health insurance program under IC 12-17.6-2-11.
 4 (21) An emergency rule adopted by the office of Medicaid policy
 5 and planning under IC 12-15-41-15.
 6 (22) An emergency rule adopted by the Indiana state board of
 7 animal health under IC 15-17-10-9.
 8 (23) An emergency rule adopted by the board of directors of the
 9 Indiana education savings authority under IC 21-9-4-7.
 10 (24) An emergency rule adopted by the Indiana board of tax
 11 review under IC 6-1.1-4-34 (repealed).
 12 (25) An emergency rule adopted by the department of local
 13 government finance under IC 6-1.1-4-33 (repealed).
 14 (26) An emergency rule adopted by the boiler and pressure vessel
 15 rules board under IC 22-13-2-8(c).
 16 (27) An emergency rule adopted by the Indiana board of tax
 17 review under IC 6-1.1-4-37(l) (repealed) or an emergency rule
 18 adopted by the department of local government finance under
 19 IC 6-1.1-4-36(j) (repealed) or IC 6-1.1-22.5-20.
 20 (28) An emergency rule adopted by the board of the Indiana
 21 economic development corporation under IC 5-28-5-8.
 22 (29) A rule adopted by the department of financial institutions
 23 under IC 34-55-10-2.5.
 24 (30) A rule adopted by the Indiana finance authority:
 25 (A) under IC 8-15.5-7 approving user fees (as defined in
 26 IC 8-15.5-2-10) provided for in a public-private agreement
 27 under IC 8-15.5;
 28 (B) under IC 8-15-2-17.2(a)(10):
 29 (i) establishing enforcement procedures; and
 30 (ii) making assessments for failure to pay required tolls;
 31 (C) under IC 8-15-2-14(a)(3) authorizing the use of and
 32 establishing procedures for the implementation of the
 33 collection of user fees by electronic or other nonmanual
 34 means; or
 35 (D) to make other changes to existing rules related to a toll
 36 road project to accommodate the provisions of a public-private
 37 agreement under IC 8-15.5.
 38 ~~(31) An emergency rule adopted by the board of the Indiana~~
 39 ~~health informatics corporation under IC 5-31-5-8.~~
 40 (32) (31) An emergency rule adopted by the department of child
 41 services under IC 31-25-2-21, IC 31-27-2-4, IC 31-27-4-2, or
 42 IC 31-27-4-3.

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- 1 ~~(33)~~ **(32)** An emergency rule adopted by the Indiana real estate
 2 commission under IC 25-34.1-2-5(15).
 3 ~~(34)~~ **(33)** A rule adopted by the department of financial
 4 institutions under IC 24-4.4-1-101 and determined necessary to
 5 meet an emergency.
 6 ~~(35)~~ **(34)** An emergency rule adopted by the state board of
 7 pharmacy regarding returning unused medication under
 8 IC 25-26-23.
 9 ~~(36)~~ **(35)** An emergency rule adopted by the department of local
 10 government finance under IC 6-1.1-12.6 or IC 6-1.1-12.8.
 11 ~~(37)~~ **(36)** An emergency rule adopted by the office of the secretary
 12 of family and social services or the office of Medicaid policy and
 13 planning concerning the following:
 14 (A) Federal Medicaid waiver program provisions.
 15 (B) Federal programs administered by the office of the
 16 secretary.
 17 (b) The following do not apply to rules described in subsection (a):
 18 (1) Sections 24 through 36 of this chapter.
 19 (2) IC 13-14-9.
 20 (c) After a rule described in subsection (a) has been adopted by the
 21 agency, the agency shall submit the rule to the publisher for the
 22 assignment of a document control number. The agency shall submit the
 23 rule in the form required by section 20 of this chapter and with the
 24 documents required by section 21 of this chapter. The publisher shall
 25 determine the format of the rule and other documents to be submitted
 26 under this subsection.
 27 (d) After the document control number has been assigned, the
 28 agency shall submit the rule to the publisher for filing. The agency
 29 shall submit the rule in the form required by section 20 of this chapter
 30 and with the documents required by section 21 of this chapter. The
 31 publisher shall determine the format of the rule and other documents
 32 to be submitted under this subsection.
 33 (e) Subject to section 39 of this chapter, the publisher shall:
 34 (1) accept the rule for filing; and
 35 (2) electronically record the date and time that the rule is
 36 accepted.
 37 (f) A rule described in subsection (a) takes effect on the latest of the
 38 following dates:
 39 (1) The effective date of the statute delegating authority to the
 40 agency to adopt the rule.
 41 (2) The date and time that the rule is accepted for filing under
 42 subsection (e).

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1 (3) The effective date stated by the adopting agency in the rule.
 2 (4) The date of compliance with every requirement established by
 3 law as a prerequisite to the adoption or effectiveness of the rule.
 4 (g) Subject to subsection (h), IC 14-10-2-5, IC 14-22-2-6,
 5 IC 22-8-1.1-16.1, and IC 22-13-2-8(c), and except as provided in
 6 subsections (j), (k), and (l), a rule adopted under this section expires
 7 not later than ninety (90) days after the rule is accepted for filing under
 8 subsection (e). Except for a rule adopted under subsection (a)(13),
 9 (a)(24), (a)(25), or (a)(27), the rule may be extended by adopting
 10 another rule under this section, but only for one (1) extension period.
 11 The extension period for a rule adopted under subsection (a)(28) may
 12 not exceed the period for which the original rule was in effect. A rule
 13 adopted under subsection (a)(13) may be extended for two (2)
 14 extension periods. Subject to subsection (j), a rule adopted under
 15 subsection (a)(24), (a)(25), or (a)(27) may be extended for an unlimited
 16 number of extension periods. Except for a rule adopted under
 17 subsection (a)(13), for a rule adopted under this section to be effective
 18 after one (1) extension period, the rule must be adopted under:
 19 (1) sections 24 through 36 of this chapter; or
 20 (2) IC 13-14-9;
 21 as applicable.
 22 (h) A rule described in subsection (a)(8), (a)(12), (a)(19), (a)(20),
 23 (a)(21), (a)(29), or (a)(37) expires on the earlier of the following dates:
 24 (1) The expiration date stated by the adopting agency in the rule.
 25 (2) The date that the rule is amended or repealed by a later rule
 26 adopted under sections 24 through 36 of this chapter or this
 27 section.
 28 (i) This section may not be used to readopt a rule under IC 4-22-2.5.
 29 (j) A rule described in subsection (a)(24) or (a)(25) expires not later
 30 than January 1, 2006.
 31 (k) A rule described in subsection (a)(28) expires on the expiration
 32 date stated by the board of the Indiana economic development
 33 corporation in the rule.
 34 (l) A rule described in subsection (a)(30) expires on the expiration
 35 date stated by the Indiana finance authority in the rule.
 36 (m) A rule described in subsection (a)(5) or (a)(6) expires on the
 37 date the department is next required to issue a rule under the statute
 38 authorizing or requiring the rule.
 39 SECTION 7. IC 4-23-2.5-1 IS REPEALED [EFFECTIVE JULY 1,
 40 2012]. ~~Sec. 7. As used in this chapter, "board" refers to the Indiana arts~~
 41 ~~commission trust fund board established by section 5 of this chapter.~~
 42 SECTION 8. IC 4-23-2.5-4 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The Indiana arts
2 commission trust fund is established to support the programs and the
3 administrative budget of the commission.

- 4 (b) The fund consists of the following:
 - 5 (1) Appropriations of the general assembly from revenue sources
 - 6 determined by the general assembly and in an amount determined
 - 7 by the general assembly.
 - 8 (2) Donations to the fund from public or private sources.
 - 9 (3) Interest and dividends on assets of the fund.
 - 10 (4) Money transferred to the fund from other funds.
 - 11 (5) Fees from the Indiana arts trust license plate issued under
 - 12 IC 9-18-41.
 - 13 (6) Money from other sources that the **board commission** may
 - 14 acquire.

15 SECTION 9. IC 4-23-2.5-5 IS REPEALED [EFFECTIVE JULY 1,
16 2012]. Sec. 5: The Indiana arts commission trust fund board is
17 established:

18 SECTION 10. IC 4-23-2.5-6 IS REPEALED [EFFECTIVE JULY
19 1, 2012]. Sec. 6: The board consists of the following seven (7) voting
20 members:

- 21 (1) The treasurer of state.
- 22 (2) Three (3) members appointed by the governor who are not
- 23 members of the commission.
- 24 (3) Three (3) members of the commission appointed by the
- 25 chairman of the commission.

26 SECTION 11. IC 4-23-2.5-7 IS REPEALED [EFFECTIVE JULY
27 1, 2012]. Sec. 7: The chairman of the commission shall designate one
28 (1) of the chairman's appointees to the board as the chairman of the
29 board.

30 SECTION 12. IC 4-23-2.5-8 IS REPEALED [EFFECTIVE JULY
31 1, 2012]. Sec. 8: The board shall meet at the call of the chairman of the
32 board.

33 SECTION 13. IC 4-23-2.5-9 IS REPEALED [EFFECTIVE JULY
34 1, 2012]. Sec. 9: Four (4) voting members of the board constitute a
35 quorum. The affirmative vote of four (4) members of the board is
36 necessary for the board to take any action.

37 SECTION 14. IC 4-23-2.5-10 IS REPEALED [EFFECTIVE JULY
38 1, 2012]. Sec. 10: (a) The term of a board member begins on the later
39 of the following:

- 40 (1) The day the term of the member whom the individual is
- 41 appointed to succeed expires.
- 42 (2) The day the individual is appointed.

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1 (b) The term of a member expires July 1 of the second year after the
2 member is appointed. However, a member serves at the pleasure of the
3 appointing authority.

4 (c) The appointing authority may reappoint a member for a new
5 term.

6 (d) The appointing authority shall appoint an individual to fill a
7 vacancy among the members.

8 SECTION 15. IC 4-23-2.5-11 IS REPEALED [EFFECTIVE JULY
9 1, 2012]. Sec. 11. (a) Each member of the board who is not a state
10 employee is entitled to the minimum salary per diem provided by
11 IC 4-10-11-2.1(b). The member is also entitled to reimbursement for
12 traveling expenses as provided under IC 4-13-1-4 and other expenses
13 actually incurred in connection with the member's duties as provided
14 in the state policies and procedures established by the Indiana
15 department of administration and approved by the budget agency.

16 (b) Each member of the board who is a state employee is entitled to
17 reimbursement for traveling expenses as provided under IC 4-13-1-4
18 and other expenses actually incurred in connection with the member's
19 duties as provided in the state policies and procedures established by
20 the Indiana department of administration and approved by the budget
21 agency.

22 SECTION 16. IC 4-23-2.5-12 IS AMENDED TO READ AS
23 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 12. (a) The ~~board~~
24 **commission** shall manage and develop the fund and the assets of the
25 fund.

26 (b) The ~~board~~ **commission** shall do the following:

- 27 (1) Establish a policy for the investment of assets of the fund.
- 28 (2) Acquire money for the fund through the solicitation of private
29 or public donations and other revenue producing activities.
- 30 (3) Perform other tasks consistent with prudent management and
31 development of the fund.

32 SECTION 17. IC 4-23-2.5-13 IS AMENDED TO READ AS
33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 13. (a) Subject to the
34 investment policy of the ~~board~~, **commission**, the treasurer of state shall
35 administer the fund and invest the money in the fund.

36 (b) The expenses of administering the fund and this chapter shall be
37 paid from the fund.

38 (c) The treasurer of state shall invest the money in the fund not
39 currently needed to meet the obligations of the fund in the same
40 manner as other public trust funds are invested. Interest that accrues
41 from these investments shall be deposited in the fund.

42 SECTION 18. IC 4-23-2.5-16 IS AMENDED TO READ AS

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1 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. Before October 1
 2 of each year, the ~~board~~ **commission** shall prepare a report concerning
 3 the fund for distribution to the public and the general assembly. A
 4 report distributed under this section to the general assembly must be in
 5 an electronic format under IC 5-14-6.

6 SECTION 19. IC 4-23-7-30 IS REPEALED [EFFECTIVE JULY 1,
 7 2012]. Sec. 30: (a) The Indiana library and historical board shall
 8 establish the council on library automation to:

9 (1) conduct ongoing planning activities for library automation in
 10 Indiana; and

11 (2) advance the automation goals of Indiana's libraries through the
 12 cooperation of the appropriate library agencies and organizations.

13 (b) The council on library automation consists of thirteen (13)
 14 members as follows:

15 (1) One (1) member from the Indiana library and historical board:

16 (2) Two (2) members from area library services authorities:

17 (3) Two (2) members from the Indiana cooperative library
 18 services authority:

19 (4) Two (2) members from the department of education:

20 (5) Two (2) members from the state educational institution library
 21 automation committee:

22 (6) Two (2) members from the Indiana state library:

23 (7) Two (2) members from public libraries:

24 (c) With regard to the members described in subsection (b)(1)
 25 through (b)(6), each respective entity or agency described in subsection
 26 (b)(1) through (b)(6) shall forward its nominees for appointment on the
 27 council to the Indiana library and historical board for confirmation.

28 (d) The Indiana library and historical board shall establish a process
 29 to select the members appointed under subsection (b)(7):

30 (e) Except as provided in subsection (f), the terms of office for
 31 council members is three (3) years:

32 (f) The Indiana library and historical board shall establish the
 33 procedures for the council, including staggering the terms for initial
 34 members of the council:

35 (g) The council may do the following:

36 (1) Encourage planning by individual libraries and groups of
 37 libraries with regard to library automation:

38 (2) Annually update and distribute the statewide library
 39 automation and resource sharing plan:

40 (3) Submit to the state library board its recommendations
 41 concerning the adoption of library automation standards under
 42 IC 4-23-7.1-11(b):

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- 1 (4) Encourage library automation, resource sharing, and document
- 2 delivery programs that are consistent with state technology
- 3 strategies; educational programs; and economic interests.
- 4 (5) Consult with appropriate agencies and organizations with an
- 5 interest in library automation and resource sharing in Indiana.
- 6 (h) The council shall provide an annual report to the Indiana library
- 7 and historical board on the council's activities and progress made
- 8 towards meeting the goals in the statewide library automation and
- 9 resource sharing plan. The council shall recommend to the Indiana
- 10 library and historical board funding strategies that support the goals
- 11 and initiatives contained in the statewide plan.

12 SECTION 20. IC 4-23-7.1-1, AS AMENDED BY P.L.1-2005,
 13 SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2012]: Sec. 1. As used in this chapter:

- 15 (1) "Advisory council" refers to the Indiana state library advisory
- 16 council established by section 39 of this chapter.
- 17 (2) "Agency" means any state administration, agency,
- 18 authority, board, bureau, commission, committee, council,
- 19 department, division, institution, office, service, or other similar
- 20 body of state government.
- 21 (3) "Board" means the Indiana library and historical board
- 22 established by IC 4-23-7-2.
- 23 (4) "Department" means the Indiana library and historical
- 24 department established by IC 4-23-7-1.
- 25 (5) "Director" means director of the Indiana state library.
- 26 (6) "Historical bureau" means the Indiana historical bureau
- 27 established by IC 4-23-7-3.
- 28 (7) "Public library" has the meaning set forth in IC 36-12-1-5.
- 29 (8) "State library" means the Indiana state library established
- 30 by IC 4-23-7-3.
- 31 (9) "Statewide library card program" refers to the program
- 32 established by section 5.1 of this chapter.

33 SECTION 21. IC 4-23-7.1-11, AS AMENDED BY P.L.130-2007,
 34 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2012]: Sec. 11. (a) The board ~~with the advice of the advisory~~
 36 ~~council~~; shall establish operating standards and rules for libraries
 37 eligible to receive funds, either federal or state, under the provisions of
 38 any program for which the Indiana state library is the administrator.
 39 The Indiana state library shall monitor libraries eligible to receive
 40 funds or receiving funds to ascertain whether or not the standards and
 41 rules are being met.

42 (b) The board ~~with the advice of the council on library automation~~

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1 established under ~~IC 4-23-7-30~~; shall establish library automation
 2 standards for libraries. The Indiana state library shall monitor
 3 compliance with the standards.

4 SECTION 22. IC 4-23-7.1-39 IS REPEALED [EFFECTIVE JULY
 5 1, 2012]. Sec. 39: (a) The Indiana state library advisory council is
 6 established for the purpose of advising the board and the state librarian
 7 concerning:

- 8 (1) general policies of the state library;
- 9 (2) plans or programs for library development and interlibrary
 10 cooperation;
- 11 (3) library research;
- 12 (4) professional development for librarians;
- 13 (5) standards and rules for library services;
- 14 (6) administration and distribution of state and federal funds; and
- 15 (7) other matters as requested by the board and the state librarian.

16 (b) The advisory council consists of no fewer than fifteen (15)
 17 members:

18 (c) The membership of the council must be broadly representative
 19 and comply with the requirements established by the federal
 20 Department of Education under 34 C.F.R. 770:

21 (d) The board shall appoint the members of the council with
 22 nominations for appointment from library organizations and the state
 23 librarian:

24 (e) Members of the advisory council shall serve two (2) year terms:

25 (f) A member of the advisory council is not entitled to:

- 26 (1) the minimum salary per diem provided by IC 4-10-11-2.1(b);
- 27 or
- 28 (2) reimbursement from state funds for traveling expenses and
 29 other expenses actually incurred in connection with the member's
 30 duties:

31 SECTION 23. IC 4-23-25-9, AS AMENDED BY P.L.104-2008,
 32 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 33 JULY 1, 2012]: Sec. 9. The ~~department of workforce development~~
 34 established by ~~IC 22-4-1-2~~ **civil rights commission established by**
 35 **IC 22-9-1-4** shall provide staff and administrative support to the
 36 commission.

37 SECTION 24. IC 4-23-28-7 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) The ~~department~~
 39 ~~of workforce development~~ **civil rights commission** shall provide staff
 40 and administrative support to the commission.

41 (b) The expenses of the commission shall be paid from
 42 appropriations made to the ~~department of workforce development~~. **civil**



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rights commission.

SECTION 25. IC 4-23-28-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) Funding for the commission shall be derived from funds appropriated to the ~~department of workforce development~~ **civil rights commission.**

(b) If money is appropriated under subsection (a), the money does not revert to the state general fund at the end of a state fiscal year but remains available to the ~~department of workforce development~~ **civil rights commission** until the purpose for which it was appropriated is fulfilled.

SECTION 26. IC 4-23-31 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]:

Chapter 31. Commission on the Social Status of Black Males

Sec. 1. The 1992 interim study committee created by the legislative council, on the problems of black males, found that the following conditions exist:

(1) **Statistical studies chronicling the status of black males in American society reveal startling and disturbing conditions and trends.**

(2) **By all indicia measuring achievement, success, and quality of life in American society, black males are facing a prodigious struggle for survival while fighting formidable opponents.**

(3) **Black males make up only five and one-half percent (5.5%) of the population of the United States but are the victims of forty-four percent (44%) of the nation's homicides annually and comprise forty-six percent (46%) of the nation's prison population.**

(4) **Statistics show that one (1) of every twenty-two (22) black males will die as a result of homicide and that one (1) of every six (6) black males will be arrested before becoming nineteen (19) years of age.**

(5) **A major proportion of black males in America is virtually trapped in urban areas defined by poverty, violence, and drug abuse.**

(6) **Black males suffer from more debilitating health problems, a higher death rate, and a lower life expectancy than males in other ethnic and racial groups.**

(7) **Black females at least sixteen (16) years of age outnumber black males by more than two million (2,000,000).**

(8) **Between 1973 and 1988 the average real annual income for**

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1 black males between twenty (20) and twenty-four (24) years
2 of age fell by more than fifty percent (50%).
3 (9) The increasing misfortunes and the social distress
4 bombarding black males in American society threaten the
5 survival of black males.
6 Sec. 2. The commission on the social status of black males is
7 established.
8 Sec. 3. The commission consists of nineteen (19) members
9 appointed as follows:
10 (1) Two (2) members of the senate, who are not members of
11 the same political party, appointed by the president pro
12 tempore of the senate with the advice of the minority leader
13 of the senate.
14 (2) Two (2) members of the house of representatives, who are
15 not members of the same political party, appointed by the
16 speaker of the house of representatives with the advice of the
17 minority leader of the house of representatives.
18 (3) The director of the division of family resources or the
19 director's designee.
20 (4) The director of the division of mental health and addiction
21 or the director's designee.
22 (5) The commissioner of the state department of health or the
23 commissioner's designee.
24 (6) The superintendent of public instruction or the
25 superintendent's designee.
26 (7) The commissioner of the department of correction or the
27 commissioner's designee.
28 (8) The director of the civil rights commission or the
29 director's designee.
30 (9) The commissioner of the Indiana department of
31 administration or the commissioner's designee.
32 (10) The lieutenant governor or the lieutenant governor's
33 designee.
34 (11) A minority business person, appointed by the governor.
35 (12) Three (3) persons appointed by the president pro
36 tempore of the senate who are not members of the general
37 assembly. Not more than two (2) persons appointed under this
38 subdivision may be members of the same political party.
39 (13) Three (3) persons appointed by the speaker of the house
40 of representatives who are not members of the general
41 assembly. Not more than two (2) persons appointed under this
42 subdivision may be members of the same political party.

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1 **Sec. 4. (a) A member of the commission may be removed at any**
2 **time by the member's appointing authority.**
3 **(b) The appointing authority shall fill a vacancy on the**
4 **commission by appointing a new member for the unexpired term.**
5 **(c) The terms of the legislative members expire at the election of**
6 **the general assembly following the appointments.**
7 **Sec. 5. (a) At the first meeting of the commission each year, the**
8 **members shall elect:**
9 **(1) one (1) member to be the commission's chairperson; and**
10 **(2) one (1) member to be the commission's vice chairperson.**
11 **(b) A vacancy in the office of chairperson or vice chairperson**
12 **shall be filled by vote of the remaining members. The term of office**
13 **of a person chosen to fill a vacancy expires at the first meeting of**
14 **the commission the following year.**
15 **Sec. 6. (a) The commission shall make a systematic study of the**
16 **following:**
17 **(1) The conditions described in section 1 of this chapter.**
18 **(2) The reasons for the existence of those conditions.**
19 **(b) The commission shall propose measures to alleviate and**
20 **correct the underlying causes of the conditions described in section**
21 **1 of this chapter.**
22 **(c) The commission may study other topics suggested by the**
23 **legislative council or as directed by the chairperson of the**
24 **commission.**
25 **(d) The commission shall receive suggestions or comments**
26 **pertinent to the issues that the commission studies from members**
27 **of the general assembly, governmental agencies, public and private**
28 **organizations, and private citizens.**
29 **Sec. 7. The civil rights commission shall provide staff and**
30 **administrative support to the commission.**
31 **Sec. 8. The commission shall meet on call of the chairperson and**
32 **at other times that the commission determines.**
33 **Sec. 9. Eight (8) of the members of the commission is a quorum.**
34 **The affirmative votes of at least eight (8) voting members of the**
35 **commission are required for the commission to take final action.**
36 **Sec. 10. The commission shall issue an annual report stating the**
37 **findings, conclusions, and recommendations of the commission.**
38 **The commission shall submit the report to the governor and the**
39 **legislative council. A report submitted under this section to the**
40 **legislative council must be in an electronic format under IC 5-14-6.**
41 **Sec. 11. (a) Each member of the commission who is not a state**
42 **employee is entitled to the minimum salary per diem provided by**

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1 IC 4-10-11-2.1(b). The member is also entitled to reimbursement
2 for traveling expenses as provided under IC 4-13-1-4 and other
3 expenses actually incurred in connection with the member's duties
4 as provided in the state policies and procedures established by the
5 Indiana department of administration and approved by the budget
6 agency.

7 (b) Each member of the commission who is a state employee is
8 entitled to reimbursement for traveling expenses as provided under
9 IC 4-13-1-4 and other expenses actually incurred in connection
10 with the member's duties as provided in the state policies and
11 procedures established by the Indiana department of
12 administration and approved by the budget agency.

13 (c) Each member of the commission who is a member of the
14 general assembly is entitled to receive the same per diem, mileage,
15 and travel allowances paid to members of the general assembly
16 serving on interim study committees created by the legislative
17 council.

18 Sec. 12. (a) The commission on the social status of black males
19 special fund is established to provide money for special projects of
20 the commission.

21 (b) The fund shall be administered by the treasurer of state.

22 (c) Expenses of administering the fund shall be paid from money
23 in the fund.

24 (d) The fund consists of gifts, contributions, and money donated
25 to the commission.

26 (e) The treasurer of state shall invest the money in the fund not
27 currently needed to meet the obligations of the fund in the same
28 manner as other public funds may be invested.

29 (f) Interest accrues to the fund.

30 (g) Money in the fund at the end of a state fiscal year does not
31 revert to the state general fund.

32 (h) Money in the fund is appropriated continuously for the
33 purpose stated in subsection (a).

34 SECTION 27. IC 4-23-32 IS ADDED TO THE INDIANA CODE
35 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
36 JULY 1, 2012]:

37 Chapter 32. Native American Indian Affairs Commission

38 Sec. 1. As used in this chapter, "commission" refers to the
39 Native American Indian affairs commission established by section
40 3 of this chapter.

41 Sec. 2. As used in this chapter, "Native American Indian" means
42 an individual who is at least one (1) of the following:

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- 1 (1) An Alaska native as defined in 43 U.S.C. 1602(b).
- 2 (2) An Indian as defined in 25 U.S.C. 450b(d).
- 3 (3) A native Hawaiian as defined in 20 U.S.C. 7912(1).
- 4 **Sec. 3. The Native American Indian affairs commission is**
- 5 **established.**
- 6 **Sec. 4. (a) The commission consists of fifteen (15) voting**
- 7 **members and two (2) nonvoting members. The voting members of**
- 8 **the commission consist of the following:**
- 9 (1) Six (6) Native American Indians, each from a different
- 10 geographic region of Indiana.
- 11 (2) Two (2) Native American Indians who have knowledge in
- 12 Native American traditions and spiritual issues.
- 13 (3) The commissioner of the department of correction or the
- 14 commissioner's designee.
- 15 (4) The commissioner of the commission for higher education
- 16 or the commissioner's designee.
- 17 (5) The commissioner of the state department of health or the
- 18 commissioner's designee.
- 19 (6) The secretary of family and social services or the
- 20 secretary's designee.
- 21 (7) The director of the department of natural resources or the
- 22 director's designee.
- 23 (8) The state superintendent of public instruction or the
- 24 superintendent's designee.
- 25 (9) The commissioner of the department of workforce
- 26 development or the commissioner's designee.
- 27 **(b) The nonvoting members of the commission consist of the**
- 28 **following:**
- 29 (1) One (1) member of the house of representatives appointed
- 30 by the speaker of the house of representatives.
- 31 (2) One (1) member of the senate appointed by the president
- 32 pro tempore of the senate.
- 33 **(c) The governor shall appoint each Native American Indian**
- 34 **member of the commission to a term of four (4) years, and any**
- 35 **vacancy occurring shall be filled by the governor for the unexpired**
- 36 **term. Before appointing a Native American Indian member to the**
- 37 **commission, the governor shall solicit nominees from Indiana**
- 38 **associations that represent Native American Indians in the**
- 39 **geographic region from which the member will be selected. Not**
- 40 **more than one (1) member may represent the same tribe or Native**
- 41 **American Indian organization or association.**
- 42 **(d) A member of the commission may be removed by the**

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member's appointing authority.

Sec. 5. The affirmative votes of at least eight (8) members of the commission are required for the commission to take any official action, including public policy recommendations and reports.

Sec. 6. (a) The civil rights commission established by IC 22-9-1-4 shall provide staff and administrative support for the commission.

(b) Expenses incurred under this chapter shall be paid from funds appropriated to the civil rights commission.

(c) The governor shall appoint a voting member of the commission to serve as the commission's chairperson.

Sec. 7. The commission shall study problems common to Native American Indian residents of Indiana in the areas of employment, education, civil rights, health, and housing. The commission may make recommendations to appropriate federal, state, and local governmental agencies concerning the following:

(1) Health issues affecting Native American Indian communities, including data collection, equal access to public assistance programs, and informing health officials of cultural traditions relevant to health care.

(2) Cooperation and understanding between the Native American Indian communities and other communities throughout Indiana.

(3) Cultural barriers to the educational system, including barriers to higher education and opportunities for financial aid and minority scholarships.

(4) Inaccurate information and stereotypes concerning Native American Indians, including the accuracy of educational curriculum.

(5) Measures to stimulate job skill training and related workforce development, including initiatives to assist employers to overcome communication and cultural differences.

(6) Programs to encourage the growth and support of Native American Indian owned businesses.

(7) Public awareness of issues affecting the Native American Indian communities.

(8) Issues concerning preservation and excavation of Native American Indian historical and archeology sites, including reburial of Native American Indians.

(9) Measures that could facilitate easier access to state and local government services by Native American Indians.

Sec. 8. The commission may not study or make

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1 **recommendations on the following issues:**

2 **(1) Negotiations between a tribe and the state or federal**
3 **government concerning tribal sovereignty.**

4 **(2) Gaming on tribal land.**

5 SECTION 28. IC 5-2-6-3, AS AMENDED BY P.L.74-2010,
6 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2012]: Sec. 3. The institute is established to do the following:

8 (1) Evaluate state and local programs associated with:

9 (A) the prevention, detection, and solution of criminal
10 offenses;

11 (B) law enforcement; and

12 (C) the administration of criminal and juvenile justice.

13 (2) Improve and coordinate all aspects of law enforcement,
14 juvenile justice, and criminal justice in this state.

15 (3) Stimulate criminal and juvenile justice research.

16 (4) Develop new methods for the prevention and reduction of
17 crime.

18 (5) Prepare applications for funds under the Omnibus Act and the
19 Juvenile Justice Act.

20 (6) Administer victim and witness assistance funds.

21 (7) Administer the traffic safety functions assigned to the institute
22 under IC 9-27-2.

23 (8) Compile and analyze information and disseminate the
24 information to persons who make criminal justice decisions in this
25 state.

26 (9) Serve as the criminal justice statistical analysis center for this
27 state.

28 (10) Identify grants and other funds that can be used by the
29 department of correction to carry out its responsibilities
30 concerning sex or violent offender registration under IC 11-8-8.

31 (11) Administer the application and approval process for
32 designating an area of a consolidated or second class city as a
33 public safety improvement area under IC 36-8-19.5.

34 (12) Develop and maintain a meth watch program to inform
35 retailers and the public about illicit methamphetamine production,
36 distribution, and use in Indiana.

37 (13) Establish, maintain, and operate, subject to specific
38 appropriation by the general assembly, a web site containing a list
39 of properties (as defined in IC 5-2-6-19(b)) that have been used
40 as the site of a methamphetamine laboratory.

41 (14) Develop and manage the gang crime witness protection
42 program established by section 21 of this chapter.



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- 1 (15) Identify grants and other funds that can be used to fund the
2 gang crime witness protection program.
- 3 (16) After December 31, 2008, administer the licensing of:
4 (A) commercial driver training schools; and
5 (B) instructors at commercial driver training schools.
- 6 (17) Administer any sexual offense services.
- 7 (18) Administer domestic violence programs.
- 8 (19) Administer assistance to victims of human sexual trafficking
9 offenses as provided in IC 35-42-3.5-4.
- 10 (20) Administer the domestic violence prevention and treatment
11 fund under IC 5-2-6.7.
- 12 (21) Administer the family violence and victim assistance fund
13 under IC 5-2-6.8.
- 14 ~~(22) Administer and provide staff support to the law enforcement;~~
15 ~~school policing; and youth work group under IC 5-2-6.9.~~
- 16 SECTION 29. IC 5-2-6.9 IS REPEALED [EFFECTIVE JULY 1,
17 2012]. (Law Enforcement, School Policing, and Youth Work Group).
- 18 SECTION 30. IC 5-20-4-1 IS REPEALED [EFFECTIVE JULY 1,
19 2012]. ~~Sec. 1:~~ As used in this chapter, "advisory committee" refers to
20 the affordable housing and community development fund advisory
21 committee established by section 15 of this chapter.
- 22 SECTION 31. IC 5-20-4-15, AS AMENDED BY P.L.145-2006,
23 SECTION 13, AND AS AMENDED BY P.L.181-2006, SECTION 39,
24 IS REPEALED [EFFECTIVE JULY 1, 2012]. ~~Sec. 15:~~ (a) The
25 *affordable housing and community development trust* fund advisory
26 committee is established:
- 27 (b) ~~The advisory committee~~ consists of sixteen (16) members to be
28 appointed by the governor as follows:
- 29 (1) ~~One (1) member of the office division of the secretary of~~
30 ~~family mental health and social services addiction.~~
- 31 (2) ~~One (1) member of the Indiana economic development~~
32 ~~corporation division of family resources.~~
- 33 (3) ~~One (1) member to represent home builders of the division of~~
34 ~~disability, aging, and rehabilitative services.~~
- 35 (4) ~~One (1) member of the office of rural affairs established by~~
36 ~~IC 4-4-9.7-4 the lieutenant governor.~~
- 37 (5) ~~One (1) member to represent residential real estate developers.~~
- 38 (6) ~~One (1) member to represent construction trades.~~
- 39 (7) ~~One (1) member to represent mortgage lenders banks and~~
40 ~~other lending institutions.~~
- 41 (8) ~~One (1) member to represent the interests of persons with~~
42 ~~disabilities.~~

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- 1 (9) One (1) member to represent service providers.
- 2 (10) Two (2) members to represent neighborhood groups.
- 3 (11) One (1) member to represent low income families.
- 4 (12) One (1) member to represent nonprofit community based
- 5 organizations and community development corporations.
- 6 (13) One (1) member to represent real estate brokers or
- 7 salespersons.
- 8 (14) One (1) member to represent the Indiana Apartment Owner's
- 9 Association.
- 10 (15) One (1) member to represent the manufactured housing
- 11 industry.

12 At least three (3) members of the *advisory* committee shall be from a
 13 city with a population of less than thirty-five thousand (35,000); a
 14 town; or a rural area.

15 (c) Members of the advisory committee shall serve a term of three
 16 (3) years. However, the governor may remove for cause an appointed
 17 member of the advisory committee and fill vacancies of appointed
 18 members on the advisory committee.

19 (d) The advisory committee shall make recommendations to the
 20 *housing and community development* authority regarding:

- 21 (1) the development of policies and procedures under section 14
- 22 of this chapter; and
- 23 (2) long term sources to capitalize the *housing trust* fund;
- 24 including the following:
- 25 (A) Revenue from development ordinances, fees, or taxes.
- 26 (B) Market based or private revenue.
- 27 (C) Revenue generated from government programs;
- 28 foundations, private individuals; or corporations.

29 (e) The advisory committee shall prepare and present an annual
 30 report that:

- 31 (1) describes disbursements under the *housing trust* fund; and
- 32 (2) makes recommendations to the board of the *Indiana housing*
- 33 *and community development* authority regarding long term
- 34 sources to capitalize the *housing trust* fund.

35 SECTION 32. IC 5-20-4-16 IS REPEALED [EFFECTIVE JULY 1,
 36 2012]. Sec. 16. (a) Each member of the advisory committee who is not
 37 a state employee is entitled to the minimum salary per diem provided
 38 by IC 4-10-11-2.1(b). Such a member is also entitled to reimbursement
 39 for traveling expenses and other expenses actually incurred in
 40 connection with the member's duties; as provided in the state travel
 41 policies and procedures established by the department of
 42 administration and approved by the budget agency.

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(b) Each member of the advisory committee who is a state employee 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.

SECTION 33. IC 5-22-15-1, AS AMENDED BY P.L.79-2008, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. This chapter applies to the following:

- (1) A purchase of supplies under this article by any of the following:
 - (A) A governmental body.
 - (B) A state educational institution.
 - (C) An instrumentality of the state that performs essential governmental functions on either a statewide or local basis.
 - (D) The state lottery commission created by IC 4-30-3-1.
- (2) A purchase made under IC 5-17-1.

~~(3) An offer to conduct an indoor air quality inspection and evaluation program under IC 16-41-37.5.~~

SECTION 34. IC 5-22-15-3, AS AMENDED BY P.L.79-2008, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. As used in this chapter, "adjusted offer" means the offer price of an offeror for

- ~~(1) preferred supplies or~~
- ~~(2) conducting an indoor air quality inspection and evaluation program under IC 16-41-37.5;~~

as determined under section 10 of this chapter.

SECTION 35. IC 5-22-15-5, AS AMENDED BY P.L.79-2008, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 5. As used in this chapter, "price preference percentage" means the percentage preference provided by this chapter for either of the following:

- ~~(1) A a specified kind or item of supplies.~~
- ~~(2) An offer to conduct an indoor air quality inspection and evaluation program under IC 16-41-37.5.~~

SECTION 36. IC 5-22-15-8, AS AMENDED BY P.L.79-2008, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 8. (a) An offeror who wants to claim a preference provided under this chapter for a given supply item must indicate in the offer what supply item in the offer is a preferred supply.

(b) An offeror who wants to claim a preference provided under this chapter to conduct an indoor air quality inspection and evaluation program under IC 16-41-37.5 must indicate in the offer that the indoor

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1 air quality inspection and evaluation program is subject to a price
2 preference:

3 SECTION 37. IC 5-22-15-10, AS AMENDED BY P.L.79-2008,
4 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2012]: Sec. 10. (a) This section does not apply to an absolute
6 preference.

7 (b) If an offeror offers a preferred supply for a given supply item,
8 the purchasing agent shall compute an adjusted offer for that item
9 according to the following formula:

10 STEP ONE: Determine the price preference percentage for the
11 supply item under this chapter.

12 STEP TWO: Multiply the offeror's offer for the supply item by the
13 percentage determined under STEP ONE.

14 STEP THREE: Subtract the number determined under STEP
15 TWO from the offeror's offer for the supply item.

16 (c) If an offeror offers to conduct an indoor air quality inspection
17 and evaluation program under IC 16-41-37.5, the purchasing agent
18 shall compute an adjusted offer to conduct that indoor air quality
19 inspection and evaluation program according to the following formula:

20 STEP ONE: Determine the price preference percentage for the
21 indoor air quality inspection and evaluation program eligible to an
22 offeror under section 20.7 of this chapter.

23 STEP TWO: Multiply the offeror's offer for the indoor air quality
24 inspection and evaluation program by the percentage determined
25 under STEP ONE.

26 STEP THREE: Subtract the number determined under STEP
27 TWO from the offeror's offer to conduct the indoor air quality
28 inspection and evaluation program.

29 SECTION 38. IC 5-22-15-20.7 IS REPEALED [EFFECTIVE JULY
30 1, 2012]. Sec. 20.7: (a) As used in this section, "Indiana business" has
31 the meaning set forth in section 20.5 of this chapter.

32 (b) There is a price preference of ten percent (10%) for an Indiana
33 business that submits an offer to conduct an indoor air quality
34 inspection and evaluation program under IC 16-41-37.5.

35 SECTION 39. IC 5-22-21-7.5, AS AMENDED BY P.L.1-2006,
36 SECTION 124, IS AMENDED TO READ AS FOLLOWS
37 [EFFECTIVE JULY 1, 2012]: Sec. 7.5. (a) This section applies to
38 surplus computer hardware that:

39 (1) is not usable by a state agency as determined under section 6
40 of this chapter; and

41 (2) has market value.

42 (b) As used in this section, "educational entity" refers to the

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1 following:

2 ~~(1)~~ a school corporation as defined in IC 36-1-2-17 or nonpublic
3 schools as defined in IC 20-10.1-1-3 before July 1, 2005, or
4 IC 20-18-2-12.

5 ~~(2) The corporation for educational technology described in~~
6 ~~IC 20-10.1-25.1 before July 1, 2005; or IC 20-20-15.~~

7 (c) As used in this section, "market value" means the value of the
8 property is more than the estimated costs of sale and transportation of
9 the property.

10 (d) Surplus computer hardware available for sale may, under the
11 policies prescribed by the budget agency, be offered to an educational
12 entity.

13 SECTION 40. IC 5-28-12 IS REPEALED [EFFECTIVE JULY 1,
14 2012]. (Steel Industry).

15 SECTION 41. IC 5-28-17-1, AS AMENDED BY P.L.87-2011,
16 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 JULY 1, 2012]: Sec. 1. (a) The corporation shall do the following to
18 carry out this chapter:

19 (1) Contribute to the strengthening of the economy of Indiana by
20 encouraging the organization and development of new business
21 enterprises, including technologically oriented enterprises.

22 ~~(2) Submit an annual report to the governor and to the general~~
23 ~~assembly not later than November 1 of each year. The annual~~
24 ~~report must:~~

25 ~~(A) include detailed information on the structure, operation,~~
26 ~~and financial status of the corporation, including:~~

27 ~~(i) detailed information on the corporation's efforts to~~
28 ~~support the development of small businesses under this~~
29 ~~chapter; and~~

30 ~~(ii) an evaluation of the results of the corporation's efforts to~~
31 ~~encourage the development of small businesses under this~~
32 ~~chapter; and~~

33 ~~(B) be in an electronic format under IC 5-14-6.~~

34 The board shall conduct an annual public hearing to receive
35 comment from interested parties regarding the annual report, and
36 notice of the hearing shall be given at least fourteen ~~(14)~~ days
37 before the hearing in accordance with IC 5-14-1.5-5(b).

38 ~~(3) (2) Approve and administer loans from the small business~~
39 ~~development fund established by IC 5-28-18.~~

40 ~~(4) (3) Conduct activities for nontraditional entrepreneurs under~~
41 ~~IC 5-28-18.~~

42 ~~(5) (4) Establish and administer the small and minority business~~

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1 financial assistance program under IC 5-28-20.
 2 ~~(6)~~ (5) Assist small businesses in obtaining state and federal tax
 3 incentives.
 4 ~~(7)~~ (6) Maintain, through the Small Business Development
 5 Centers, a statewide network of public, private, and educational
 6 resources to, among other things, inform small businesses of the
 7 state and federal programs under which they may obtain financial
 8 assistance or realize reduced costs through programs such as the
 9 small employer health insurance pooling program under
 10 IC 27-8-5-16(8).
 11 (b) The corporation may do the following to carry out this chapter:
 12 (1) Receive money from any source, enter into contracts, and
 13 expend money for any activities appropriate to its purpose.
 14 (2) Do all other things necessary or incidental to carrying out the
 15 corporation's functions under this chapter.
 16 (3) Establish programs to identify entrepreneurs with marketable
 17 ideas and to support the organization and development of new
 18 business enterprises, including technologically oriented
 19 enterprises.
 20 (4) Conduct conferences and seminars to provide entrepreneurs
 21 with access to individuals and organizations with specialized
 22 expertise.
 23 (5) Establish a statewide network of public, private, and
 24 educational resources to assist the organization and development
 25 of new enterprises.
 26 (6) Operate a small business assistance center to provide small
 27 businesses, including minority owned businesses and businesses
 28 owned by women, with access to managerial and technical
 29 expertise and to provide assistance in resolving problems
 30 encountered by small businesses.
 31 (7) Cooperate with public and private entities, including the
 32 Indiana Small Business Development Center Network and the
 33 federal government marketing program, in exercising the powers
 34 listed in this subsection.
 35 (8) Establish and administer the small and minority business
 36 financial assistance program under IC 5-28-20.
 37 (9) Approve and administer loans from the small business
 38 development fund established by IC 5-28-18.
 39 (10) Coordinate state funded programs that assist the organization
 40 and development of new enterprises.
 41 SECTION 42. IC 5-28-18-8, AS ADDED BY P.L.4-2005,
 42 SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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1 JULY 1, 2012]: Sec. 8. (a) The corporation shall perform the following
2 duties:

- 3 (1) Establish and implement the policies and procedures to be
- 4 used by the corporation in the administration of the fund.
- 5 (2) Subject to section 10 of this chapter, establish criteria for
- 6 awarding loans from the fund.
- 7 (3) Review and approve or disapprove applications for loans from
- 8 the fund.
- 9 (4) Establish the terms of loans from the fund, which must include
- 10 the conditions set forth in section 11 of this chapter.
- 11 (5) Award the loans approved under this chapter.
- 12 (6) Provide the staff and other resources necessary to implement
- 13 this chapter.
- 14 (7) Prepare and distribute to appropriate entities throughout
- 15 Indiana requests for proposals for the organization and operation
- 16 of local pools.
- 17 (8) Conduct conferences and seminars concerning the fund.
- 18 ~~(9) Submit a report concerning the fund to the general assembly~~
- 19 ~~before November 1 of each year. The report must include detailed~~
- 20 ~~information concerning the structure, operation, and financial~~
- 21 ~~condition of the fund. The report must be in an electronic format~~
- 22 ~~under IC 5-14-6.~~

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

26 SECTION 43. IC 5-28-21-21 IS REPEALED [EFFECTIVE JULY
27 1, 2012]. ~~Sec. 21. Before July 2 each year, the corporation shall provide~~
28 ~~the legislative council and the governor with a report that includes the~~
29 ~~following information:~~

- 30 ~~(1) The number of applications for incubators received by the~~
- 31 ~~corporation.~~
- 32 ~~(2) The number of applications for incubators approved by the~~
- 33 ~~corporation.~~
- 34 ~~(3) The number of incubators created under this chapter.~~
- 35 ~~(4) The number of tenants occupying each incubator.~~
- 36 ~~(5) The occupancy rate of each incubator.~~
- 37 ~~(6) The number of jobs provided by each incubator and the~~
- 38 ~~tenants of each incubator.~~
- 39 ~~(7) The number of firms still operating in Indiana after leaving~~
- 40 ~~incubators and the number of jobs provided by those firms. The~~
- 41 ~~corporation shall attempt to identify the reasons firms that were~~
- 42 ~~established in an incubator have moved to another state.~~

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1 The report to the legislative council must be in an electronic format
2 under IC 5-14-6.

3 SECTION 44. IC 5-28-23-1, AS AMENDED BY P.L.2-2007,
4 SECTION 110, IS AMENDED TO READ AS FOLLOWS
5 [EFFECTIVE JULY 1, 2012]: Sec. 1. (a) The corporation shall ~~do~~ the
6 following:

7 (1) contribute to the strengthening of the economy of Indiana
8 through the development of science and technology and to
9 promote the modernization of Indiana businesses by supporting
10 the transfer of science, technology, and quality improvement
11 methods to the workplace.

12 (2) Submit an annual report to the governor and to the general
13 assembly (in an electronic format under IC 5-14-6) that is due on
14 the first day of November for each year and must include detailed
15 information on the corporation's efforts to carry out this chapter.
16 The corporation shall conduct an annual public hearing to receive
17 comments from interested parties regarding the report, and notice
18 of the hearing shall be given at least fourteen (14) days before the
19 hearing in accordance with IC 5-14-1.5-5(b).

20 (b) The corporation may do the following:

21 (1) Receive money from any source, borrow money, enter into
22 contracts, and expend money for activities appropriate to its
23 purpose under this chapter.

24 (2) Do things necessary or incidental to carrying out the functions
25 listed in this chapter.

26 (3) Establish a statewide business modernization network to assist
27 Indiana businesses in identifying ways to increase productivity
28 and market competitiveness.

29 (4) Identify scientific and technological problems and
30 opportunities related to the economy of Indiana and formulate
31 proposals to overcome those problems or realize those
32 opportunities.

33 (5) Identify specific areas in which scientific research and
34 technological investigation will contribute to the improvement of
35 productivity of Indiana manufacturers and farmers.

36 (6) Determine specific areas in which financial investment in
37 scientific and technological research and development from
38 private businesses located in Indiana could be improved or
39 increased if state resources were made available to assist in
40 financing activities.

41 (7) Assist in establishing cooperative associations of
42 postsecondary educational institutions in Indiana and of private

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1 enterprises to coordinate research and development programs that
 2 will, consistent with the primary educational function of the
 3 postsecondary educational institutions, aid in the creation of new
 4 jobs in Indiana.

5 (8) Assist in financing the establishment and continued
 6 development of technology intensive businesses in Indiana.

7 (9) Advise postsecondary educational institutions of the research
 8 needs of Indiana businesses and improve the exchange of
 9 scientific and technological information for the mutual benefit of
 10 postsecondary educational institutions and private businesses.

11 (10) Coordinate programs established by postsecondary
 12 educational institutions to provide Indiana businesses with
 13 scientific and technological information.

14 (11) Establish programs in scientific education that will support
 15 the accelerated development of technology intensive businesses
 16 in Indiana.

17 (12) Provide financial assistance through contracts, grants, and
 18 loans to programs of scientific and technological research and
 19 development.

20 (13) Determine how state educational institutions can increase
 21 income derived from the sale or licensure of products or processes
 22 having commercial value that are developed as a result of state
 23 educational institution sponsored research programs.

24 SECTION 45. IC 5-28-28-4, AS ADDED BY P.L.222-2007,
 25 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JANUARY 1, 2013]: Sec. 4. As used in this chapter, "tax credit" means
 27 a state tax liability credit under any of the following:

28 (1) IC 6-3.1-7.

29 (2) IC 6-3.1-13.

30 ~~(3) IC 6-3.1-13.5.~~

31 ~~(4) (3) IC 6-3.1-26.~~

32 ~~(5) (4) IC 6-3.1-27.~~

33 ~~(6) (5) IC 6-3.1-28.~~

34 ~~(7) (6) IC 6-3.1-30.~~

35 SECTION 46. IC 5-28-28-10 IS ADDED TO THE INDIANA
 36 CODE AS A NEW SECTION TO READ AS FOLLOWS
 37 [EFFECTIVE JULY 1, 2012]: **Sec. 10. In addition to the other**
 38 **requirements of this chapter, the economic incentives and**
 39 **compliance report must also include a detailed report on the**
 40 **following programs, resources, or activities for which the**
 41 **corporation is responsible:**

42 (1) Small business development under IC 5-28-17.



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1 **(2) The small business development fund established under**
 2 **IC 5-28-18-7.**

3 **(3) The small business incubator program under IC 5-28-21.**

4 **(4) Efforts to promote business modernization of and the**
 5 **adoption of technology by Indiana businesses under**
 6 **IC 5-28-23.**

7 SECTION 47. IC 5-29-1-3 IS REPEALED [EFFECTIVE JULY 1,
 8 2012]. Sec. 3: "Council" refers to the Indiana tourism council
 9 established by ~~IC 5-29-4-1~~.

10 SECTION 48. IC 5-29-4 IS REPEALED [EFFECTIVE JULY 1,
 11 2012]. (Indiana Tourism Council).

12 SECTION 49. IC 5-31 IS REPEALED [EFFECTIVE JULY 1,
 13 2012]. (Indiana Health Informatics Corporation).

14 SECTION 50. IC 6-1.1-31-13 IS REPEALED [EFFECTIVE JULY
 15 1, 2012]. Sec. 13: (a) Before February 1, 2002, the governor shall
 16 appoint two (2) individuals to participate in the adoption of rules by the
 17 department of local government finance as described in subsection (c).
 18 The term of each individual is one (1) year. The individuals serve at the
 19 pleasure of the governor. The expenses of the individuals shall be paid
 20 from the budget of the Indiana department of administration.

21 (b) The individuals:

22 (1) must be familiar with the duties and operations of the
 23 department of local government finance;

24 (2) are not employees of the department;

25 (3) are entitled to the minimum salary per diem provided by
 26 ~~IC 4-10-11-2.1(b)~~;

27 (4) are entitled to reimbursement for traveling expenses as
 28 provided under ~~IC 4-13-1-4~~ and other expenses actually incurred
 29 in connection with the individuals' duties as provided in the state
 30 policies and procedures established by the Indiana department of
 31 administration and approved by the budget agency; and

32 (5) may not be affiliated with the same political party.

33 (c) The individuals appointed under this section shall consider all
 34 rules proposed by the department of local government finance for
 35 adoption. During the period when the department is formulating a rule
 36 for adoption, the department shall provide the proposed rule to each
 37 individual appointed under this section. Each individual shall review
 38 the proposed rule. Before the department of local government finance
 39 takes final action to adopt a rule, the commissioner of the department
 40 and the individuals appointed under this section shall vote on the
 41 adoption. The department may take final action to adopt a rule only if
 42 there are at least two (2) affirmative votes for adoption. If the vote



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1 results in disapproval of the adoption, the department may not propose
 2 for adoption the same rule, or substantially the same rule, until at least
 3 one (1) year after the date of the vote. The department must make a
 4 written record of the vote under this subsection. The record of the vote
 5 is a public record.

6 (d) The department of local government finance shall:

7 (1) provide facilities and support to the individuals appointed
 8 under this section for the performance of their duties under this
 9 section; and

10 (2) allow each individual appointed under this section at least two
 11 (2) weeks to review a proposed rule before a vote is taken on the
 12 proposed rule under subsection (c):

13 SECTION 51. IC 6-3.1-1-3, AS AMENDED BY P.L.223-2007,
 14 SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 15 JANUARY 1, 2013]: Sec. 3. A taxpayer (as defined in the following
 16 laws), pass through entity (as defined in the following laws), or
 17 shareholder, partner, or member of a pass through entity may not be
 18 granted more than one (1) tax credit under the following laws for the
 19 same project:

20 (1) IC 6-3.1-10 (enterprise zone investment cost credit).

21 (2) IC 6-3.1-11 (industrial recovery tax credit).

22 (3) IC 6-3.1-11.5 (military base recovery tax credit).

23 (4) IC 6-3.1-11.6 (military base investment cost credit).

24 (5) ~~IC 6-3.1-13.5 (capital investment tax credit):~~

25 (6) (5) IC 6-3.1-19 (community revitalization enhancement
 26 district tax credit).

27 (7) (6) IC 6-3.1-24 (venture capital investment tax credit).

28 (8) (7) IC 6-3.1-26 (Hoosier business investment tax credit).

29 (9) (8) IC 6-3.1-31.9 (Hoosier alternative fuel vehicle
 30 manufacturer tax credit).

31 If a taxpayer, pass through entity, or shareholder, partner, or member
 32 of a pass through entity has been granted more than one (1) tax credit
 33 for the same project, the taxpayer, pass through entity, or shareholder,
 34 partner, or member of a pass through entity must elect to apply only
 35 one (1) of the tax credits in the manner and form prescribed by the
 36 department.

37 SECTION 52. IC 6-3.1-13.5-14 IS ADDED TO THE INDIANA
 38 CODE AS A NEW SECTION TO READ AS FOLLOWS
 39 [EFFECTIVE JULY 1, 2012]: **Sec. 14. (a) A tax credit may not be**
 40 **awarded under this chapter for a capital investment made after**
 41 **December 31, 2016. However, this subsection may not be construed**
 42 **to prevent a taxpayer from carrying over to a taxable year**



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1 **beginning after December 31, 2016, an unused tax credit**
 2 **attributable to a taxable year beginning before January 1, 2017.**

3 **(b) This chapter expires January 1, 2020.**

4 SECTION 53. IC 6-3.1-15-1, AS AMENDED BY P.L.1-2005,
 5 SECTION 95, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2012]: Sec. 1. As used in this chapter, "buddy system project"
 7 ~~has the meaning set forth in IC 20-20-15-4(1)(A).~~ **means a statewide**
 8 **computer project placing computers in homes of public school**
 9 **students.**

10 SECTION 54. IC 6-3.1-15-10, AS AMENDED BY P.L.1-2005,
 11 SECTION 97, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2012]: Sec. 10. The state board shall ~~in consultation with the~~
 13 ~~corporation for educational technology if the corporation is established~~
 14 ~~under IC 20-20-15-3,~~ establish minimum standards for qualified
 15 computer equipment. Upon receipt of computer equipment, a service
 16 center shall promptly inspect the equipment. If the computer equipment
 17 meets the minimum standards established by the state board, the
 18 service center shall accept the computer equipment as qualified
 19 computer equipment and shall, subject to section 11(b) of this chapter,
 20 promptly send a certification to the computer equipment owner for the
 21 tax credit available under this chapter.

22 SECTION 55. IC 8-4.5-3-1, AS AMENDED BY P.L.59-2005,
 23 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2012]: Sec. 1. (a) The departments annually shall do the
 25 following:

26 (1) Prepare a list of existing rights-of-way that might be
 27 abandoned during the following year. ~~The list shall be submitted~~
 28 ~~to the board for review.~~

29 (2) Set priorities for potential future uses of rights-of-way
 30 consistent with the Indiana department of transportation's
 31 comprehensive transportation plan and the department of natural
 32 resources trail system plan.

33 (3) Contact each railroad owner that holds an interest in a corridor
 34 in Indiana to assess the status and any issues concerning corridors
 35 that may be abandoned.

36 (b) The Indiana department of transportation annually, in
 37 consultation with affected state and local agencies, shall prepare a list
 38 of corridors for preservation.

39 SECTION 56. IC 8-4.5-3-2 IS REPEALED [EFFECTIVE JULY 1,
 40 2012]. Sec. 2: (a) ~~The board shall do the following:~~

41 ~~(1) Review the list prepared under section 1(1) of this chapter.~~

42 ~~(2) Approve or disapprove the priorities set under section 1(2) of~~

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1 this chapter.
 2 (3) Review criteria for project selection under the program.
 3 (4) Review procedures for public participation under the program.
 4 (b) If the board disapproves the priorities set under section 1(2) of
 5 this chapter, the departments shall revise the priorities as directed by
 6 the board.

7 SECTION 57. IC 8-4.5-3-3 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. (a) The departments
 9 annually shall update the list prepared under section 1(1) of this
 10 chapter and the priorities set under section 1(2) of this chapter based
 11 on the following:

- 12 (1) Annual system diagram map and supplemental information
- 13 submitted to the ~~Interstate Commerce Commission~~ and state
- 14 agencies identifying potential abandonment applications.
- 15 (2) Changes in local agency interest.
- 16 (3) Availability of funds.
- 17 (4) Possible future uses for rail, transit, highway, bicycle,
- 18 pedestrian, utility, communication, or recreation corridors.

19 (b) ~~The updated list and priorities are subject to review and approval~~
 20 ~~by the board under section 2 of this chapter.~~

21 SECTION 58. IC 8-4.5-3-4 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. ~~Subject to approval~~
 23 ~~by the board; the~~ **The** Indiana department of transportation shall file a
 24 petition with the United States Surface Transportation Board for public
 25 use conditions on a corridor that has been identified for preservation
 26 under this chapter.

27 SECTION 59. IC 8-4.5-3-6 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. ~~Subject to approval~~
 29 ~~by the board; the~~ **The** departments annually shall assemble a written
 30 report containing the following information:

- 31 (1) A description of the rights-of-way that have been abandoned
- 32 during the previous year. This description is not required to
- 33 include the legal description of any of the rights-of-way.
- 34 (2) Any property that has been purchased under the program.
- 35 (3) Sources of funds for the program.
- 36 (4) Other information that ~~the board or~~ the departments consider
- 37 relevant.

38 SECTION 60. IC 8-16-17 IS REPEALED [EFFECTIVE JULY 1,
 39 2012]. (Ohio River Bridges Project Commission).

40 SECTION 61. IC 9-18-44-1, AS AMENDED BY P.L.96-2008,
 41 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 42 JULY 1, 2012]: Sec. 1. The bureau of motor vehicles shall, with the

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1 advice of the Native American Indian affairs commission established
 2 under ~~IC 4-4-31.4~~, **IC 4-23-32**, design and issue an Indiana Native
 3 American trust license plate. The Indiana Native American trust license
 4 plate shall be designed and issued as a special group recognition
 5 license plate under IC 9-18-25.

6 SECTION 62. IC 9-18-44-4, AS AMENDED BY P.L.96-2008,
 7 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 8 JULY 1, 2012]: Sec. 4. (a) The Indiana Native American trust fund is
 9 established.

10 (b) The treasurer of state shall invest the money in the Indiana
 11 Native American trust fund not currently needed to meet the
 12 obligations of the Indiana Native American trust fund in the same
 13 manner as other public trust funds are invested. Interest that accrues
 14 from these investments shall be deposited in the Indiana Native
 15 American trust fund.

16 (c) The commissioner shall administer the Indiana Native American
 17 trust fund. Expenses of administering the Indiana Native American
 18 trust fund shall be paid from money in the Indiana Native American
 19 trust fund.

20 (d) On June 30 of each year, the commissioner shall distribute the
 21 money from the fund as follows:

22 (1) To Historic Prophetstown for a calendar year ending before
 23 January 1, 2009.

24 (2) To the Native American Indian affairs commission established
 25 under ~~IC 4-4-31.4~~ **IC 4-23-32** for a calendar year beginning after
 26 December 31, 2008.

27 (e) Money in the fund at the end of a state fiscal year does not revert
 28 to the state general fund.

29 (f) The Native American Indian affairs commission may use money
 30 received under this section for any lawful purpose of the Native
 31 American Indian affairs commission.

32 SECTION 63. IC 10-17-9-20 IS REPEALED [EFFECTIVE JULY
 33 1, 2012]. Sec. 20: (a) ~~The Indiana Veterans' Home advisory committee~~
 34 ~~is established:~~

35 (b) ~~The advisory committee consists of eight (8) members appointed~~
 36 ~~by the governor and must include the following:~~

37 (1) ~~One (1) member who is a licensed physician:~~

38 (2) ~~One (1) member who is a member of the general assembly~~
 39 ~~from the district in which the Indiana Veterans' Home is located:~~

40 (3) ~~The director of veterans' affairs or the director's designee:~~

41 (c) ~~The term of a member, other than a member who is a member of~~
 42 ~~the general assembly, is four (4) years. A member of the general~~



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1 assembly appointed under this section serves until the end of the
 2 member's current legislative term. The governor may remove a member
 3 of the advisory committee for cause. The governor shall fill a vacancy
 4 in the membership of an advisory committee for the unexpired term of
 5 the vacating member.

6 (d) The advisory committee shall hold at least one (1) regular
 7 meeting in each calendar quarter and may hold special meetings upon
 8 the call of the superintendent.

9 (e) The members of the advisory committee shall elect a chairperson
 10 and a secretary.

11 (f) Each member of the advisory committee who is not a state
 12 employee is entitled to the minimum salary per diem provided by
 13 IC 4-10-11-2.1(b). The member is also entitled to reimbursement for
 14 traveling expenses as provided under IC 4-13-1-4 and other expenses
 15 actually incurred in connection with the member's duties as provided
 16 in the state policies and procedures established by the Indiana
 17 department of administration and approved by the budget agency.

18 (g) Each member of the advisory committee who is a state employee
 19 but who is not a member of the general assembly is entitled to
 20 reimbursement for traveling expenses as provided under IC 4-13-1-4
 21 and other expenses actually incurred in connection with the member's
 22 duties as provided in the state travel policies and procedures
 23 established by the Indiana department of administration and approved
 24 by the budget agency.

25 (h) Each member of the advisory committee who is a member of the
 26 general assembly is entitled to receive the same per diem, mileage, and
 27 travel allowances paid to members of the general assembly serving on
 28 interim study committees established by the legislative council.

29 (i) The advisory committee shall act in an advisory capacity to the
 30 superintendent and to the director concerning ways to improve the
 31 Indiana Veterans' Home and the care of its residents.

32 SECTION 64. IC 10-18-1-2 IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. (a) The Indiana war
 34 memorials commission is established.

35 (b) **Beginning July 1, 2015**, the commission consists of ~~ten (10)~~
 36 **nine (9)** members. Each Indiana congressional district must be
 37 represented by at least one (1) member who is:

- 38 (1) a resident of that congressional district;
- 39 (2) a veteran of service in the armed forces of the United States of
 40 America in time of war;
- 41 (3) a citizen of Indiana at the time of the service; and
- 42 (4) appointed:



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- 1 (A) in the manner;
- 2 (B) for the terms;
- 3 (C) to have the powers; and
- 4 (D) to perform the duties;
- 5 as provided in this chapter.
- 6 (c) The commission:
 - 7 (1) as the commission and in the commission's name, may
 - 8 prosecute and defend suits; and
 - 9 (2) has all other duties, rights, and powers that are:
 - 10 (A) necessary to implement this chapter; and
 - 11 (B) not inconsistent with this chapter.
 - 12 (d) The members of the commission are not liable in their individual
 - 13 capacity, except to the state, for any act done or omitted in connection
 - 14 with the performance of their duties under this chapter.
 - 15 (e) A suit against the commission must be brought in a court with
 - 16 jurisdiction in Marion County. Notice or summons of the suit shall be
 - 17 served upon the president, vice president, or secretary of the
 - 18 commission. In a suit against the commission, it is not necessary to
 - 19 name the individual members of the commission as either plaintiff or
 - 20 defendant. Commission members may sue and be sued in the name of
 - 21 the Indiana war memorials commission.
 - 22 (f) The commission shall:
 - 23 (1) report to the governor through the adjutant general; and
 - 24 (2) be under the adjutant general for administrative supervision.
 - 25 **(g) The reduction in the membership of the commission from ten**
 - 26 **(10) to nine (9) under subsection (b) shall be accomplished as the**
 - 27 **terms of members end and new members are appointed. This**
 - 28 **subsection expires July 1, 2015.**
 - 29 SECTION 65. IC 11-10-4-6.6 IS REPEALED [EFFECTIVE JULY
 - 30 1, 2012]. See: 6-6: (a) As used in this section, "advisory committee"
 - 31 refers to the mental health corrections quality advisory committee
 - 32 established by subsection (b):
 - 33 (b) The mental health corrections quality advisory committee is
 - 34 established. The advisory committee consists of the following
 - 35 members:
 - 36 (1) The commissioner of the department or the commissioner's
 - 37 designee, who shall serve as chairperson of the advisory
 - 38 committee.
 - 39 (2) The director of the division of mental health and addiction or
 - 40 the director's designee.
 - 41 (3) A representative of a statewide mental health advocacy
 - 42 organization.

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- 1 (4) A representative of a statewide mental health provider
- 2 organization:
- 3 (5) A representative from a medical services organization that
- 4 participates in the department's medical services program:
- 5 (6) A member with expertise in psychiatric research representing
- 6 a postsecondary educational institution:
- 7 (7) A pharmacist licensed under IC 25-26 with expertise in mental
- 8 health disorders:

9 The governor shall make the appointments under subdivisions (3)

10 through (7) for a term of four (4) years and fill any vacancy on the

11 advisory committee:

12 (e) The affirmative votes of a majority of the voting members

13 appointed to the advisory committee are required for the committee to

14 take action on any measure:

15 (d) The advisory committee shall advise the department and make

16 recommendations concerning the department's formulary for

17 medications for mental health and addictive disorders and consider the

18 following:

- 19 (1) Peer reviewed medical literature:
- 20 (2) Observational studies:
- 21 (3) Health economic studies:
- 22 (4) Input from physicians and patients:
- 23 (5) Any other information determined by the advisory committee
- 24 to be appropriate:

25 (e) The department shall report recommendations made by the

26 advisory committee to the department's medical director:

27 (f) The department shall report the following information to the

28 Indiana commission on mental health and addiction (IC-12-21-6.5-2):

- 29 (1) The advisory committee's advice and recommendations made
- 30 under this section:
- 31 (2) The number and types of restrictions implemented by the
- 32 department and the outcome of each restriction:
- 33 (3) The transition of individuals with mental illness into the
- 34 community and the rate of recidivism:
- 35 (4) Any decision by the department to change the mental health
- 36 care delivery system in which medication is provided to inmates:

37 SECTION 66. IC 12-13-12 IS REPEALED [EFFECTIVE JULY 1,

38 2012]. (Commission on the Social Status of Black Males).

39 SECTION 67. IC 14-8-2-48, AS AMENDED BY P.L.197-2011,

40 SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

41 JULY 1, 2012]: Sec. 48. (a) "Commission", except as provided in

42 subsections (b) through (r), **this section**, refers to the natural resources

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- 1 commission.
- 2 (b) "Commission", for purposes of IC 14-13-1, has the meaning set
3 forth in IC 14-13-1-1.
- 4 (c) "Commission", for purposes of IC 14-13-2, has the meaning set
5 forth in IC 14-13-2-2.
- 6 (d) "Commission", for purposes of IC 14-13-4, has the meaning set
7 forth in IC 14-13-4-1.
- 8 (e) "Commission", for purposes of IC 14-13-5, has the meaning set
9 forth in IC 14-13-5-1.
- 10 (f) "Commission", for purposes of IC 14-13-6, has the meaning set
11 forth in IC 14-13-6-2.
- 12 (g) "Commission", for purposes of IC 14-14-1, has the meaning set
13 forth in IC 14-14-1-3.
- 14 (h) "Commission", for purposes of IC 14-20-11, has the meaning set
15 forth in IC 14-20-11-1.
- 16 ~~(i) "Commission", for purposes of IC 14-21-4, has the meaning set~~
17 ~~forth in IC 14-21-4-1.~~
- 18 ~~(j) "Commission", for purposes of IC 14-25-11, has the meaning set~~
19 ~~forth in IC 14-25-11-1.~~
- 20 ~~(k)~~ (i) "Commission", for purposes of IC 14-28-4, has the meaning
21 set forth in IC 14-28-4-1.
- 22 ~~(l)~~ (j) "Commission", for purposes of IC 14-30-1, has the meaning
23 set forth in IC 14-30-1-2.
- 24 ~~(m)~~ (k) "Commission", for purposes of IC 14-30-2, has the meaning
25 set forth in IC 14-30-2-2.
- 26 ~~(n)~~ (l) "Commission", for purposes of IC 14-30-3, has the meaning
27 set forth in IC 14-30-3-2.
- 28 ~~(o)~~ (m) "Commission", for purposes of IC 14-30-4, has the meaning
29 set forth in IC 14-30-4-2.
- 30 ~~(p)~~ (n) "Commission", for purposes of IC 14-33-20, has the meaning
31 set forth in IC 14-33-20-2.
- 32 SECTION 68. IC 14-8-2-84 IS REPEALED [EFFECTIVE JULY 1,
33 2012]. Sec. 84. "Eligible entity", for purposes of IC 14-25-11, has the
34 meaning set forth in IC 14-25-11-2.
- 35 SECTION 69. IC 14-8-2-107, AS AMENDED BY P.L.167-2011,
36 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
37 JULY 1, 2012]: Sec. 107. "Fund" has the following meaning:
- 38 (1) For purposes of IC 14-9-5, the meaning set forth in
39 IC 14-9-5-1.
- 40 (2) For purposes of IC 14-9-8-21, the meaning set forth in
41 IC 14-9-8-21.
- 42 (3) For purposes of IC 14-9-8-21.5, the meaning set forth in

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- 1 IC 14-9-8-21.5.
 2 (4) For purposes of IC 14-9-9, the meaning set forth in
 3 IC 14-9-9-3.
 4 (5) For purposes of IC 14-12-1, the meaning set forth in
 5 IC 14-12-1-1.
 6 (6) For purposes of IC 14-12-2, the meaning set forth in
 7 IC 14-12-2-2.
 8 (7) For purposes of IC 14-12-3, the meaning set forth in
 9 IC 14-12-3-2.
 10 (8) For purposes of IC 14-13-1, the meaning set forth in
 11 IC 14-13-1-2.
 12 (9) For purposes of IC 14-13-2, the meaning set forth in
 13 IC 14-13-2-3.
 14 (10) For purposes of IC 14-16-1, the meaning set forth in
 15 IC 14-16-1-30.
 16 (11) For purposes of IC 14-19-8, the meaning set forth in
 17 IC 14-19-8-1.
 18 (12) For purposes of IC 14-20-11, the meaning set forth in
 19 IC 14-20-11-2.
 20 ~~(13) For purposes of IC 14-21-4, the meaning set forth in~~
 21 ~~IC 14-21-4-10.~~
 22 ~~(14)~~ **(13)** For purposes of IC 14-22-3, the meaning set forth in
 23 IC 14-22-3-1.
 24 ~~(15)~~ **(14)** For purposes of IC 14-22-4, the meaning set forth in
 25 IC 14-22-4-1.
 26 ~~(16)~~ **(15)** For purposes of IC 14-22-5, the meaning set forth in
 27 IC 14-22-5-1.
 28 ~~(17)~~ **(16)** For purposes of IC 14-22-8, the meaning set forth in
 29 IC 14-22-8-1.
 30 ~~(18)~~ **(17)** For purposes of IC 14-22-34, the meaning set forth in
 31 IC 14-22-34-2.
 32 ~~(19)~~ **(18)** For purposes of IC 14-23-3, the meaning set forth in
 33 IC 14-23-3-1.
 34 ~~(20)~~ **(19)** For purposes of IC 14-24-4.5, the meaning set forth in
 35 IC 14-24-4.5-2(5).
 36 ~~(21)~~ **(20)** For purposes of IC 14-25-2-4, the meaning set forth in
 37 IC 14-25-2-4.
 38 ~~(22)~~ **(21)** For purposes of IC 14-25-10, the meaning set forth in
 39 IC 14-25-10-1.
 40 ~~(23) For purposes of IC 14-25-11-19, the meaning set forth in~~
 41 ~~IC 14-25-11-19.~~
 42 ~~(24)~~ **(22)** For purposes of IC 14-25.5, the meaning set forth in

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- 1 IC 14-25.5-1-3.
 2 ~~(25)~~ **(23)** For purposes of IC 14-28-5, the meaning set forth in
 3 IC 14-28-5-2.
 4 ~~(26)~~ **(24)** For purposes of IC 14-31-2, the meaning set forth in
 5 IC 14-31-2-5.
 6 ~~(27)~~ **(25)** For purposes of IC 14-25-12, the meaning set forth in
 7 IC 14-25-12-1.
 8 ~~(28)~~ **(26)** For purposes of IC 14-32-8, the meaning set forth in
 9 IC 14-32-8-1.
 10 ~~(29)~~ **(27)** For purposes of IC 14-33-14, the meaning set forth in
 11 IC 14-33-14-3.
 12 ~~(30)~~ **(28)** For purposes of IC 14-33-21, the meaning set forth in
 13 IC 14-33-21-1.
 14 ~~(31)~~ **(29)** For purposes of IC 14-34-6-15, the meaning set forth in
 15 IC 14-34-6-15.
 16 ~~(32)~~ **(30)** For purposes of IC 14-34-14, the meaning set forth in
 17 IC 14-34-14-1.
 18 ~~(33)~~ **(31)** For purposes of IC 14-34-19-1.3, the meaning set forth
 19 in IC 14-34-19-1.3(a).
 20 ~~(34)~~ **(32)** For purposes of IC 14-34-19-1.5, the meaning set forth
 21 in IC 14-34-19-1.5(a).
 22 ~~(35)~~ **(33)** For purposes of IC 14-37-10, the meaning set forth in
 23 IC 14-37-10-1.
 24 SECTION 70. IC 14-8-2-123.5 IS REPEALED [EFFECTIVE JULY
 25 1, 2012]. Sec. 123.5: "Historic courthouse", for purposes of IC 14-21-4,
 26 has the meaning set forth in IC 14-21-4-2.
 27 SECTION 71. IC 14-8-2-149 IS REPEALED [EFFECTIVE JULY
 28 1, 2012]. Sec. 149: "Legislative body", for purposes of IC 14-25-11, has
 29 the meaning set forth in IC 14-25-11-3.
 30 SECTION 72. IC 14-8-2-279.5 IS REPEALED [EFFECTIVE JULY
 31 1, 2012]. Sec. 279.5: "Task force"; for purposes of:
 32 (1) IC 14-25-14, has the meaning set forth in IC 14-25-14-1; and
 33 (2) IC 14-25-16, has the meaning set forth in IC 14-25-16-1.
 34 SECTION 73. IC 14-9-6-2, AS AMENDED BY P.L.95-2006,
 35 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 36 JULY 1, 2012]: Sec. 2. (a) The advisory council consists of ~~twelve~~ **(12)**
 37 **seven (7)** members appointed by the governor. ~~with the terms of four~~
 38 ~~(4) members expiring each year.~~
 39 (b) Not more than ~~eight~~ **(8) four (4)** members may be of the same
 40 political party.
 41 SECTION 74. IC 14-9-6-3 IS AMENDED TO READ AS
 42 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The term of a

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1 member of a council is three (3) years. **The terms must be staggered**
 2 **so that the terms of not more than three (3) members may expire**
 3 **in a year.**

4 SECTION 75. IC 14-9-6-6, AS AMENDED BY P.L.95-2006,
 5 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2012]: Sec. 6. The advisory council:

7 (1) shall hold ~~at least one (1) regular meeting every two (2)~~
 8 ~~months of the calendar year; and a meeting in January of each~~
 9 **calendar year; and**

10 (2) may hold ~~special meetings that at the call of the chairperson.~~
 11 ~~of the advisory council considers necessary and expedient.~~

12 SECTION 76. IC 14-9-6-7, AS AMENDED BY P.L.95-2006,
 13 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 14 JULY 1, 2012]: Sec. 7. During the ~~first meeting in~~ **held in January of**
 15 each calendar year, the advisory council shall elect the following:

16 (1) A chairperson and vice chairperson.

17 (2) Any other officer needed to carry out the business of the
 18 advisory council.

19 SECTION 77. IC 14-10-2-5, AS AMENDED BY P.L.167-2011,
 20 SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2012]: Sec. 5. (a) The department may adopt emergency rules
 22 under IC 4-22-2-37.1 to carry out the duties of the department under
 23 the following:

24 (1) IC 14-9.

25 (2) This article.

26 (3) IC 14-11.

27 (4) IC 14-12-2.

28 (5) IC 14-14.

29 (6) IC 14-17-3.

30 (7) IC 14-18, except IC 14-18-6 and IC 14-18-8.

31 (8) IC 14-19-1 and IC 14-19-8.

32 (9) IC 14-21.

33 (10) IC 14-22-3, IC 14-22-4, and IC 14-22-5.

34 (11) IC 14-23-1.

35 (12) IC 14-25, except IC 14-25-8-3 ~~IC 14-25-11~~, and IC 14-25-13.

36 (13) IC 14-26.

37 (14) IC 14-27.

38 (15) IC 14-28.

39 (16) IC 14-29.

40 (17) IC 14-35-1, IC 14-35-2, and IC 14-35-3.

41 (18) IC 14-37.

42 (19) IC 14-38, except IC 14-38-3.

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1 (b) A rule adopted under subsection (a) expires not later than one
2 (1) year after the rule is accepted for filing by the publisher of the
3 Indiana Register.

4 SECTION 78. IC 14-21-1-25.5 IS AMENDED TO READ AS
5 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 25.5. (a) If a Native
6 American Indian burial ground is discovered, the department shall
7 immediately provide notice to the Native American Indian affairs
8 commission established by ~~IC 4-4-31.4~~. **IC 4-23-32**.

9 (b) If Native American Indian human remains are removed from a
10 burial ground, the department shall provide the following to the Native
11 American Indian affairs commission:

12 (1) Any written findings or reports that result from the analysis
13 and study of the human remains.

14 (2) Written notice to the Native American Indian affairs
15 commission that the analysis and study of the human remains are
16 complete.

17 (c) After receiving written notice under subsection (b)(2), the Native
18 American Indian affairs commission shall make recommendations to
19 the department regarding the final disposition of the Native American
20 Indian human remains.

21 SECTION 79. IC 14-21-4 IS REPEALED [EFFECTIVE JULY 1,
22 2012]. (Courthouse Preservation Advisory Commission).

23 SECTION 80. IC 14-25-11 IS REPEALED [EFFECTIVE JULY 1,
24 2012]. (Rural Community Water Supply Systems).

25 SECTION 81. IC 14-25-14 IS REPEALED [EFFECTIVE JULY 1,
26 2012]. (Water Shortage Task Force).

27 SECTION 82. IC 14-25-15-9, AS ADDED BY P.L.4-2008,
28 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
29 JULY 1, 2012]: Sec. 9. Not later than ten (10) years after the compact
30 takes effect under section 9.4 of the compact, the general assembly
31 shall study and make findings and recommendations concerning the
32 following:

33 (1) The appropriateness of the permit threshold amounts
34 established in section 7(a) of this chapter considering:

35 (A) advances made under section 1.4 of the compact;

36 ~~(B) findings under IC 14-25-14;~~ and

37 ~~(C)~~ **(B)** other new water management technology and practices
38 that become available.

39 (2) Any changes in those amounts that the general assembly
40 deems warranted.

41 SECTION 83. IC 14-25-16 IS REPEALED [EFFECTIVE JULY 1,
42 2012]. (Water Resources Task Force).

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1 SECTION 84. IC 15-11-10 IS REPEALED [EFFECTIVE JULY 1,
2 2012]. (Tobacco Farmers and Rural Community Impact Fund).

3 SECTION 85. IC 15-17-3-2, AS ADDED BY P.L.2-2008,
4 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2012]: Sec. 2. The board consists of eleven (11) members
6 appointed by the governor as follows:

7 (1) One (1) member from the school of veterinary medicine of
8 Purdue University upon the recommendation of the Purdue
9 University board of trustees.

10 (2) Two (2) members, each of whom must:

11 (A) be a graduate of a veterinary college accredited by the
12 American Veterinarian Medical Association and licensed and
13 accredited to practice veterinary medicine and surgery in
14 Indiana;

15 (B) have at least five (5) years experience in veterinary
16 medicine; and

17 (C) actually be engaged in the general practice of veterinary
18 medicine during the member's term on the board.

19 The members appointed under this subdivision may not belong to
20 the same political party.

21 (3) Seven (7) members with the following qualifications:

22 (A) One (1) member must be engaged in poultry production.

23 (B) One (1) member must be engaged in dairying.

24 (C) One (1) member must be engaged in swine production.

25 (D) One (1) member must be engaged in beef-type cattle
26 production.

27 (E) One (1) member must be engaged in horse production.

28 (F) One (1) member must be engaged in sheep production.

29 (G) One (1) member must be:

30 (i) engaged in small animal veterinary medical practice; and

31 (ii) a veterinarian licensed and accredited to practice
32 veterinary medicine and surgery in Indiana who has been
33 licensed and accredited for at least five (5) years.

34 The members appointed under clauses (A) through (F) must be
35 producers of livestock or poultry who are engaged in livestock or
36 poultry production during their service on the board. Not more
37 than four (4) of the members appointed under this subdivision
38 may belong to the same political party.

39 (4) One (1) member who **holds or** is affiliated with a ~~licensed~~
40 ~~livestock market.~~ **an organization that holds any of the**
41 **following issued by the board:**

42 (A) A license issued under this article.

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1 **(B) A grant of inspection issued to a meat processing**
 2 **establishment under IC 15-17-5.**

3 **(C) A permit issued to a milk plant under IC 15-18-1.**

4 SECTION 86. IC 16-41-37.5-2.5, AS ADDED BY P.L.168-2009,
 5 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2012]: Sec. 2.5. (a) Before July 1, 2010, the state department
 7 shall distribute a manual of best practices for managing indoor air
 8 quality at schools as described in this section. The state department
 9 may use a manual on indoor air quality in schools developed by a
 10 federal health or environmental agency or another state and make
 11 additions or revisions to the manual ~~with the input and advice of the air~~
 12 ~~quality panel established by section 3 of this chapter;~~ to make the
 13 manual most useful to Indiana schools. The state department shall
 14 provide the manual:

15 (1) to:

16 (A) the legislative council; and

17 (B) the department of education;

18 in an electronic format under IC 5-14-6; and

19 (2) to the facilities manager and superintendent of each school
 20 corporation.

21 (b) The department shall review and revise the manual developed
 22 under subsection (a) at least once every three (3) years to assure that
 23 the manual continues to represent best practices available to schools.

24 SECTION 87. IC 16-41-37.5-3 IS REPEALED [EFFECTIVE JULY
 25 1, 2012]. Sec. 3: (a) ~~The air quality panel is established to assist the~~
 26 ~~state department in carrying out this chapter:~~

27 (b) ~~The panel consists of the following members:~~

28 (1) ~~A representative of the state department; appointed by the~~
 29 ~~commissioner of the state department:~~

30 (2) ~~A representative of the department of education; appointed by~~
 31 ~~the state superintendent of public instruction:~~

32 (3) ~~A representative of the Indiana department of administration;~~
 33 ~~appointed by the commissioner of the Indiana department of~~
 34 ~~administration:~~

35 (4) ~~A member of the governing body of a school corporation;~~
 36 ~~appointed by the state superintendent of public instruction:~~

37 (5) ~~A teacher licensed under IC 20-28-4 or IC 20-28-5; appointed~~
 38 ~~by the governor:~~

39 (6) ~~A representative of a statewide parent organization; appointed~~
 40 ~~by the state superintendent of public instruction:~~

41 (7) ~~A physician who has experience in indoor air quality issues;~~
 42 ~~appointed by the commissioner of the state department:~~

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1 (8) An individual with training and experience in occupational
2 safety and health; appointed by the commissioner of the
3 department of labor.

4 (9) A mechanical engineer with experience in building ventilation
5 system design; appointed by the governor.

6 (10) A building contractor with experience in air flow systems
7 who is a member of a national association that specializes in air
8 flow systems; appointed by the governor.

9 (11) A member of a labor organization whose members install,
10 service, evaluate, and balance heating, ventilation, and air
11 conditioning equipment; appointed by the governor.

12 (12) An individual with experience in the cleaning and
13 maintenance of commercial facilities; appointed by the governor.

14 (c) The chairperson of the panel shall be the representative of the
15 state department.

16 (d) The panel shall convene at least twice annually at the discretion
17 of the chairperson.

18 (e) The state department shall post minutes of each meeting of the
19 panel on the state department's web site not later than forty-five (45)
20 days after the meeting.

21 (f) The state department shall provide administrative support for the
22 panel.

23 (g) The panel shall:

24 (1) identify and make available to schools and state agencies best
25 operating practices for indoor air quality;

26 (2) assist the state department in developing plans to improve air
27 quality conditions found in inspections under section 2 of this
28 chapter; and

29 (3) assist the state department in adopting rules under section 2 of
30 this chapter.

31 (h) The state department shall prepare and make available to the
32 public an annual report describing the panel's actions.

33 SECTION 88. IC 20-20-13-6, AS AMENDED BY
34 P.L.182-2009(ss), SECTION 305, IS AMENDED TO READ AS
35 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) The Senator
36 David C. Ford educational technology fund is established to extend
37 educational technologies to elementary and secondary schools. The
38 fund may be used for:

39 (1) the 4R's technology grant program to assist school
40 corporations (on behalf of public schools) in purchasing
41 technology equipment:

42 (A) for kindergarten and grade 1 students, to learn reading,

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- 1 writing, and arithmetic using technology;
- 2 (B) for students in all grades, to understand that technology is
- 3 a tool for learning; and
- 4 (C) for students in kindergarten through grade 3 who have
- 5 been identified as needing remediation, to offer daily
- 6 remediation opportunities using technology to prevent those
- 7 students from failing to make appropriate progress at the
- 8 particular grade level;
- 9 (2) a school technology program developed by the department.
- 10 The program may include grants to school corporations for the
- 11 purchase of:
- 12 (A) equipment, hardware, and software;
- 13 (B) learning and teaching systems; and
- 14 (C) other materials;
- 15 that promote student learning, as determined by the department.
- 16 (3) providing educational technologies, including computers in
- 17 the homes of students;
- 18 (4) conducting educational technology training for teachers; and
- 19 (5) other innovative educational technology programs.
- 20 (b) The department may also use money in the fund under contracts
- 21 entered into with the office of technology established by IC 4-13.1-2-1
- 22 to study the feasibility of establishing an information
- 23 telecommunications gateway that provides access to information on
- 24 employment opportunities, career development, and instructional
- 25 services from data bases operated by the state among the following:
- 26 (1) Elementary and secondary schools.
- 27 (2) Postsecondary educational institutions.
- 28 (3) Career and technical educational centers and institutions that
- 29 are not postsecondary educational institutions.
- 30 (4) Libraries.
- 31 (5) Any other agencies offering education and training programs.
- 32 (c) The fund consists of:
- 33 (1) state appropriations;
- 34 (2) private donations to the fund;
- 35 ~~(3) money directed to the fund from the corporation for~~
- 36 ~~educational technology under IC 20-20-15; or~~
- 37 ~~(4) (3) any combination of the amounts described in subdivisions~~
- 38 ~~(1) through (3). this subsection.~~
- 39 (d) The fund shall be administered by the department.
- 40 (e) Unexpended money appropriated to or otherwise available in the
- 41 fund at the end of a state fiscal year does not revert to the state general
- 42 fund but remains available to the department for use under this chapter.

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1 (f) Subject to section 7 of this chapter, a school corporation may use
 2 money from the school corporation's capital projects fund as permitted
 3 under IC 20-40-8 for educational technology equipment.

4 SECTION 89. IC 20-20-13-7, AS AMENDED BY P.L.2-2006,
 5 SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2012]: Sec. 7. (a) Notwithstanding any other law, a school
 7 corporation is not entitled to:

8 ~~(1) receive any money under this chapter or IC 20-20-15;~~

9 ~~(2) (1) use money from the school corporation's capital projects~~
 10 ~~fund for educational technology equipment under IC 20-40-8; or~~

11 ~~(3) (2) receive an advance from the common school fund for an~~
 12 ~~educational technology program under IC 20-49-4;~~

13 unless the school corporation develops a three (3) year technology plan.

14 (b) Each technology plan must include at least the following
 15 information:

16 (1) A description of the school corporation's intent to integrate
 17 technology into the school corporation's curriculum.

18 (2) A plan for providing inservice training.

19 (3) A schedule for maintaining and replacing educational
 20 technology equipment.

21 (4) A description of the criteria used to select the appropriate
 22 educational technology equipment for the appropriate use.

23 (5) Other information requested by the department after
 24 consulting with the budget agency.

25 (c) The department shall develop guidelines concerning the
 26 development of technology plans. The guidelines developed under this
 27 subsection are subject to the approval of the governor.

28 SECTION 90. IC 20-20-13-8, AS ADDED BY P.L.1-2005,
 29 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 30 JULY 1, 2012]: Sec. 8. Upon the approval of the governor and the
 31 budget agency, the department may use funds available under this
 32 chapter to provide or extend education technology to any school
 33 corporation for purposes described in this chapter. ~~The department~~
 34 ~~(upon the approval of the governor and the budget agency) may direct~~
 35 ~~funds under this chapter to the corporation for educational technology~~
 36 ~~under IC 20-20-15 to further the corporation's purposes.~~

37 SECTION 91. IC 20-20-13-9, AS ADDED BY P.L.1-2005,
 38 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 39 JULY 1, 2012]: Sec. 9. (a) This section applies to the 4R's technology
 40 program described in section 6(a)(1) of this chapter.

41 (b) In addition to any other funds available under this chapter, if
 42 state funds are transferred under IC 20-32-5-19 to the 4R's technology

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- 1 program:
- 2 (1) those funds do not revert to the state general fund;
- 3 (2) those funds shall be made available to the 4R's technology
- 4 program under this chapter; and
- 5 (3) the department, upon approval by the governor and the budget
- 6 agency, shall use those funds to award grants under this section.
- 7 (c) To be eligible to receive a grant under the program, a school
- 8 corporation must comply with the following:
- 9 (1) The school corporation must apply to the department for a
- 10 grant on behalf of a school within the school corporation to
- 11 purchase technology equipment.
- 12 (2) The school corporation must certify the following:
- 13 (A) That the school will provide every kindergarten and grade
- 14 1 student at that school the opportunity to learn reading,
- 15 writing, and arithmetic using technology.
- 16 (B) That the school will provide daily before or after school
- 17 technology laboratories for students in grades 1 through 3 who
- 18 have been identified as needing remediation in reading,
- 19 writing, or arithmetic.
- 20 (C) That the school will provide additional technology
- 21 opportunities, that may include Saturday sessions, for students
- 22 in other grade levels to use the technology laboratories for
- 23 remediation in reading, writing, arithmetic, or mathematics.
- 24 (D) That the school will provide technology opportunities to
- 25 students that attend remediation programs under IC 20-32-8 (if
- 26 the school corporation is required to do so) or any other
- 27 additional summer programs.
- 28 (E) That the school corporation ~~either through its own or the~~
- 29 ~~school's initiative or through donations made to the~~
- 30 ~~corporation for educational technology under IC 20-20-15 on~~
- 31 ~~behalf of the school corporation,~~ is able to provide a part of the
- 32 costs attributable to purchasing the necessary technology
- 33 equipment.
- 34 (3) The school corporation must include in the application the
- 35 sources of and the amount of money secured under subdivision
- 36 (2)(E).
- 37 (4) The school corporation or the school must:
- 38 (A) provide teacher training services; or
- 39 (B) use vendor provided teacher training services.
- 40 (5) The school corporation must give primary consideration to the
- 41 purchase of technology equipment that includes teacher training
- 42 services.

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1 (6) The teachers who will be using the technology equipment
2 must support the initiative described in this chapter.

3 (d) Upon review of the applications by the department, the
4 satisfaction of the requirements set forth in subsection (c), and subject
5 to the availability of funds for this purpose, the department shall award
6 to each eligible school corporation a grant to purchase technology
7 equipment under section 6(a)(1) of this chapter.

8 (e) The department shall monitor the compliance by the school
9 corporations receiving grants of the matters cited in subsection (c).

10 SECTION 92. IC 20-20-13-15, AS ADDED BY P.L.1-2005,
11 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
12 JULY 1, 2012]: Sec. 15. A school corporation qualifies for a
13 technology plan grant under sections 13 through 24 of this chapter
14 when the technology plan of the school corporation developed under
15 section 7 of this chapter is approved by the department. For purposes
16 of determining whether a school corporation qualifies for a grant under
17 sections 13 through 24 of this chapter, the department shall:

- 18 (1) review;
19 (2) suggest changes;
20 (3) approve; or
21 (4) reject;

22 a school corporation's technology plan. ~~However, before the~~
23 ~~department may approve a technology plan, the department must~~
24 ~~consult with the corporation for educational technology established by~~
25 ~~IC 20-20-15-3 on the contents of the technology plan.~~

26 SECTION 93. IC 20-20-13-17, AS ADDED BY P.L.1-2005,
27 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
28 JULY 1, 2012]: Sec. 17. The total technology plan grant amount to a
29 qualifying school corporation is the amount determined by the
30 department ~~with advice from the educational technology council~~
31 ~~established by IC 20-20-14-2~~, multiplied by the school corporation's
32 ADM. The amount is one hundred dollars (\$100). However, for the
33 purposes of determining the ADM of a school corporation, students
34 who are transferred under IC 20-33-4 or IC 20-26-11 shall be counted
35 as students having legal settlement in the transferee corporation and not
36 having legal settlement in the transferor corporation.

37 SECTION 94. IC 20-20-14 IS REPEALED [EFFECTIVE JULY 1,
38 2012]. (Educational Technology Council).

39 SECTION 95. IC 20-20-15 IS REPEALED [EFFECTIVE JULY 1,
40 2012]. (Corporation for Educational Technology).

41 SECTION 96. IC 20-40-8-18 IS REPEALED [EFFECTIVE JULY
42 1, 2012]. ~~Sec. 18: Money in the fund may be used to carry out a plan~~

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1 developed under IC 16-41-37.5.

2 SECTION 97. IC 20-40-15-6, AS ADDED BY P.L.2-2006,
3 SECTION 163, IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) Before February 15 of each
5 year, each school corporation shall file a report with the state
6 superintendent's special assistant for technology.

7 (b) A report filed under this section must:

8 (1) be prepared in the form prescribed by the special assistant for
9 technology; and

10 (2) include a list of expenditures made by the school corporation
11 during the preceding calendar year from the school corporation's:

12 (A) fund for purposes described in this chapter;

13 (B) capital projects fund for purposes described in
14 IC 20-40-8-13; and

15 (C) debt service fund to provide financing for any equipment
16 or facilities used to provide educational technology programs.

17 (c) Before April 1 of each year, the special assistant for technology
18 shall

19 (+) compile the information contained in the reports filed under
20 this section. and

21 (-) present that compilation to the educational technology
22 council.

23 SECTION 98. IC 22-4.1-15 IS REPEALED [EFFECTIVE JULY 1,
24 2012]. (Building and Trades Advisory Committee).

25 SECTION 99. [EFFECTIVE UPON PASSAGE] (a) For purposes
26 of this SECTION, "corporation" means the Indiana health
27 informatics corporation established under IC 5-31 before its repeal
28 by this act.

29 (b) Any assets and obligations of the corporation are transferred
30 to the office of the secretary of family and social services on June
31 30, 2012.

32 (c) This SECTION expires December 31, 2012.

33 SECTION 100. [EFFECTIVE JULY 1, 2012] (a) For purposes of
34 this SECTION, "commission" refers to the civil rights commission
35 created by IC 22-9-1-4.

36 (b) On July 1, 2012, any appropriation for the fiscal year
37 beginning July 1, 2012, and ending June 30, 2013, made to:

38 (1) the family and social services administration for the
39 commission on the social status of black males in
40 P.L.229-2011;

41 (2) the department of workforce development for the
42 commission on Hispanic/Latino affairs in P.L.229-2011;



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1 **(3) the department of workforce development for the women's**
2 **commission in P.L.229-2011; and**
3 **(4) the department of workforce development for the Native**
4 **American Indian affairs commission in P.L.229-2011;**
5 **is transferred to the commission.**
6 **(c) This SECTION expires June 30, 2013.**
7 SECTION 101. [EFFECTIVE JULY 1, 2012] **(a) Any member of**
8 **the commission on the social status of black males under**
9 **IC 12-13-12, before its repeal by this act, is a member of the**
10 **commission on the social status of black males under IC 4-23-31,**
11 **as added by this act.**
12 **(b) Any member of the Native American Indian affairs**
13 **commission under IC 4-4-31.4, before its repeal by this act, is a**
14 **member of the Native American Indian affairs commission under**
15 **IC 4-23-32, as added by this act.**
16 **(c) This SECTION expires December 31, 2013.**
17 SECTION 102. **An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Select Committee on Government Reduction, to which was referred House Bill 1002, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 10, delete "IC 2-5-1.6)." and insert "(**IC 2-5-1.6**).".

Page 6, delete lines 25 through 42.

Page 7, delete lines 1 through 6.

Page 7, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 5. IC 4-4-31.4 IS REPEALED [EFFECTIVE JULY 1, 2012]. (Native American Indian Affairs Commission).".

Page 7, delete lines 9 through 42.

Page 8, delete lines 1 through 7.

Page 19, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 21. IC 4-23-2.5-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. Before October 1 of each year, the ~~board~~ **commission** 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.".

Page 21, after line 42, begin a new paragraph and insert:

"SECTION 26. IC 4-23-25-9, AS AMENDED BY P.L.104-2008, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 9. The ~~department of workforce development established by IC 22-4-1-2~~ **civil rights commission established by IC 22-9-1-4** shall provide staff and administrative support to the commission.

SECTION 27. IC 4-23-28-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. (a) The ~~department of workforce development~~ **civil rights commission** shall provide staff and administrative support to the commission.

(b) The expenses of the commission shall be paid from appropriations made to the ~~department of workforce development.~~ **civil rights commission.**

SECTION 28. IC 4-23-31 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]:

Chapter 31. Commission on the Social Status of Black Males

Sec. 1. The 1992 interim study committee created by the legislative council, on the problems of black males, found that the following conditions exist:



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(1) Statistical studies chronicling the status of black males in American society reveal startling and disturbing conditions and trends.

(2) By all indicia measuring achievement, success, and quality of life in American society, black males are facing a prodigious struggle for survival while fighting formidable opponents.

(3) Black males make up only five and one-half percent (5.5%) of the population of the United States but are the victims of forty-four percent (44%) of the nation's homicides annually and comprise forty-six percent (46%) of the nation's prison population.

(4) Statistics show that one (1) of every twenty-two (22) black males will die as a result of homicide and that one (1) of every six (6) black males will be arrested before becoming nineteen (19) years of age.

(5) A major proportion of black males in America is virtually trapped in urban areas defined by poverty, violence, and drug abuse.

(6) Black males suffer from more debilitating health problems, a higher death rate, and a lower life expectancy than males in other ethnic and racial groups.

(7) Black females at least sixteen (16) years of age outnumber black males by more than two million (2,000,000).

(8) Between 1973 and 1988 the average real annual income for black males between twenty (20) and twenty-four (24) years of age fell by more than fifty percent (50%).

(9) The increasing misfortunes and the social distress bombarding black males in American society threaten the survival of black males.

Sec. 2. The commission on the social status of black males is established.

Sec. 3. The commission consists of nineteen (19) members appointed as follows:

(1) Two (2) members of the senate, who are not members of the same political party, appointed by the president pro tempore of the senate with the advice of the minority leader of the senate.

(2) Two (2) members of the house of representatives, who are not members of the same political party, appointed by the speaker of the house of representatives with the advice of the minority leader of the house of representatives.

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- (3) The director of the division of family resources or the director's designee.
- (4) The director of the division of mental health and addiction or the director's designee.
- (5) The commissioner of the state department of health or the commissioner's designee.
- (6) The superintendent of public instruction or the superintendent's designee.
- (7) The commissioner of the department of correction or the commissioner's designee.
- (8) The director of the civil rights commission or the director's designee.
- (9) The commissioner of the Indiana department of administration or the commissioner's designee.
- (10) The lieutenant governor or the lieutenant governor's designee.
- (11) A minority business person, appointed by the governor.
- (12) Three (3) persons appointed by the president pro tempore of the senate who are not members of the general assembly. Not more than two (2) persons appointed under this subdivision may be members of the same political party.
- (13) Three (3) persons appointed by the speaker of the house of representatives who are not members of the general assembly. Not more than two (2) persons appointed under this subdivision may be members of the same political party.

Sec. 4. (a) A member of the commission may be removed at any time by the member's appointing authority.

(b) The appointing authority shall fill a vacancy on the commission by appointing a new member for the unexpired term.

(c) The terms of the legislative members expire at the election of the general assembly following the appointments.

Sec. 5. (a) At the first meeting of the commission each year, the members shall elect:

- (1) one (1) member to be the commission's chairperson; and
- (2) one (1) member to be the commission's vice chairperson.

(b) A vacancy in the office of chairperson or vice chairperson shall be filled by vote of the remaining members. The term of office of a person chosen to fill a vacancy expires at the first meeting of the commission the following year.

Sec. 6. (a) The commission shall make a systematic study of the following:

- (1) The conditions described in section 1 of this chapter.



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(2) The reasons for the existence of those conditions.

(b) The commission shall propose measures to alleviate and correct the underlying causes of the conditions described in section 1 of this chapter.

(c) The commission may study other topics suggested by the legislative council or as directed by the chairperson of the commission.

(d) The commission shall receive suggestions or comments pertinent to the issues that the commission studies from members of the general assembly, governmental agencies, public and private organizations, and private citizens.

Sec. 7. The civil rights commission shall provide staff and administrative support to the commission.

Sec. 8. The commission shall meet on call of the chairperson and at other times that the commission determines.

Sec. 9. Eight (8) of the members of the commission is a quorum. The affirmative votes of at least eight (8) voting members of the commission are required for the commission to take final action.

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.

Sec. 11. (a) 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.

(b) Each member of the commission who is a state employee 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.

(c) 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 created by the legislative council.

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Sec. 12. (a) The commission on the social status of black males special fund is established to provide money for special projects of the commission.

(b) The fund shall be administered by the treasurer of state.

(c) Expenses of administering the fund shall be paid from money in the fund.

(d) The fund consists of gifts, contributions, and money donated to the commission.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested.

(f) Interest accrues to the fund.

(g) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(h) Money in the fund is appropriated continuously for the purpose stated in subsection (a).

SECTION 29. IC 4-23-32 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]:

Chapter 32. Native American Indian Affairs Commission

Sec. 1. As used in this chapter, "commission" refers to the Native American Indian affairs commission established by section 3 of this chapter.

Sec. 2. As used in this chapter, "Native American Indian" means an individual who is at least one (1) of the following:

- (1) An Alaska native as defined in 43 U.S.C. 1602(b).**
- (2) An Indian as defined in 25 U.S.C. 450b(d).**
- (3) A native Hawaiian as defined in 20 U.S.C. 7912(1).**

Sec. 3. The Native American Indian affairs commission is established.

Sec. 4. (a) The commission consists of fifteen (15) voting members and two (2) nonvoting members. The voting members of the commission consist of the following:

- (1) Six (6) Native American Indians, each from a different geographic region of Indiana.**
- (2) Two (2) Native American Indians who have knowledge in Native American traditions and spiritual issues.**
- (3) The commissioner of the department of correction or the commissioner's designee.**
- (4) The commissioner of the commission for higher education or the commissioner's designee.**
- (5) The commissioner of the state department of health or the**

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commissioner's designee.

(6) The secretary of family and social services or the secretary's designee.

(7) The director of the department of natural resources or the director's designee.

(8) The state superintendent of public instruction or the superintendent's designee.

(9) The commissioner of the department of workforce development or the commissioner's designee.

(b) The nonvoting members of the commission consist of the following:

(1) One (1) member of the house of representatives appointed by the speaker of the house of representatives.

(2) One (1) member of the senate appointed by the president pro tempore of the senate.

(c) The governor shall appoint each Native American Indian member of the commission to a term of four (4) years, and any vacancy occurring shall be filled by the governor for the unexpired term. Before appointing a Native American Indian member to the commission, the governor shall solicit nominees from Indiana associations that represent Native American Indians in the geographic region from which the member will be selected. Not more than one (1) member may represent the same tribe or Native American Indian organization or association.

(d) A member of the commission may be removed by the member's appointing authority.

Sec. 5. The affirmative votes of at least eight (8) members of the commission are required for the commission to take any official action, including public policy recommendations and reports.

Sec. 6. (a) The civil rights commission established by IC 22-9-1-4 shall provide staff and administrative support for the commission.

(b) Expenses incurred under this chapter shall be paid from funds appropriated to the civil rights commission.

(c) The governor shall appoint a voting member of the commission to serve as the commission's chairperson.

Sec. 7. The commission shall study problems common to Native American Indian residents of Indiana in the areas of employment, education, civil rights, health, and housing. The commission may make recommendations to appropriate federal, state, and local governmental agencies concerning the following:

(1) Health issues affecting Native American Indian communities, including data collection, equal access to public

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assistance programs, and informing health officials of cultural traditions relevant to health care.

(2) Cooperation and understanding between the Native American Indian communities and other communities throughout Indiana.

(3) Cultural barriers to the educational system, including barriers to higher education and opportunities for financial aid and minority scholarships.

(4) Inaccurate information and stereotypes concerning Native American Indians, including the accuracy of educational curriculum.

(5) Measures to stimulate job skill training and related workforce development, including initiatives to assist employers to overcome communication and cultural differences.

(6) Programs to encourage the growth and support of Native American Indian owned businesses.

(7) Public awareness of issues affecting the Native American Indian communities.

(8) Issues concerning preservation and excavation of Native American Indian historical and archeology sites, including reburial of Native American Indians.

(9) Measures that could facilitate easier access to state and local government services by Native American Indians.

Sec. 8. The commission may not study or make recommendations on the following issues:

(1) Negotiations between a tribe and the state or federal government concerning tribal sovereignty.

(2) Gaming on tribal land."

Page 22, delete lines 1 through 3.

Page 27, delete lines 12 through 13.

Page 31, line 40, after "include" insert "a".

Page 31, line 40, delete "information" and insert "report".

Page 31, line 41, delete "structure, operation, and financial status of the".

Page 32, delete lines 9 through 15.

Page 39, between lines 6 and 7, begin a new paragraph and insert: "SECTION 71. IC 12-13-12 IS REPEALED [EFFECTIVE JULY 1, 2012]. (Commission on the Social Status of Black Males)."

Page 51, line 26, strike "a" and insert "the".

Page 62, line 10, strike "water pollution control".

Page 62, line 19, strike "water pollution control".

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Page 76, line 24, strike "j".

Page 84, line 12, delete "(c)".

Page 84, line 12, strike "For the time that the".

Page 84, line 12, delete "commission".

Page 84, line 12, strike "is".

Page 84, strike lines 13 through 24.

Page 84, line 25, delete "(d)" and insert "(c)".

Page 84, line 34, delete "\".

Page 86, line 20, after "who" insert "**holds or**".

Page 86, line 20, reset in roman "is affiliated with".

Page 86, line 21, delete "holds a license issued by the board from among the" and insert "**an organization that holds any of the following issued by the board:**

(A) A license issued under this article.

(B) A grant of inspection issued to a meat processing establishment under IC 15-17-5.

(C) A permit issued to a milk plant under IC 15-18-1."

Page 86, delete lines 22 through 26.

Page 87, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 190. IC 16-41-37.5-2.5, AS ADDED BY P.L.168-2009, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2.5. (a) Before July 1, 2010, the state department shall distribute a manual of best practices for managing indoor air quality at schools as described in this section. The state department may use a manual on indoor air quality in schools developed by a federal health or environmental agency or another state and make additions or revisions to the manual ~~with the input and advice of the air quality panel established by section 3 of this chapter;~~ to make the manual most useful to Indiana schools. The state department shall provide the manual:

(1) to:

(A) the legislative council; and

(B) the department of education;

in an electronic format under IC 5-14-6; and

(2) to the facilities manager and superintendent of each school corporation.

(b) The department shall review and revise the manual developed under subsection (a) at least once every three (3) years to assure that the manual continues to represent best practices available to schools."

Page 92, between lines 33 and 34, begin a new paragraph and insert:

"SECTION 207. [EFFECTIVE JULY 1, 2012] **(a) For purposes of this SECTION, "commission" refers to the civil rights commission**

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created by IC 22-9-1-4.

(b) On July 1, 2012, any appropriation for the fiscal year beginning July 1, 2012, and ending June 30, 2013, made to:

- (1) the family and social services administration for the commission on the social status of black males in P.L.229-2011;
- (2) the department of workforce development for the commission on Hispanic/Latino affairs in P.L.229-2011;
- (3) the department of workforce development for the women's commission in P.L.229-2011; and
- (4) the department of workforce development for the Native American Indian affairs commission in P.L.229-2011;

is transferred to the commission.

(c) This SECTION expires June 30, 2013.

SECTION 208. [EFFECTIVE JULY 1, 2012] (a) Any member of the commission on the social status of black males under IC 12-13-12, before its repeal by this act, is a member of the commission on the social status of black males under IC 4-23-31, as added by this act.

(b) Any member of the Native American Indian affairs commission under IC 4-4-31.4, before its repeal by this act, is a member of the Native American Indian affairs commission under IC 4-23-32, as added by this act.

(c) This SECTION expires December 31, 2013."

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1002 as introduced.)

DOBIS, Chair

Committee Vote: yeas 9, nays 0.

HOUSE MOTION

Mr. Speaker: I move that House Bill 1002 be amended to read as follows:

Page 6, delete lines 29 through 42.

Delete pages 7 through 15.

Page 16, delete lines 1 through 7.

Page 20, line 42, delete "SECTION" and insert "CHAPTER".

Page 40, between lines 22 and 23, begin a new paragraph and insert:

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"SECTION 64. IC 9-18-44-1, AS AMENDED BY P.L.96-2008, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 1. The bureau of motor vehicles shall, with the advice of the Native American Indian affairs commission established under ~~IC 4-4-31.4~~, **IC 4-23-32**, design and issue an Indiana Native American trust license plate. The Indiana Native American trust license plate shall be designed and issued as a special group recognition license plate under IC 9-18-25.

SECTION 65. IC 9-18-44-4, AS AMENDED BY P.L.96-2008, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The Indiana Native American trust fund is established.

(b) The treasurer of state shall invest the money in the Indiana Native American trust fund not currently needed to meet the obligations of the Indiana Native American trust fund in the same manner as other public trust funds are invested. Interest that accrues from these investments shall be deposited in the Indiana Native American trust fund.

(c) The commissioner shall administer the Indiana Native American trust fund. Expenses of administering the Indiana Native American trust fund shall be paid from money in the Indiana Native American trust fund.

(d) On June 30 of each year, the commissioner shall distribute the money from the fund as follows:

(1) To Historic Prophetstown for a calendar year ending before January 1, 2009.

(2) To the Native American Indian affairs commission established under ~~IC 4-4-31.4~~ **IC 4-23-32** for a calendar year beginning after December 31, 2008.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(f) The Native American Indian affairs commission may use money received under this section for any lawful purpose of the Native American Indian affairs commission."

Page 43, delete lines 30 through 42.

Delete pages 43 through 79.

Page 80, delete lines 1 through 25.

Page 81, delete lines 19 through 21.

Page 83, delete lines 20 through 25, begin a new paragraph and insert:

"SECTION 173. IC 14-9-6-2, AS AMENDED BY P.L.95-2006, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

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JULY 1, 2012]: Sec. 2. (a) The advisory council consists of ~~twelve (12)~~ **seven (7)** members appointed by the governor. ~~with the terms of four (4) members expiring each year.~~

(b) Not more than ~~eight (8)~~ **four (4)** members may be of the same political party.

SECTION 174. IC 14-9-6-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 3. The term of a member of a council is three (3) years. **The terms must be staggered so that the terms of not more than three (3) members may expire in a year.**

SECTION 175. IC 14-9-6-6, AS AMENDED BY P.L.95-2006, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. The advisory council:

(1) shall hold at least ~~one (1)~~ **regular meeting every two (2) months of the calendar year; and a meeting in January of each calendar year; and**

(2) may hold ~~special meetings that~~ **at the call of the chairperson. of the advisory council considers necessary and expedient.**

SECTION 176. IC 14-9-6-7, AS AMENDED BY P.L.95-2006, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 7. During the ~~first meeting in~~ **held in January of** each calendar year, the advisory council shall elect the following:

(1) A chairperson and vice chairperson.

(2) Any other officer needed to carry out the business of the advisory council."

Page 83, delete lines 26 through 42.

Page 84, delete lines 1 through 3.

Page 84, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 177. IC 14-21-1-25.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 25.5. (a) If a Native American Indian burial ground is discovered, the department shall immediately provide notice to the Native American Indian affairs commission established by ~~IC 4-4-31.4.~~ **IC 4-23-32.**

(b) If Native American Indian human remains are removed from a burial ground, the department shall provide the following to the Native American Indian affairs commission:

(1) Any written findings or reports that result from the analysis and study of the human remains.

(2) Written notice to the Native American Indian affairs commission that the analysis and study of the human remains are complete.

(c) After receiving written notice under subsection (b)(2), the Native

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American Indian affairs commission shall make recommendations to the department regarding the final disposition of the Native American Indian human remains."

Page 84, delete lines 31 through 42.

Page 85, delete lines 1 through 37.

Page 85, delete lines 40 through 42.

Delete pages 86 through 88.

Page 89, delete lines 1 through 10.

Page 89, delete lines 31 through 42.

Page 90, delete lines 1 through 3.

Page 91, delete lines 7 through 25.

Renumber all SECTIONS consecutively.

(Reference is to HB 1002 as printed January 23, 2012.)

WOLKINS

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred House Bill No. 1002, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 6, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 6. IC 4-22-2-37.1, AS AMENDED BY P.L.229-2011, SECTION 58, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 37.1. (a) This section applies to a rulemaking action resulting in any of the following rules:

- (1) An order adopted by the commissioner of the Indiana department of transportation under IC 9-20-1-3(d) or IC 9-21-4-7(a) and designated by the commissioner as an emergency rule.
- (2) An action taken by the director of the department of natural resources under IC 14-22-2-6(d) or IC 14-22-6-13.
- (3) An emergency temporary standard adopted by the occupational safety standards commission under IC 22-8-1.1-16.1.
- (4) An emergency rule adopted by the solid waste management board under IC 13-22-2-3 and classifying a waste as hazardous.
- (5) A rule, other than a rule described in subdivision (6), adopted by the department of financial institutions under IC 24-4.5-6-107



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and declared necessary to meet an emergency.

(6) A rule required under IC 24-4.5-1-106 that is adopted by the department of financial institutions and declared necessary to meet an emergency under IC 24-4.5-6-107.

(7) A rule adopted by the Indiana utility regulatory commission to address an emergency under IC 8-1-2-113.

(8) An emergency rule adopted by the state lottery commission under IC 4-30-3-9.

(9) A rule adopted under IC 16-19-3-5 or IC 16-41-2-1 that the executive board of the state department of health declares is necessary to meet an emergency.

(10) An emergency rule adopted by the Indiana finance authority under IC 8-21-12.

(11) An emergency rule adopted by the insurance commissioner under IC 27-1-23-7 or IC 27-1-12.1.

(12) An emergency rule adopted by the Indiana horse racing commission under IC 4-31-3-9.

(13) An emergency rule adopted by the air pollution control board, the solid waste management board, or the water pollution control board under IC 13-15-4-10(4) or to comply with a deadline required by or other date provided by federal law, provided:

(A) the variance procedures are included in the rules; and

(B) permits or licenses granted during the period the emergency rule is in effect are reviewed after the emergency rule expires.

(14) An emergency rule adopted by the Indiana election commission under IC 3-6-4.1-14.

(15) An emergency rule adopted by the department of natural resources under IC 14-10-2-5.

(16) An emergency rule adopted by the Indiana gaming commission under IC 4-32.2-3-3(b), IC 4-33-4-2, IC 4-33-4-3, IC 4-33-4-14, IC 4-33-22-12, or IC 4-35-4-2.

(17) An emergency rule adopted by the alcohol and tobacco commission under IC 7.1-3-17.5, IC 7.1-3-17.7, or IC 7.1-3-20-24.4.

(18) An emergency rule adopted by the department of financial institutions under IC 28-15-11.

(19) An emergency rule adopted by the office of the secretary of family and social services under IC 12-8-1-12.

(20) An emergency rule adopted by the office of the children's health insurance program under IC 12-17.6-2-11.

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- (21) An emergency rule adopted by the office of Medicaid policy and planning under IC 12-15-41-15.
- (22) An emergency rule adopted by the Indiana state board of animal health under IC 15-17-10-9.
- (23) An emergency rule adopted by the board of directors of the Indiana education savings authority under IC 21-9-4-7.
- (24) An emergency rule adopted by the Indiana board of tax review under IC 6-1.1-4-34 (repealed).
- (25) An emergency rule adopted by the department of local government finance under IC 6-1.1-4-33 (repealed).
- (26) An emergency rule adopted by the boiler and pressure vessel rules board under IC 22-13-2-8(c).
- (27) An emergency rule adopted by the Indiana board of tax review under IC 6-1.1-4-37(l) (repealed) or an emergency rule adopted by the department of local government finance under IC 6-1.1-4-36(j) (repealed) or IC 6-1.1-22.5-20.
- (28) An emergency rule adopted by the board of the Indiana economic development corporation under IC 5-28-5-8.
- (29) A rule adopted by the department of financial institutions under IC 34-55-10-2.5.
- (30) A rule adopted by the Indiana finance authority:
- (A) under IC 8-15.5-7 approving user fees (as defined in IC 8-15.5-2-10) provided for in a public-private agreement under IC 8-15.5;
 - (B) under IC 8-15-2-17.2(a)(10):
 - (i) establishing enforcement procedures; and
 - (ii) making assessments for failure to pay required tolls;
 - (C) under IC 8-15-2-14(a)(3) authorizing the use of and establishing procedures for the implementation of the collection of user fees by electronic or other nonmanual means; or
 - (D) to make other changes to existing rules related to a toll road project to accommodate the provisions of a public-private agreement under IC 8-15.5.
- ~~(31) An emergency rule adopted by the board of the Indiana health informatics corporation under IC 5-31-5-8.~~
- ~~(32) (31)~~ An emergency rule adopted by the department of child services under IC 31-25-2-21, IC 31-27-2-4, IC 31-27-4-2, or IC 31-27-4-3.
- ~~(33) (32)~~ An emergency rule adopted by the Indiana real estate commission under IC 25-34.1-2-5(15).
- ~~(34) (33)~~ A rule adopted by the department of financial

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institutions under IC 24-4.4-1-101 and determined necessary to meet an emergency.

~~(35)~~ **(34)** An emergency rule adopted by the state board of pharmacy regarding returning unused medication under IC 25-26-23.

~~(36)~~ **(35)** An emergency rule adopted by the department of local government finance under IC 6-1.1-12.6 or IC 6-1.1-12.8.

~~(37)~~ **(36)** An emergency rule adopted by the office of the secretary of family and social services or the office of Medicaid policy and planning concerning the following:

(A) Federal Medicaid waiver program provisions.

(B) Federal programs administered by the office of the secretary.

(b) The following do not apply to rules described in subsection (a):

(1) Sections 24 through 36 of this chapter.

(2) IC 13-14-9.

(c) After a rule described in subsection (a) has been adopted by the agency, the agency shall submit the rule to the publisher for the assignment of a document control number. The agency shall submit the rule in the form required by section 20 of this chapter and with the documents required by section 21 of this chapter. The publisher shall determine the format of the rule and other documents to be submitted under this subsection.

(d) After the document control number has been assigned, the agency shall submit the rule to the publisher for filing. The agency shall submit the rule in the form required by section 20 of this chapter and with the documents required by section 21 of this chapter. The publisher shall determine the format of the rule and other documents to be submitted under this subsection.

(e) Subject to section 39 of this chapter, the publisher shall:

(1) accept the rule for filing; and

(2) electronically record the date and time that the rule is accepted.

(f) A rule described in subsection (a) takes effect on the latest of the following dates:

(1) The effective date of the statute delegating authority to the agency to adopt the rule.

(2) The date and time that the rule is accepted for filing under subsection (e).

(3) The effective date stated by the adopting agency in the rule.

(4) The date of compliance with every requirement established by law as a prerequisite to the adoption or effectiveness of the rule.

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(g) Subject to subsection (h), IC 14-10-2-5, IC 14-22-2-6, IC 22-8-1.1-16.1, and IC 22-13-2-8(c), and except as provided in subsections (j), (k), and (l), a rule adopted under this section expires not later than ninety (90) days after the rule is accepted for filing under subsection (e). Except for a rule adopted under subsection (a)(13), (a)(24), (a)(25), or (a)(27), the rule may be extended by adopting another rule under this section, but only for one (1) extension period. The extension period for a rule adopted under subsection (a)(28) may not exceed the period for which the original rule was in effect. A rule adopted under subsection (a)(13) may be extended for two (2) extension periods. Subject to subsection (j), a rule adopted under subsection (a)(24), (a)(25), or (a)(27) may be extended for an unlimited number of extension periods. Except for a rule adopted under subsection (a)(13), for a rule adopted under this section to be effective after one (1) extension period, the rule must be adopted under:

- (1) sections 24 through 36 of this chapter; or
- (2) IC 13-14-9;

as applicable.

(h) A rule described in subsection (a)(8), (a)(12), (a)(19), (a)(20), (a)(21), (a)(29), or (a)(37) expires on the earlier of the following dates:

- (1) The expiration date stated by the adopting agency in the rule.
- (2) The date that the rule is amended or repealed by a later rule adopted under sections 24 through 36 of this chapter or this section.

(i) This section may not be used to readopt a rule under IC 4-22-2.5.

(j) A rule described in subsection (a)(24) or (a)(25) expires not later than January 1, 2006.

(k) A rule described in subsection (a)(28) expires on the expiration date stated by the board of the Indiana economic development corporation in the rule.

(l) A rule described in subsection (a)(30) expires on the expiration date stated by the Indiana finance authority in the rule.

(m) A rule described in subsection (a)(5) or (a)(6) expires on the date the department is next required to issue a rule under the statute authorizing or requiring the rule."

Page 6, between lines 31 and 32, begin a new paragraph and insert:
 "SECTION 8. IC 4-23-2.5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 4. (a) The Indiana arts commission trust fund is established to support the programs and the administrative budget of the commission.

(b) The fund consists of the following:

- (1) Appropriations of the general assembly from revenue sources

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determined by the general assembly and in an amount determined by the general assembly.

- (2) Donations to the fund from public or private sources.
- (3) Interest and dividends on assets of the fund.
- (4) Money transferred to the fund from other funds.
- (5) Fees from the Indiana arts trust license plate issued under IC 9-18-41.
- (6) Money from other sources that the **board commission** may acquire."

Page 11, between lines 17 and 18, begin a new paragraph and insert:
 "SECTION 25. IC 4-23-28-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 10. (a) Funding for the commission shall be derived from funds appropriated to the ~~department of workforce development~~ **civil rights commission**.

(b) If money is appropriated under subsection (a), the money does not revert to the state general fund at the end of a state fiscal year but remains available to the ~~department of workforce development~~ **civil rights commission** until the purpose for which it was appropriated is fulfilled."

Page 11, line 19, delete "TO".

Page 11, line 19, after "CHAPTER" insert "TO".

Page 27, delete lines 21 through 22.

Page 29, delete lines 4 through 5, begin a new paragraph and insert:
 "SECTION 52. IC 6-3.1-13.5-14 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: **Sec. 14. (a) A tax credit may not be awarded under this chapter for a capital investment made after December 31, 2016. However, this subsection may not be construed to prevent a taxpayer from carrying over to a taxable year beginning after December 31, 2016, an unused tax credit attributable to a taxable year beginning before January 1, 2017.**

(b) This chapter expires January 1, 2020."

Page 30, line 38, strike "the board or".

Page 37, between lines 31 and 32, begin a new paragraph and insert:
 "SECTION 71. IC 14-8-2-279.5 IS REPEALED [EFFECTIVE JULY 1, 2012]. ~~Sec. 279.5. "Task force", for purposes of:~~

- (1) ~~IC 14-25-14, has the meaning set forth in IC 14-25-14-1; and~~
- (2) ~~IC 14-25-16, has the meaning set forth in IC 14-25-16-1."~~

Page 46, between lines 41 and 42, begin a new paragraph and insert:
 "SECTION 97. IC 20-40-15-6, AS ADDED BY P.L.2-2006, SECTION 163, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 6. (a) Before February 15 of each

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year, each school corporation shall file a report with the state superintendent's special assistant for technology.

(b) A report filed under this section must:

(1) be prepared in the form prescribed by the special assistant for technology; and

(2) include a list of expenditures made by the school corporation during the preceding calendar year from the school corporation's:

(A) fund for purposes described in this chapter;

(B) capital projects fund for purposes described in IC 20-40-8-13; and

(C) debt service fund to provide financing for any equipment or facilities used to provide educational technology programs.

(c) Before April 1 of each year, the special assistant for technology shall

(1) compile the information contained in the reports filed under this section. ~~and~~

(2) ~~present that compilation to the educational technology council.~~

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1002 as reprinted January 28, 2012.)

ALTING, Chairperson

Committee Vote: Yeas 10, Nays 0.

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