

Adopted	Rejected
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COMMITTEE REPORT

YES:	9
NO:	0

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:

- 1 Page 1, line 10, delete "IC 2-5-1.6)." and insert "(**IC 2-5-1.6**)".
- 2 Page 6, delete lines 25 through 42.
- 3 Page 7, delete lines 1 through 6.
- 4 Page 7, between lines 6 and 7, begin a new paragraph and insert:
- 5 "SECTION 5. IC 4-4-31.4 IS REPEALED [EFFECTIVE JULY 1,
- 6 2012]. (Native American Indian Affairs Commission).".
- 7 Page 7, delete lines 9 through 42.
- 8 Page 8, delete lines 1 through 7.
- 9 Page 19, between lines 17 and 18, begin a new paragraph and insert:
- 10 "SECTION 21. IC 4-23-2.5-16 IS AMENDED TO READ AS
- 11 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 16. Before October 1
- 12 of each year, the ~~board~~ **commission** shall prepare a report concerning
- 13 the fund for distribution to the public and the general assembly. A
- 14 report distributed under this section to the general assembly must be in
- 15 an electronic format under IC 5-14-6.".

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

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

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

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

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

18 **Chapter 31. Commission on the Social Status of Black Males**

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

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

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

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

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

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

- 1 abuse.
- 2 **(6) Black males suffer from more debilitating health problems,**
3 **a higher death rate, and a lower life expectancy than males in**
4 **other ethnic and racial groups.**
- 5 **(7) Black females at least sixteen (16) years of age outnumber**
6 **black males by more than two million (2,000,000).**
- 7 **(8) Between 1973 and 1988 the average real annual income for**
8 **black males between twenty (20) and twenty-four (24) years**
9 **of age fell by more than fifty percent (50%).**
- 10 **(9) The increasing misfortunes and the social distress**
11 **bombarding black males in American society threaten the**
12 **survival of black males.**
- 13 **Sec. 2. The commission on the social status of black males is**
14 **established.**
- 15 **Sec. 3. The commission consists of nineteen (19) members**
16 **appointed as follows:**
- 17 **(1) Two (2) members of the senate, who are not members of**
18 **the same political party, appointed by the president pro**
19 **tempore of the senate with the advice of the minority leader of**
20 **the senate.**
- 21 **(2) Two (2) members of the house of representatives, who are**
22 **not members of the same political party, appointed by the**
23 **speaker of the house of representatives with the advice of the**
24 **minority leader of the house of representatives.**
- 25 **(3) The director of the division of family resources or the**
26 **director's designee.**
- 27 **(4) The director of the division of mental health and addiction**
28 **or the director's designee.**
- 29 **(5) The commissioner of the state department of health or the**
30 **commissioner's designee.**
- 31 **(6) The superintendent of public instruction or the**
32 **superintendent's designee.**
- 33 **(7) The commissioner of the department of correction or the**
34 **commissioner's designee.**
- 35 **(8) The director of the civil rights commission or the director's**
36 **designee.**
- 37 **(9) The commissioner of the Indiana department of**
38 **administration or the commissioner's designee.**

- 1 **(10) The lieutenant governor or the lieutenant governor's**
2 **designee.**
- 3 **(11) A minority business person, appointed by the governor.**
- 4 **(12) Three (3) persons appointed by the president pro tempore**
5 **of the senate who are not members of the general assembly.**
6 **Not more than two (2) persons appointed under this**
7 **subdivision may be members of the same political party.**
- 8 **(13) Three (3) persons appointed by the speaker of the house**
9 **of representatives who are not members of the general**
10 **assembly. Not more than two (2) persons appointed under this**
11 **subdivision may be members of the same political party.**
- 12 **Sec. 4. (a) A member of the commission may be removed at any**
13 **time by the member's appointing authority.**
- 14 **(b) The appointing authority shall fill a vacancy on the**
15 **commission by appointing a new member for the unexpired term.**
- 16 **(c) The terms of the legislative members expire at the election of**
17 **the general assembly following the appointments.**
- 18 **Sec. 5. (a) At the first meeting of the commission each year, the**
19 **members shall elect:**
- 20 **(1) one (1) member to be the commission's chairperson; and**
21 **(2) one (1) member to be the commission's vice chairperson.**
- 22 **(b) A vacancy in the office of chairperson or vice chairperson**
23 **shall be filled by vote of the remaining members. The term of office**
24 **of a person chosen to fill a vacancy expires at the first meeting of**
25 **the commission the following year.**
- 26 **Sec. 6. (a) The commission shall make a systematic study of the**
27 **following:**
- 28 **(1) The conditions described in section 1 of this chapter.**
29 **(2) The reasons for the existence of those conditions.**
- 30 **(b) The commission shall propose measures to alleviate and**
31 **correct the underlying causes of the conditions described in section**
32 **1 of this chapter.**
- 33 **(c) The commission may study other topics suggested by the**
34 **legislative council or as directed by the chairperson of the**
35 **commission.**
- 36 **(d) The commission shall receive suggestions or comments**
37 **pertinent to the issues that the commission studies from members**
38 **of the general assembly, governmental agencies, public and private**

1 organizations, and private citizens.

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

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

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

9 Sec. 10. The commission shall issue an annual report stating the
10 findings, conclusions, and recommendations of the commission.
11 The commission shall submit the report to the governor and the
12 legislative council. A report submitted under this section to the
13 legislative council must be in an electronic format under IC 5-14-6.

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

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

28 (c) Each member of the commission who is a member of the
29 general assembly is entitled to receive the same per diem, mileage,
30 and travel allowances paid to members of the general assembly
31 serving on interim study committees created by the legislative
32 council.

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

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

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

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

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

6 (f) Interest accrues to the fund.

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

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

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

14 **Chapter 32. Native American Indian Affairs Commission**

15 **Sec. 1.** As used in this chapter, "commission" refers to the
16 Native American Indian affairs commission established by section
17 3 of this chapter.

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

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

23 **Sec. 3.** The Native American Indian affairs commission is
24 established.

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

- 28 (1) Six (6) Native American Indians, each from a different
29 geographic region of Indiana.
- 30 (2) Two (2) Native American Indians who have knowledge in
31 Native American traditions and spiritual issues.
- 32 (3) The commissioner of the department of correction or the
33 commissioner's designee.
- 34 (4) The commissioner of the commission for higher education
35 or the commissioner's designee.
- 36 (5) The commissioner of the state department of health or the
37 commissioner's designee.
- 38 (6) The secretary of family and social services or the

1 secretary's designee.

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

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

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

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

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

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

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

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

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

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

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

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

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

- 1 **(1) Health issues affecting Native American Indian**
- 2 **communities, including data collection, equal access to public**
- 3 **assistance programs, and informing health officials of cultural**
- 4 **traditions relevant to health care.**
- 5 **(2) Cooperation and understanding between the Native**
- 6 **American Indian communities and other communities**
- 7 **throughout Indiana.**
- 8 **(3) Cultural barriers to the educational system, including**
- 9 **barriers to higher education and opportunities for financial**
- 10 **aid and minority scholarships.**
- 11 **(4) Inaccurate information and stereotypes concerning Native**
- 12 **American Indians, including the accuracy of educational**
- 13 **curriculum.**
- 14 **(5) Measures to stimulate job skill training and related**
- 15 **workforce development, including initiatives to assist**
- 16 **employers to overcome communication and cultural**
- 17 **differences.**
- 18 **(6) Programs to encourage the growth and support of Native**
- 19 **American Indian owned businesses.**
- 20 **(7) Public awareness of issues affecting the Native American**
- 21 **Indian communities.**
- 22 **(8) Issues concerning preservation and excavation of Native**
- 23 **American Indian historical and archeology sites, including**
- 24 **reburial of Native American Indians.**
- 25 **(9) Measures that could facilitate easier access to state and**
- 26 **local government services by Native American Indians.**

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

- 29 **(1) Negotiations between a tribe and the state or federal**
- 30 **government concerning tribal sovereignty.**
- 31 **(2) Gaming on tribal land."**
- 32 Page 22, delete lines 1 through 3.
- 33 Page 27, delete lines 12 through 13.
- 34 Page 31, line 40, after "include" insert "a".
- 35 Page 31, line 40, delete "information" and insert "report".
- 36 Page 31, line 41, delete "structure, operation, and financial status of
- 37 the".
- 38 Page 32, delete lines 9 through 15.

- 1 Page 39, between lines 6 and 7, begin a new paragraph and insert:
 2 "SECTION 71. IC 12-13-12 IS REPEALED [EFFECTIVE JULY
 3 1, 2012]. (Commission on the Social Status of Black Males).".
 4 Page 51, line 26, strike "a" and insert "**the**".
 5 Page 62, line 10, strike "water pollution control".
 6 Page 62, line 19, strike "water pollution control".
 7 Page 76, line 24, strike "j".
 8 Page 84, line 12, delete "(c)".
 9 Page 84, line 12, strike "For the time that the".
 10 Page 84, line 12, delete "commission".
 11 Page 84, line 12, strike "is".
 12 Page 84, strike lines 13 through 24.
 13 Page 84, line 25, delete "(d)" and insert "**(c)**".
 14 Page 84, line 34, delete "\".
 15 Page 86, line 20, after "who" insert "**holds or**".
 16 Page 86, line 20, reset in roman "is affiliated with".
 17 Page 86, line 21, delete "holds a license issued by the board from
 18 among the" and insert "**an organization that holds any of the**
 19 **following issued by the board:**
 20 **(A) A license issued under this article.**
 21 **(B) A grant of inspection issued to a meat processing**
 22 **establishment under IC 15-17-5.**
 23 **(C) A permit issued to a milk plant under IC 15-18-1."**
 24 Page 86, delete lines 22 through 26.
 25 Page 87, between lines 3 and 4, begin a new paragraph and insert:
 26 "SECTION 190. IC 16-41-37.5-2.5, AS ADDED BY P.L. 168-2009,
 27 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 28 JULY 1, 2012]: Sec. 2.5. (a) Before July 1, 2010, the state department
 29 shall distribute a manual of best practices for managing indoor air
 30 quality at schools as described in this section. The state department may
 31 use a manual on indoor air quality in schools developed by a federal
 32 health or environmental agency or another state and make additions or
 33 revisions to the manual ~~with the input and advice of the air quality~~
 34 ~~panel established by section 3 of this chapter~~, to make the manual most
 35 useful to Indiana schools. The state department shall provide the
 36 manual:
 37 (1) to:
 38 (A) the legislative council; and

1 (B) the department of education;
2 in an electronic format under IC 5-14-6; and
3 (2) to the facilities manager and superintendent of each school
4 corporation.

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

8 Page 92, between lines 33 and 34, begin a new paragraph and insert:
9 "SECTION 207. [EFFECTIVE JULY 1, 2012] **(a) For purposes of
10 this SECTION, "commission" refers to the civil rights commission
11 created by IC 22-9-1-4.**

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

14 **(1) the family and social services administration for the
15 commission on the social status of black males in
16 P.L.229-2011;**

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

19 **(3) the department of workforce development for the women's
20 commission in P.L.229-2011; and**

21 **(4) the department of workforce development for the Native
22 American Indian affairs commission in P.L.229-2011;**

23 **is transferred to the commission.**

24 **(c) This SECTION expires June 30, 2013.**

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

30 **(b) Any member of the Native American Indian affairs
31 commission under IC 4-4-31.4, before its repeal by this act, is a
32 member of the Native American Indian affairs commission under**

- 1 **IC 4-23-32, as added by this act.**
- 2 **(c) This SECTION expires December 31, 2013."**
- 3 Renumber all SECTIONS consecutively.
(Reference is to HB 1002 as introduced.)

and when so amended that said bill do pass.

Representative Dobis