
TITLE 812 INDIANA AUCTIONEER COMMISSION

**Administrative Rules Oversight Committee Notice
60 Day Requirement ([IC 4-22-2-19](#))
LSA Document #06-372**

January 3, 2007

Senator R. Michael Young, Chair
Administrative Rules Oversight Committee
C/o Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
Attn: Sarah Burkman

Re: LSA #06-372 – Proposed Rule regarding education, standards of competent practice, and continuing education

Dear Senator Young:

On behalf of the Indiana Auctioneer Commission (Commission), Indiana Professional Licensing Agency, I am submitting this memorandum to the Administrative Rules Oversight Committee ("AROC") pursuant to IC § 4-22-2-19(c)(2) because the agency did not institute the rulemaking process within sixty (60) days after the effective date of the statute that authorizes the rule.

The Commission published its notice of intent to adopt a rule, LSA Document #05-37, on April 1, 2005 (28 IR 2158). The proposed rule amends and updates the Commission's rules to bring the rules in conformity with the statutory changes in SEA 139-2005 (P.L.194-2005), which went into effect July 1, 2005. The Commission requested and received an extension of the one year deadline due the meeting schedules as well as preparing the final draft of the rule for publication. The Notice of Public Hearing appeared in the March 1, 2006, edition of the Indiana Register at 29 IR 2044, and a public hearing was held on April 19, 2006. Following the public hearing, the Commission adopted the proposed rule as published. However, the cost-benefit analysis of the proposed rule required by Executive Order 05-02 and [IC 4-3-22-13](#) was not completed in time for the rule to meet the extended deadline of August 1, 2006, as required under [IC 4-22-2-25](#).

A new notice of intent, LSA document number 06-372, was published on September 13, 2006, concerning the same subject matter, the determination of the amount of fees which should be assessed to bring the rules into conformity with the statutory changes in SEA 139 (P.L.194-2005) and [IC 25-1-8-2\(c\)](#), which requires that in no case shall the fees be less than are required to pay all of the costs, both direct and indirect, of the operation of the board.

Your understanding of these circumstances is greatly appreciated. We look forward to receiving your response. If you need additional information, please do not hesitate to contact me at 234-2007. Thank you.

Sincerely,

Medana C. Davis
Staff Counsel

Cc: Frances L. Kelly, Executive Director
Barbara McNutt, Chief Legal Counsel
Deborah Widemon, Commission Director

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