

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER: 07-22

FOR: POSTPONEMENT OF THE DATE OF EXPIRATION OF RULES UNTIL ONE YEAR AFTER DATE SPECIFIED IN [IC 4-22-2.5](#) AND [IC 13-14-9.5](#)

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETINGS:

WHEREAS, [IC 4-22-2.5-2](#) provides that an administrative rule adopted under [IC 4-22-2](#) expires January 1 of the seventh year after the year in which the rule takes effect unless the rule has an earlier expiration date; and

WHEREAS, [IC 4-22-2.5-5](#) provides that if a rule is not readopted before the expiration date of the rule and the governor finds that the failure to readopt a rule causes an emergency to occur, the governor may by executive order issued before the rule's expiration date, postpone the expiration date of the rule until a date that is one (1) year after the date specified in [IC 4-22-2.5-2](#); and

WHEREAS, [IC 13-14-9.5](#) provides that an administrative rule adopted under [IC 13-14-9](#) expires January 1 of the seventh year after the year in which the rule takes effect unless the rule contains an earlier expiration date; and

WHEREAS, [IC 13-14-9.5-5](#) provides that if a rule is not readopted and the governor finds that the failure to readopt the rule causes an emergency to exist, the governor may, by executive order issued before the rule's expiration date, postpone the expiration date of the rule until a date that is one (1) year after the date specified in [IC 13-14-9.5](#).

NOW, THEREFORE, I, Mitchell E. Daniels, Jr., by virtue of the authority vested in me as Governor of the State of Indiana, do hereby order that:

1. The following rules, as designated by their citations to the Indiana Administrative Code, were submitted for consideration for an extension of one (1) year:

- a. Title [25 IAC 1.1](#) through [25 IAC 4](#) – Indiana Department of Administration;
- b. Title [71 IAC 13.5-4-1](#), [71 IAC 13.5-5-1](#) and [71 IAC 13.5-6-1](#) – Thoroughbred Development Program (Horse Racing Commission);
- c. Title [326 IAC 16-1](#) and [326 IAC 16-2](#) – Air Pollution Control Board (Indiana Department of Environmental Management);
- d. Title [327 IAC 11-1](#) and [327 IAC 11-2](#) – Water Pollution Control Board (Indiana Department of Environmental Management);
- e. Title [365 IAC 2](#) – Dairy Processing Plant and Receiving Stations (Creamery Examining Board);
- f. Title [431 IAC 1.1](#), [431 IAC 3.1](#), and [431 IAC 4](#) – Standards for Community Residential Facilities for Persons with Developmental Disabilities and Persons with Mental Illness (Community Residential Facility Council);
- g. Title [440 IAC 4-3](#), [440 IAC 4.1](#), [440 IAC 4.3](#), [440 IAC 4.4](#), [440 IAC 5](#), [440 IAC 6](#), [440 IAC 8](#), and [440 IAC 9](#) – Mental Health Provisions (Division of Mental Health and Addiction);
- h. Title [646 IAC 1](#) through [646 IAC 4](#) – Employment Training Services (Department of Workforce Development);
- i. Title [920 IAC 1](#) – Use of War Memorial Facilities (Indiana War Memorials Commission).

2. The rules cited in paragraph 1 of this executive order were not readopted before the expiration date of the rule.

3. The failure to readopt the rules cited in paragraph 1 of this executive order would cause an emergency to occur.

4. The expiration date of the rules cited in paragraph 1 of this executive order shall be extended until January 1, 2009.

IN TESTIMONY WHEREOF, I, Mitchell E. Daniels, Jr., have hereunto set my hand and cause to be affixed the Great Seal of the State of Indiana on this 28th day of December, 2007.

Mitchell E. Daniels, Jr.

SEAL

ATTEST: Todd Rokita

Secretary of State

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