
Executive Orders

**STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS**

EXECUTIVE ORDER: 04-17

FOR: KEVIN LEE STRINGER, PARDON

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETING:

WHEREAS, KEVIN LEE STRINGER, was convicted in Tippecanoe County Superior Court I on June 14, 1985, for the offense of Burglary and Criminal Trespass. He received a sentence of 5 years with 5 years suspended to Probation. He successfully completed the 5 years of probation on 9/30/90 and 200 hours of community service in Tippecanoe County, and;

WHEREAS, the petitioner is considered to be intelligent, conscientious, considerate of others very kind and an honest, hard working individual, and;

WHEREAS, the petitioner has letters of support from family and friends in favor to grant his pardon; and

WHEREAS, the petitioner requests a pardon, as his felony conviction is an automatic denial to be approved to adopt children. His wife has a debilitating medical condition that hinders their ability to have children of their own; and

WHEREAS, the Parole Board, after careful investigation and examination of all the facts in the case, recommend that this pardon be granted.

NOW THEREFORE, I, Joseph E. Kernan, Governor of the State of Indiana, by virtue of the power vested in me by the Constitution and the laws of said State, hereby issue a pardon to KEVIN LEE STRINGER.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, at the Capitol, in the City of Indianapolis, this 21st day of June, 2004.

By the Governor
Joseph E. Kernan
Governor of Indiana

SEAL

ATTEST: Todd Rokita
Secretary of State

**STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS**

EXECUTIVE ORDER: 04-18

FOR: CLEMENCY FOR DARNELL WILLIAMS, DOC No. 872037-ISP

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETING:

WHEREAS, Darnell Williams was convicted in Lake County Superior Court on March 25, 1987, for the offense of Murder, two counts, and he received a sentence of Death on each of the two counts; and

WHEREAS, Williams is guilty of the murders of John and Henrietta Rease and legally eligible for the death penalty; and

WHEREAS, Williams' claims have received proper and thorough consideration by the judicial system; and

WHEREAS, Williams has asked that his sentences be commuted to life without parole; and

WHEREAS, the Parole Board, after careful investigation and examination of all the facts, unanimously recommended that Williams' sentences be commuted to life without parole; and

WHEREAS, there exist sufficient reasons to commute Williams' sentences, as explained in detail in the document titled Grant of Commutation to Darnell Williams, attached hereto and incorporated in this Executive Order; and

WHEREAS, my review of the facts of this case leads me to exercise clemency by commuting Williams' sentences. This decision is based on the unique circumstances of this case. All the facts, not one single element, cause me to grant clemency.

NOW, THEREFORE, I, Joseph E. Kernan, Governor of the State of Indiana, by virtue of the power vested in me by the Constitution and laws of the State of Indiana, hereby commute the Death sentence of Darnell Williams to Life Without Parole for each of his two counts of Murder.

IN TESTIMONY WHEREOF, I, Joseph E. Kernan, have hereunto set by hand and caused to be affixed the Great Seal of the State of Indiana, at the Capitol, in the City of Indianapolis, this Second day of July, 2004.

Joseph E. Kernan
Governor of Indiana

SEAL

ATTEST: Todd Rokita
Secretary of State

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER: 04-19

FOR: **DECLARING A DISASTER EMERGENCY IN THE STATE OF INDIANA DUE TO SEVERE STORMS, FLOODING AND TORNADOES**

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETINGS:

WHEREAS, Beginning on July 3, 2004 and continuing to the present, numerous counties throughout the State of Indiana have sustained significant, and in some cases repetitive, severe weather events that have resulted in tornadoes, flooding and high wind events; and

WHEREAS, these severe weather events have resulted in significant damage to homes, businesses and the public infrastructure and generated significant debris removal and emergency response costs, and

WHEREAS, a number of counties that sustained damage during this period were also declared eligible for federal disaster assistance in the most recent federal disaster declaration (FEMA DR-1520-IN), and

WHEREAS, after repairing damages from the most recent federal disaster declaration, a number of counties sustained damage again to the same infrastructure, and

WHEREAS, one life was lost as a result of these storm events; and

WHEREAS, all available state resources have been responding to these events;

NOW THEREFORE, I, Joseph E. Kernan, by virtue of the authority vested in me as Governor of the State of Indiana, do hereby

DECLARE, a state of disaster emergency exists throughout Indiana; and

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ORDER the State Emergency Management Agency, having already implemented the State Emergency Plan, to provide needed emergency services to the damaged areas of Indiana affected by these storm and to coordinate assistance with appropriate federal and state agencies.

This declaration of disaster emergency was in effect beginning July 3, 2004 and continues.

IN TESTIMONY WHEREOF, I, Joseph E. Kernan, have hereunto set my hand and caused to be affixed this great seal of the State of Indiana on this 28th day of May, 2004.

By the Governor of Indiana
Joseph E. Kernan
Governor of Indiana

SEAL

ATTEST: Todd Rokita
Secretary of State

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER: 04-20

FOR: MICHAEL A. McKINNEY #995375, MEDICAL CLEMENCY

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETING:

WHEREAS, MICHAEL A. McKINNEY, was convicted in Marion County Criminal Court #2, on January 30, 2001, for the offense of Conspiracy, Dealing Cocaine/Narcotic, for which he received 25 years with 15 years suspended, 1,095 days to probation. He was convicted in Marion County Superior Court, Criminal #5 on August 8, 2001, for the offense of Robbery (Armed) for which he received 6 years and;

WHEREAS, the petitioner has been in a persistent coma since December 2002, with no prognosis for recovery; and

WHEREAS, the petitioner is confined in the in-patient infirmary of a maximum security penal facility which is neither a cost effective nor humane way of treatment for a person in a long-term comatose condition; and

WHEREAS, the petitioner poses no threat to society in his present condition and has 1,095 days of probation upon release; and

WHEREAS, the Commissioner of the Department of Correction and the Indiana Parole Board, after careful investigation and examination of all the facts in this case, recommend that Medical Clemency be granted; and

NOW THEREFORE, I, Joseph E. Kernan, Governor of the State of Indiana, by virtue of the power vested in me by the Constitution and the laws of said State, hereby issue a Medical Clemency to commute the executed portion of the sentence of MICHAEL McKINNEY to Time Served to allow his release to probation to be effective when arrangements can be made for placement in an appropriate nursing home facility.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, at the Capitol, in the City of Indianapolis, this 17th day of August, 2004.

By the Governor
Joseph E. Kernan
Governor of Indiana

SEAL

ATTEST: Todd Rokita
Secretary of State

**STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS**

EXECUTIVE ORDER: 04-21

FOR: ROGER GOOD, PARDON

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETING:

WHEREAS, ROGER GOOD, was convicted in Lake County Criminal Court on November 7, 1961, for the offense of Uttering Fraudulent Check and received 13 months of Probation; and

WHEREAS, the petitioner is currently an active layman in the Faith Evangelical Congregational Church and is a member of the music group "The Mansion Heirs." He is involved in various social clubs, specifically SERTOMA, (Service to Mankind) and has worked with Habitat for Humanity. He has served on the East Lampeter Township Planning Commission and was elected to the position of Township Supervisor, serving the public for 19 years; and

WHEREAS, the petitioner has several letters of support for a pardon from friends and associates and is considered to be a model citizen, a man of outstanding character and who possesses a very high standard of moral living; and

WHEREAS, the petitioner requests a pardon stating, "I want to hold my head up once again with the recognition that I have made things right. My mom and dad are 91 and 92 respectively, and I would like for them to know that I have taken the final step to restore my name and reputation. I have been an upstanding and law-abiding citizen for the last 42 years. I have owned my own business for 35 years and I am asking for your help to bring closure to a matter that for me is personally sorrowful. Your kindest consideration of this application is therefore requested."

WHEREAS, the Parole Board, after careful investigation and examination of all the facts in the case, recommend that this pardon be granted.

NOW THEREFORE, I, Joseph E. Kernan, Governor of the State of Indiana, by virtue of the power vested in me by the Constitution and the laws of said State, hereby issue a pardon to ROGER GOOD.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, at the Capitol, in the City of Indianapolis, this 17th day of August, 2004.

By the Governor
Joseph E. Kernan
Governor of Indiana

SEAL

ATTEST: Todd Rokita
Secretary of State

**STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS**

EXECUTIVE ORDER: 04-22

FOR: JODI L. GILLMAN, PARDON

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETING:

WHEREAS, JODI L. GILLMAN, was convicted in Wayne County Superior Court I, on February 9, 1989, for the offense of Theft,

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2 Counts. She received a sentence of 2 years each count to be served concurrently, sentenced suspended to Probation; and

WHEREAS, the petitioner has maintained a solid relationship with the victims of the crime, has furthered her education to obtain a better job; and

WHEREAS, the petitioner has several letters of support from family, and friends, who relate petitioner is an honest, kind, generous, hardworking person of integrity; and

WHEREAS, the petitioner requests a pardon stating, "I cannot get a decent job. I have furthered my education hoping to get a better job and once this felony is discovered I have either been passed up or in a few cases fired. I have grown up, am a honest dependable person and am seeking a second chance for a better life. I made a mistake, paid for it in more ways than one and have regretted this for 14 years; and

WHEREAS, the Parole Board, after careful investigation and examination of all the facts in the case, recommend that this pardon be granted.

NOW THEREFORE, I, Joseph E. Kernan, Governor of the State of Indiana, by virtue of the power vested in me by the Constitution and the laws of said State, hereby issue a pardon to JODI L. GILLMAN.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, at the Capitol, in the City of Indianapolis, this 26th day of August 2004.

By the Governor
Joseph E. Kernan
Governor of Indiana

SEAL

ATTEST: Todd Rokita
Secretary of State

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER: 04-23

FOR: RALPH D. HAGUE, PARDON

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETING:

WHEREAS, RALPH D. HAGUE, was convicted on December 5, 1984, out of Vanderburgh County Superior Court for the offense of Burglary, for which he received 6 years with 8 months executed with the balance suspended to probation for 5 years and 4 months. Petitioner was convicted on June 3, 1986, out of Vanderburgh County Superior Court for the offense of Theft for which he received a sentence of 2 years, and;

WHEREAS, the petitioner has been involved in various civic organizations, volunteering as a coordinator with Alcoholics Anonymous, participated in a benefit for the American Lung Association; and

WHEREAS, the petitioner has numerous letters of support from friends, former employers, and former professors. Many letters stating petitioner has been a hard worker, is reliable, and has been a law abiding member of the community, someone who has turned his life around; and

WHEREAS, the petitioner requests a pardon, stating "I have worked very hard and with determination to advance in my chosen profession. The past 16 years have provided me a chance to prove my life has changed considerably for the better. For these reasons I feel strongly that I'm a worthy candidate for a pardon; and

WHEREAS, the Parole Board, after careful investigation and examination of all the facts in the case, recommend that this pardon be granted.

NOW THEREFORE, I, Joseph E. Kernan, Governor of the State of Indiana, by virtue of the power vested in me by the Constitution and the laws of said State, hereby issue a Pardon to RALPH D. HAGUE.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, at the Capitol, in the City of Indianapolis, this 26th day of August 2004

By the Governor
Joseph E. Kernan
Governor of Indiana

SEAL

ATTEST: Todd Rokita
Secretary of State

**STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS**

EXECUTIVE ORDER: 04-24

FOR: MICHELLE L. MILLER, PARDON

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETING:

WHEREAS, MICHELLE L. MILLER was convicted in Marion County Criminal Court on May 2, 1997, for the offense of Neglect of Dependant [*sic.*], and received 365 Days home detention and four (4) years of probation. Petitioner successfully completed her sentence and probation on June 1, 2000, and;

WHEREAS, the petitioner is currently attending IUPUI pursuing a career in nursing, has been involved with a community outreach component of the Marion County Probation Department. She has volunteered her time to the Youth Empowering Program, has assisted with two different programs, Program Life and Girl's Visions. She was named Distinguished Volunteer during the Spring of 1998; and

WHEREAS, the petitioner has several recommends [*sic.*] of support for a pardon from the trial judge, prosecutor, defense attorney and IPD detective; and

WHEREAS, the petitioner requests a pardon stating, "I am a single parent of two minor children. I attend IUPUI, pursuing a career in nursing. I seek clemency in order to accomplish my professional goals thus capable of providing my children with a better life. I want to better my life, be a better mom, and a productive member of society. I want to finish college and get a good job. I'll send my kids to college and watch them grow and become better people. I am a woman who has shown remorse and still does; and

WHEREAS, the Parole Board, after careful investigation and examination of all the facts in the case, recommend that this pardon be granted.

NOW THEREFORE, I, Joseph E. Kernan, Governor of the State of Indiana, by virtue of the power vested in me by the Constitution and the laws of said State, hereby issue a pardon to MICHELLE L. MILLER.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, at the Capitol, in the City of Indianapolis, this 18th day of November, 2004.

By the Governor
Joseph E. Kernan
Governor of Indiana

SEAL

ATTEST: Todd Rokita
Secretary of State

Executive Orders

**STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS**

EXECUTIVE ORDER: 04-25

FOR: PHILLIP HORST, PARDON

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETING:

WHEREAS, PHILLIP HORST, was convicted in Marshall County Circuit Court on July 13, 1973, for the offense of Entering to Commit a Felony and was sentenced to 1-10 years, time suspended (32 days jail time credit), and two (2) years Probation. Petitioner was convicted in Marshall County Circuit Court on June 15, 1973, for the offense of Contributing to the Delinquency of a Juvenile and was sentenced to 30 days in the Marshall County Jail; and

WHEREAS, the petitioner has maintained steady employment and is now currently residing in Indiana; and

WHEREAS, the petitioner has had no other criminal charges against him; and

WHEREAS, the petitioner requests a pardon stating, "he is concerned about the stigma of a conviction that took place when he was 18 years of age, but also has concerns about being able to have hunting licenses or any other restrictions because of an offense that took place when he was only 18 years old. He also believes his marketability as an employee or potential employee could be hurt because of having a conviction record; and

WHEREAS, the Parole Board, after careful investigation and examination of all the facts in the case, recommend that this pardon be granted.

NOW THEREFORE, I, Joseph E. Kernan, Governor of the State of Indiana, by virtue of the power vested in me by the Constitution and the laws of said State, hereby issue a pardon to PHILLIP HORST.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, at the Capitol, in the City of Indianapolis, this 18th day of November 2004.

By the Governor
Joseph E. Kernan
Governor of Indiana

SEAL

ATTEST: Todd Rokita
Secretary of State

**STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS**

EXECUTIVE ORDER: 04-26

FOR: CHARLES D. STONER, PARDON

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETING:

WHEREAS, CHARLES D. STONER was convicted in Elkhart County Circuit Court on March 16, 1989, for the offense of Dealing in Cocaine, and was sentenced to a term of eight (8) years with four (4) years suspended. Petitioner completed his probation obligation on December 8, 1992; and

WHEREAS, the petitioner has been involved with the Healthy Communities Drug-Free Community Council and has served as an addiction resource through the Center for the Homeless. Petitioner has provided training for frontline clinical staff to assist guests in breaking their cycle of addiction *[sic.]*, ultimately leading to breaking their cycle of homelessness; and

WHEREAS, the petitioner has several letters of support for a pardon from family and friends; and

WHEREAS, the petitioner requests a pardon stating, “since my release I have worked very hard to rebuild my life, through my determination I have remained drug free, maintained full-time employment and completed a B.A. in Psychology in May of 2000. My future goal is to pursue graduate work in community psychology and to remain in the social and human services field. For the past eight (8) years I have utilized my experiences in my work at the South Bend Center for Homeless most recently as addictions case manager. I believe this pardon can enhance my work in community service to help others avoid the mistakes I have made”; and

WHEREAS, the Parole Board, after careful investigation and examination of all the facts in the case, recommend that this pardon be granted.

NOW THEREFORE, I, Joseph E. Kernan, Governor of the State of Indiana, by virtue of the power vested in me by the Constitution and the laws of said State, hereby issue a pardon to CHARLES D. STONER.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, at the Capitol, in the City of Indianapolis, this 18th day of November 2004.

By the Governor
Joseph E. Kernan
Governor of Indiana

SEAL

ATTEST: Todd Rokita
Secretary of State

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER: 04-27

FOR: THE HOOSIERS HELPING HOOSIERS FOOD DRIVE

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETINGS:

WHEREAS, given the recent economic downturn, there are people who go hungry despite the best efforts of religious and social service organizations; and

WHEREAS, in the spirit of hospitality, Hoosiers have a tradition of extending a helping hand to those in need; and

WHEREAS, state offices should assist those in need by facilitating the collection of nonperishable food staples;

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

1. State offices shall designate space to accept private donations of food and staples from state employees.
2. The food drive shall begin November 22, 2004 and conclude December 10, 2004.
3. Contributions received are to be retained and distributed in the local communities where donated.
4. With the approval of the employing agency, a state employee may volunteer to use the Community Service Leave program to assist with this food drive.

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IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 23rd day of November 2004.

By the Governor:
Joseph E. Kernan
Governor of Indiana

SEAL

ATTEST: Todd Rokita
Secretary of State

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER: 04-28

FOR: DAVID GRANT PURSELL, PARDON

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETING:

WHEREAS, DAVID GRANT PURSELL, was convicted in Owen County Circuit Court on May 5, 1987 for the offense of Burglary, Class C felony and received a sentence of 5 years with 3 years suspended to Probation. Petitioner completed his probation on February 19, 1991; and

WHEREAS, the petitioner is a member of the American Legion in Worthington, Indiana. He attends the Unitarian Church and has remained a law-abiding citizen since his offense; and

WHEREAS, the petitioner has recommendations for a pardon to be granted from his family, friends and co-workers; and

WHEREAS, the petitioner requests a pardon to maintain his current employment with the National Guards, to be able to go further in his field and with a security clearance he would be able to get non-commissioned officer training; and

WHEREAS, the Parole Board, after careful investigation and examination of all the facts in the case, recommend that this pardon be granted.

NOW THEREFORE, I, Joseph E. Kernan, Governor of the State of Indiana, by virtue of the power vested in me by the Constitution and the laws of said State, hereby issue a pardon to DAVID GRANT PURSELL.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, at the Capitol, in the City of Indianapolis, this ____ day of _____

By the Governor
Joseph E. Kernan
Governor of Indiana

SEAL

ATTEST: Todd Rokita
Secretary of State

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER: 04-29

FOR: CHRISTOPHER W. VERNON, PARDON

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETING:

WHEREAS, CHRISTOPHER W. VERNON, was convicted in Cass County Circuit Court on March 17, 1997, for the offense of Battery Resulting in Serious Bodily Injury and was sentenced to 3 years with 3 years suspended to probation. On March 24, 2000, the Probation Department filed a petition for termination of probation and on March 28, 2000, the court executed the "Order of Termination of Probation"; and

WHEREAS, the petitioner graduated from Ball State University, majoring in Athletic Training, had maintained steady employment and has remained a law-abiding citizen since the completion of his probation time in 1997; and

WHEREAS, the petitioner has letters of support to grant a pardon; and

WHEREAS, the petitioner requests a pardon stating, "I am having trouble getting malpractice/liability insurance because of my felony conviction. I need this insurance to be employed as an athletic trainer. I felt that because of this I continually repay for this grave mistake"; and

WHEREAS, the Parole Board, after careful investigation and examination of all the facts in the case, recommend that this pardon be granted.

NOW THEREFORE, I, Joseph E. Kernan, Governor of the State of Indiana, by virtue of the power vested in me by the Constitution and the laws of said State, hereby issue a pardon to CHRISTOPHER W. VERNON.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana, at the Capitol, in the City of Indianapolis, this 20th day of 2004.

By the Governor
Joseph E. Kernan
Governor of Indiana

SEAL

ATTEST: Todd Rokita
Secretary of State

**STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS**

EXECUTIVE ORDER: 04-30

FOR: DECLARING A DISASTER EMERGENCY IN THE STATE OF INDIANA DUE TO SEVERE WINTER WEATHER

TO ALL TO WHOM THESE PRESENTS MAY COME, GREETINGS:

WHEREAS, a series of severe storms swept through the southern, central and northern parts of Indiana beginning December 22, 2004, and continues; and

WHEREAS, many roads in southern and central Indiana were made impassable; and

WHEREAS, winter storms have left many persons stranded; and

WHEREAS, there is a significant and continuing threat to public health and safety; and

WHEREAS, all state resources available are being directed to assist victims of this intemperate weather;

Executive Orders

NOW, THEREFORE, I, Joseph E. Kernan, by virtue of the authority vested in me as Governor of the State of Indiana, do hereby
DECLARE a state of disaster emergency exists in the southern and central parts Indiana; and

ORDER the state Emergency Management Agency, having already implemented the State Emergency Plan, to provide needed emergency services to the damaged areas of Indiana impacted by the storms and to coordinate assistance with appropriate federal and state agencies.

This declaration of disaster emergency is for a period beginning December 22, 2004, and continues.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of Indiana on this 23rd day of December 2004.

By the Governor of Indiana
Joseph E. Kernan
Governor of Indiana

SEAL

ATTEST: Todd Rokita
Secretary of State

STATE OF INDIANA
EXECUTIVE DEPARTMENT
INDIANAPOLIS

EXECUTIVE ORDER: 04-31

FOR: POSTPONEMENT OF THE DATE OF EXPIRATION OF RULE UNTIL ONE YEAR AFTER DATE SPECIFIED IN INDIANA CODE 4-22-2.5

WHEREAS, Indiana Code 4-22-2.5-2 provides that an administrative rule adopted under Indiana Code 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, Indiana Code 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 year after the date specified in Indiana Code 4-22-2.5-2,

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

1. The State Board of Accounts' "digital signature" rule, at 20 Indiana Administrative Code 3, has been submitted to me for consideration for an extension of one year and was not readopted before the expiration date of the rule.
2. The failure to readopt the rule at 20 Indiana Administrative Code 3 would cause an emergency to occur.
3. The expiration date of the rule at 20 Indiana Administrative Code 3 shall be extended until January 1, 2006.

IN TESTIMONY WHEREOF, I, Joseph E. Kernan, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 29th day of December, 2004.

Joseph E. Kernan

SEAL

ATTEST: Todd Rokita
Secretary of State