

STATE OF INDIANA

EXECUTIVE DEPARTMENT INDIANAPOLIS

13-27

EXECUTIVE ORDER _____

**FOR: POSTPONEMENT OF THE DATE OF EXPIRATION OF RULES UNTIL
ONE YEAR AFTER DATE SPECIFIED IN IND. CODE 4-22-2.5**

TO WHOM ALL THESE PRESENTS MAY COME, GREETINGS.

WHEREAS, Ind. Code § 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 contains an earlier expiration date;”

WHEREAS, Ind. Code § 4-22-2.5-5 provides that “if a rule is not readopted before the expiration date for the rule 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 [Ind. Code § 4-22-2.5-2].”

NOW, THEREFORE, I, Michael R. Pence, by virtue of the authority vested in me as Governor of the State of Indiana, do hereby declare and order that:

1. The Indiana Department of Veterans’ Affairs submitted a request for an extension of one (1) year for the following rules, as designated by the citation to the Indiana Administrative Code:
 - a. Title 915 IAC 1-1-2. Certification of service officers; instruction; examination; proof of honorable discharge
 - b. Title 915 IAC 1-1-3. Office records and procedures prescribed by the director
 - c. Title 915 IAC 1-1-5. Confidentiality of information received by service officers or employees; exception
 - d. Title 915 IAC 1-1-6. Remuneration, honorarium, gift or promise of reward from claimant prohibited
 - e. Title 915 IAC 1-1-7. Discharge of service officers or employees
 - f. Title 915 IAC 2. Special Institutions
2. The Indiana Horse Racing Commission submitted a request for an extension of one (1) year for the following rules, as designated by the citation to the Indiana Administrative Code:

- a. Title 71 IAC 1-1-42. "Financial interest" defined
- b. Title 71 IAC 1-1-47. "Horse" defined
- c. Title 71 IAC 1-1-52. "Jurisdiction" defined
- d. Title 71 IAC 1-1-105. "Substantial evidence" defined
- e. Title 71 IAC 1.5-1-38. "Financial interest" defined
- f. Title 71 IAC 1.5-1-45. "Horse" defined
- g. Title 71 IAC 1.5-1-50. "Jurisdiction" defined
- h. Title 71 IAC 1.5-1-52. "Maiden" defined
- i. Title 71 IAC 1.5-1-53. "Maiden race" defined
- j. Title 71 IAC 1.5-1-100. "Substantial evidence" defined
- k. Title 71 IAC 2-7-1. Subpoenas
- l. Title 71 IAC 2-8-1. Records
- m. Title 71 IAC 3.5-3-10. Cancellation of a race
- n. Title 71 IAC 5-1-6. Consent to search and seizure
- o. Title 71 IAC 5-1-10. Workers' Compensation
- p. Title 71 IAC 5-1-12. License refusal
- q. Title 71 IAC 5-1-17. Duration of license
- r. Title 71 IAC 5-1-25. Knowledge of rules
- s. Title 71 IAC 5-2-6. Owner – positive tests
- t. Title 71 IAC 5.5-1-6. Consent to search and seizure
- u. Title 71 IAC 5.5-1-12. License refusal
- v. Title 71 IAC 5.5-1-13. License denial
- w. Title 71 IAC 5.5-1-17. Duration of license
- x. Title 71 IAC 5.5-1-27. Knowledge of rules
- y. Title 71 IAC 5.5-2-6. Owner – positive tests
- z. Title 71 IAC 8-1-2. Foreign substances prohibited
- aa. Title 71 IAC 8-1-7. Drug classification and penalties
- bb. Title 71 IAC 8-3-1. Laboratory reports
- cc. Title 71 IAC 8-3-3. Selection of horses tested
- dd. Title 71 IAC 8-3-4. Taking of samples
- ee. Title 71 IAC 8-3-5. Out of competition testing
- ff. Title 71 IAC 8.5-1-1. Medication
- gg. Title 71 IAC 8.5-1-2. Foreign substances prohibited
- hh. Title 71 IAC 8.5-1-7. Drug classification and penalties
- ii. Title 71 IAC 8.5-2-1. Laboratory reports
- jj. Title 71 IAC 8.5-2-3. Selection of horses tested
- kk. Title 71 IAC 8.5-2-4. Taking of samples
- ll. Title 71 IAC 8.5-2-5. Out of competition testing
- mm. Title 71 IAC 10-1-1. General provisions
- nn. Title 71 IAC 10-1-2. Suspensions
- oo. Title 71 IAC 10-2-1. Rights of the licensee
- pp. Title 71 IAC 10-2-2. Complaints

qq. Title 71 IAC 10-2-4. Notice
rr. Title 71 IAC 10-2-5. Continuances
ss. Title 71 IAC 10-2-6. Evidence
tt. Title 71 IAC 10-2-8. Effect of rulings
uu. Title 71 IAC 10-2-8.1. Effect of ruling – trainers
vv. Title 71 IAC 10-2-9. Appeals
ww. Title 71 IAC 10-2-10. Stay
xx. Title 71 IAC 10-3-1. Initiation of proceedings
yy. Title 71 IAC 10-3-2. Party designations
zz. Title 71 IAC 10-3-3. Pleadings
aaa. Title 71 IAC 10-3-4. Filing pleadings
bbb. Title 71 IAC 10-3-5. Notice
ccc. Title 71 IAC 10-3-6. Place, time, and nature of hearings
ddd. Title 71 IAC 10-3-7. Administrative law judges
eee. Title 71 IAC 10-3-8. Conferences
fff. Title 71 IAC 10-3-9. Discovery
ggg. Title 71 IAC 10-3-10. Order of hearing
hhh. Title 71 IAC 10-3-11. Behavior
iii. Title 71 IAC 10-3-12. Evidence
jjj. Title 71 IAC 10-3-13. Reporters and transcripts
kkk. Title 71 IAC 10-3-14. Findings of fact and conclusions of law
lll. Title 71 IAC 10-3-15. Final order and findings
mmm. Title 71 IAC 10-3-16. Dismissal
nnn. Title 71 IAC 10-3-17. Orders
ooo. Title 71 IAC 10-3-18. Rehearing
ppp. Title 71 IAC 10-3-19. Ex parte communications
qqq. Title 71 IAC 10-3-20. Administrative complaints
rrr. Title 71 IAC 10-3-21. Settlement procedures
sss. Title 71 IAC 10-5-1. Eligibility to appear and scope of practice
ttt. Title 71 IAC 10-5-2. Suspension and revocation of ability to practice
before commission
uuu. Title 71 IAC 10-5-3. Reinstatement
vvv. Title 71 IAC 10-5-4. Effect of representation; service
www. Title 71 IAC 10-5-5. Obligations of truthfulness and due diligence
xxx. Title 71 IAC 10-5-6. Knowledge of client's omission
yyy. Title 71 IAC 10-5-7. Certification of documents

3. The Indiana State Lottery Commission submitted a request for an extension of one (1) year for the following rules, as designated by the citation to the Indiana Administrative

Code:

- a. Title 65 IAC 1-1-4. Seal
- b. Title 65 IAC 1-3-2. Equal employment opportunity

- c. Title 65 IAC 1-3-3. Security investigation
- d. Title 65 IAC 1-3-5. Care of commission documents and materials
- e. Title 65 IAC 2-1-11. Cancellation; rejection; amendment of solicitations
- f. Title 65 IAC 2-1-20. Contracts to be in writing; provisions required by statute
- g. Title 65 IAC 2-4-1. Consideration by director

4. The rules cited in paragraphs one (1), two (2), and three (3) above of this Executive Order were not readopted before the expiration date of the rules. The failure to readopt the rules cited in paragraphs one (1), two (2), and three (3) of this Executive Order would cause an emergency to occur. The expiration dates of the rules cited in paragraphs one (1), two (2), and three (3) of this Executive Order shall be extended until January 1, 2015.



IN TESTIMONY WHEREOF, I,

Michael R. Pence, have hereunto set my hand and caused to be affixed the Great Seal of the State of Indiana on this 27th day of December, 2013.


Michael R. Pence

Governor of Indiana



ATTEST: Connie Lawson
Secretary of State