

**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.

*M E Daniels, Jr.*  
Mitchell E. Daniels, Jr.  
Governor of Indiana

*Todd Rokita*

ATTEST:  
Todd Rokita  
Secretary of State