

LEGISLATIVE COUNCIL RESOLUTION 16-01
(As Adopted May 25, 2016)

BE IT RESOLVED BY THE INDIANA LEGISLATIVE COUNCIL:

SECTION 1. For the purposes of this resolution, "study committee" means a committee or commission which has been established by the Legislative Council or statute and:

- (1) is chaired by a member of the General Assembly and has members of the General Assembly serving as at least one-half of its voting membership;
- (2) is required by law to be staffed by the Legislative Services Agency or to operate under procedures or policies established by the Legislative Council;
- (3) whose chair by law must be selected by the Chair of the Legislative Council, the Speaker of the House, or the President Pro Tempore of the Senate; or
- (4) has members of the General Assembly serving as at least one-half of its voting membership.

SECTION 2. **LIMITATION ON STUDY TOPICS.** (a) This SECTION applies to a study committee established by IC 2-5-1.3-4 or otherwise required by law to be staffed by the Legislative Services Agency or operate under procedures or policies established by the Legislative Council.

(b) A study committee may not study a topic or take testimony on a topic, including topics described by statute, unless the topic is assigned by the Legislative Council or the topic is approved in writing by the Personnel Subcommittee of the Legislative Council.

(c) A report, by whatever name denominated, that is required by law to be distributed to members of the General Assembly, the Legislative Council, a study committee, one (1) or more members of a study committee, or another appointed or elected official or agency is not a topic assigned for study by a study committee, unless the topic is assigned by the Legislative Council in this Resolution or the topic is approved in writing by the Personnel Subcommittee of the Legislative Council.

(d) In the event of a conflict between a statute governing a study committee and a provision of this Resolution, the statute shall be treated as a non-binding directive and this Resolution prevails. If the statute in question is silent with regard to a provision of this Resolution, this Resolution prevails. If the conflict is only between IC 2-5-1.2 or IC 2-5-1.3 and another statute, IC 2-5-1.2 and IC 2-5-1.3 prevail and if there is a conflict between IC 2-5-1.2 and IC 2-5-1.2 and IC 2-5-1.3, IC 2-5-1.3 prevails.

SECTION 3. **STATUTORY STUDY COMMITTEES NOT ASSIGNED TOPIC.** No topics are assigned in this Resolution to any of the following study committees established by IC 2-5-1.3-4:

- (1) The Interim Study Committee on Commerce and Economic Development.
- (2) The Interim Study Committee on Elections.
- (3) The Interim Study Committee on Environmental Affairs.

(4) The Interim Study Committee on Financial Institutions and Insurance.

SECTION 4. TOPICS ASSIGNED TO STUDY COMMITTEES BY LEGISLATIVE COUNCIL. The following study committees established by IC 2-5-1.3-4 shall study and make findings and recommendations concerning the following topics assigned to them and submit a final report to the Legislative Council in an electronic format under IC 5-14-6 before November 1, 2016:

(1) INTERIM STUDY COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

(A) The following: (i) An accounting of all properties maintained by the Department of Natural Resources, including needs for maintenance, improvements, and upgrades to those properties. (ii) Anticipated future property needs. (iii) Additional long term funding sources for the President Benjamin Harrison Conservation Trust Fund. (Source: HEA 1353-2016, SECTION 33.)

(2) INTERIM STUDY COMMITTEE ON CORRECTIONS AND CRIMINAL CODE

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

(A) The following topics reassigned from the Administrative Law Study Commission: (1) Whether administrative law judges and environmental law judges should be replaced by an administrative court that conducts administrative hearings and other duties currently conducted by administrative law judges and environmental law judges. (2) If an administrative court is established: (A) the average number of cases the administrative court would hear in a calendar year; (B) the process that should be used to select judges for the administrative court; (C) the appropriate number of judges and staff persons that would be required to serve the administrative court based on the caseload of the court; (D) the proper procedures for the operation of the administrative court; (E) issues concerning the transition from the use of administrative law judges and environmental law judges to the establishment of an administrative court; and (F) any other issues the committee considers relevant to the establishment of an administrative court. (Source: SEA 1-2016, SECTION 1.)

(B) Expanding authority of courts to issue civil protection order requiring the use of Global Positioning System (GPS) usage with victim notification capabilities in domestic violence cases. (Source: SR 40.)

(3) INTERIM STUDY COMMITTEE ON COURTS AND THE JUDICIARY

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) All requests for new courts or changes in jurisdiction of existing courts. (Source: Personnel Subcommittee of the Legislative Council.)
- (B) The Circuit and Superior Court Motion Clerk Pilot Program, if the Indiana Judicial Center submits a report to the Committee under IC 2-5-1.3-17. (Source: HEA 1047-2016, SECTION 3.)
- (C) Recommendations of the Probate Study Subcommittee of the Interim Study Committee on Courts and the Judiciary (if any) concerning the following: (i) Supported decision making as an alternative to guardianships. (ii) Any other changes that the Probate Study Subcommittee determines are needed in the Probate Code (IC 29-1), the Trust Code (IC 30-4), or other statutes affecting the administration of a decedent's estate, guardianships, probate jurisdiction, trusts, or fiduciaries. (Source: SEA 31-2016, SECTION 1; Letter from Representative Pierce.)
- (D) Civil rights issues related to gender identity and sexual orientation (Source: SB 344 (as adopted in Senate Committee); Letter from Senator Lanane.)
- (E) Visitation, communication, and interaction with a protected persons. (Source: SEA 192-2016, SECTION 3.)

(4) INTERIM STUDY COMMITTEE ON EDUCATION

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Ways to reduce school sexual misconduct violations and methods of improving the reporting requirements of sexual misconduct violations in schools. (Source: HEA 1005-2016, SECTION 26.)

(5) INTERIM STUDY COMMITTEE ON EMPLOYMENT AND LABOR

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Establishing a committee or board to oversee the unemployment insurance benefit fund the special employment and training services fund. (Source: HEA 1344-2016, SECTION 52.)
- (B) Employee mis-classification, payroll fraud, and the use of independent contractor status. (Source: SEA 20-2016, SECTION 4.)
- (C) Requirement of performance bond for design and construction and payment bonds for labor and materials furnished for use in construction of the public-private project. (Source: HEA 1136-2016, SECTION 29.)

(6) INTERIM STUDY COMMITTEE ON ENERGY, UTILITIES, AND TELECOMMUNICATIONS

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Any report required to be submitted to the Committee by law. (Source: Personnel Subcommittee of the Legislative Council).

(7) INTERIM STUDY COMMITTEE ON FISCAL POLICY

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) A multi-year review, analysis, and evaluation of all tax incentives. (Source: HEA 1020-2014, as revised by HEA 1142-2015).
- (B) Report of the Legislative Services Agency concerning the following: (i) The combined reporting approach to apportioning income for income tax purposes. (ii) Issues related to transfer pricing under the adjusted gross income tax law. (Source: SEA 323-2016, SECTION 1.)
- (C) The following: (1) Whether a heavy equipment vehicle excise tax, instead of the property tax, should be imposed on certain heavy equipment vehicles. (2) The appropriate amount of the fee that should be charged for the registration of a logging vehicle that: (A) is used to harvest logs or timber; (B) is used to process or load harvested logs or timber; or (C) is transported to a logging site specifically for the purpose of building or maintaining a road at the logging site. (Source: EHB 1290-2016, SECTION 37 (as printed February 26, 2016).)
- (D) The following: (1) Whether the General Assembly should enact an income tax credit for taxpayers who lawfully occupy real property located in a designated area of some kind after the property has been declared abandoned under IC 36-7-37 or another statute, regulation, or guideline. (2) Whether the General Assembly should enact an income tax credit for taxpayers who make expenditures: (A) to rehabilitate real property located in a designated area of some kind after the property has been declared abandoned under IC 36-7-37 or another statute, regulation, or guideline; or (B) for new construction in a designated area. (Source: ESB 67, SECTION 4 (as printed February 29, 2016).)
- (E) Fiscal needs of municipalities that have percentage growth in assessed value in a year that was at least two (2) times the percentage growth allowed in property tax levies under IC 6-1.1-18.5. (Source: SEA 308-2016, SECTION 45.)
- (F) The following: (1) New requirements from the Centers for Medicare and Medicaid Services pertaining to home and community based settings. (2) The effect of the requirements described in subdivision (1) on Indiana waiver services for individuals with disabilities, rate reimbursement, and rate methodology. (3) The fiscal impact of the requirements described in subdivision (1). (4) The impact of the change from daily rate billing to hourly billing for facility based habitation services on the services provided and the providers of the services. (Source: SEA

323-2016, SECTION 3.)

- (G) Establishment of a food desert grant and loan program. (Source: SEA 15-2016, SECTION 1.)
- (H) Review report of United Way on return on investment for early childhood education spending (Source: Letter from Speaker Bosma.)

(8) INTERIM STUDY COMMITTEE ON GOVERNMENT

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Expanding the availability of open data in Indiana, including the subjects listed in SEA 126-2016, SECTION 8. (Source: SEA 126-2016.)
- (B) Substantive revisions to Titles 4 & 5 of the Indiana Code, including the following:
 - (i) Relocate and revise statutes concerning public purchases and property transfers.
 - (ii) Review and relocate Indiana's prompt payment statutes.
 - (iii) Relocate and reorganize statute regarding the financing and construction of state office buildings and other facilities under the Indiana Finance Authority.
 - (iv) Consolidate and revise statutes governing state and local government public works projects.
 - (v) Relocate and reorganize statutes governing state contracting and related fiscal procedures. (Source: Recommended in 2015 Final Report of the Code Revision Commission.)
- (C) Effects of the recent changes to the annexation laws. (Source: Recommended in 2015 Final Report of the Interim Study Committee on Government.)
- (D) The available procedures (if any) by which a political subdivision in a county may: (1) transfer the political subdivision's funds to another political subdivision located in the same county; and (2) transfer additional money from the political subdivision's other funds into the political subdivision's: (A) rainy day fund under IC 36-1-8-5.1; or (B) general operating fund. (Source: SEA 321-2016, SECTION 36.)

(9) INTERIM STUDY COMMITTEE ON PENSION MANAGEMENT OVERSIGHT

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) All requests for changes in a public pension program. (Source: Personnel Subcommittee of the Legislative Council.)
- (B) Review data presented by the State Board of Accounts regarding a follow up with the seven local units who reported in 2015 to have pension plans with funded ratios of 25% or less. (Source: 2015 Final Report Recommendation of Interim Study Committee on Pensions Management and Oversight.)

(10) INTERIM STUDY COMMITTEE ON PUBLIC HEALTH, BEHAVIORAL HEALTH, AND HUMAN SERVICES

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Heroin use, treatment, and recovery in Indiana. (Source: HB 1185 (Introduced Version).)
- (B) Loan forgiveness for dentists and dental hygienists who treat Medicaid patients. (Source: HEA 1156-2016, SECTION 5.)
- (C) Multi-state nurse licensure agreements. (Source: HCR 12.)
- (D) Study: (1) medical records confidentiality; and (2) medical records disclosure in instances of child abuse and neglect. (Source: SEA 131-2016, SECTION 2.)
- (E) Hospital immunizations, including: (1) Whether a hospital shall conduct immunizations in accordance with the recommendations established by the Advisory Committee on Immunization Practices of the United States Centers for Disease Control and Prevention. (2) If a hospital conducts immunizations, which individuals must be immunized and what exceptions to the immunization requirement should be granted. (3) Any other issues concerning immunizations related to the safety of patients and the safety of individuals receiving the immunizations. (Source: SB 162-2016, SECTION 1 (Reprinted March 1, 2016).)
- (F) Patient access to and provider reimbursement for federally approved medication assisted treatment in the Medicaid program. (Source: SEA 297-2016, SECTION 7.)
- (G) Employment First Program (Source: SR 39.)
- (H) Review fiscal report from Interagency Coordinating Council on First Steps program under IC 12-12.7-2-15. (Source: Personnel Subcommittee of the Legislative Council.)

(11) INTERIM STUDY COMMITTEE ON PUBLIC POLICY

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Rewriting of Title 7.1 (Alcohol and Tobacco) of the Indiana Code and the three tier alcohol distribution system in Indiana. (Source: HR 3; HR 52.)
- (B) The following: (1) Regulation of paid fantasy sports; (2) the taxation of paid fantasy sports; and (3) interception of past due taxes and child support owed by paid fantasy sports game players. (Source: SEA 339-2016, SECTION 5.)

(12) INTERIM STUDY COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Whether grants for assistance from the military family relief fund should be paid directly to vendors on behalf of a qualified service member or dependents of the qualified service member. (Source: SEA 295-2016, SECTION 15.)
- (B) District veteran service officers, including the following: (1) Duties to be performed; (2) Standards for certification; (3) Accreditation requirements. (4) Cost of employing. (Source: HEA 1089-2016, SECTION 4.)

(13) INTERIM STUDY COMMITTEE ON ROADS AND TRANSPORTATION

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING RESPONSIBILITIES:

- (A) Advise the Bureau of Motor Vehicles regarding the suitability of a special groups to have a special group recognition license plate. (Source: IC 9-18-25.)
- (B) New motor vehicle dealer and manufacturer licenses. (Source: HEA 1254-2016, SECTION 1.)
- (C) Equipping school buses with seat belts or lap and shoulder safety belts. (Source: HR 26; SR 31; Letter from Senator Rogers.)

SECTION 5. A subcommittee of the Legislative Council shall carry out the responsibilities assigned to the Subcommittee by the Chair of the Legislative Council, by law, or by this Resolution. If a subcommittee is assigned a responsibility, the subcommittee shall make a final report with findings and recommendations to the Legislative Council before November 1, 2016, in an electronic format under IC 5-14-6. The following subcommittees shall study the following topics:

(1) LEGISLATIVE EVALUATION AND OVERSIGHT POLICY SUBCOMMITTEE OF THE LEGISLATIVE COUNCIL.

THE SUBCOMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

- (A) Whether the legislative evaluation and oversight program under IC 2-5-21 should be continued and, if continued, the future of the program. (Source: Personnel Subcommittee of the Legislative Council.)

SECTION 6. The following study committees established by statute shall study and make findings and recommendations concerning the following topics assigned to them and submit a report of its activities to the Legislative Council in an electronic format under IC 5-14-6 before

November 1, 2016:

(1) CODE REVISION COMMISSION (IC 2-5-1.1-10)

THE COMMITTEE IS CHARGED WITH THE FOLLOWING RESPONSIBILITIES:

- (A) Preparation of a technical corrections bill to resolve technical conflicts and correct technical errors in statutes and other responsibilities under IC 2-5-1.1-10. (Source: IC 2-5-1.1-10).

(2) SPECIAL INTERIM STUDY COMMITTEE ON REDISTRICTING (HEA 1003-2015)

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Alternative methods for establishing districts for the election of members of the General Assembly and members of Congress from Indiana and related topics specified in HEA 1003-2015. (Source: IC 2-5-39.)

(3) EDUCATION PANEL TO STUDY ALTERNATIVES TO THE ISTEP PROGRAM (HEA 1395-2016)

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Alternatives to ISTEP program tests and other topics described in HEA 1395-2016 (Source: HEA 1395-2016, SECTION 6.)

(4) INDIANA'S ROADS FOR A STRONGER, SAFER TOMORROW TASK FORCE (HEA 1001-2016)

THE COMMITTEE IS CHARGED WITH THE FOLLOWING RESPONSIBILITIES:

- (A) The following: (i) Review state highway and major bridge needs. (ii) Verify road and bridge needs at the local level. (iii) Develop a long term plan for state highway and major bridge needs that addresses the ten (10) points described in HEA 1001-2016, SECTION 21(g) and: (a) will achieve the recommended pavement and bridge conditions; (b) will complete the current statewide priority projects by finishing projects that have been started; (c) includes Tier 1, 2, and 3 projects; and (d) using the model developed by the Indiana Department of Transportation, includes sustainable funding mechanisms for the various components of the plan. (iv) Develop a long term plan for local road and bridge needs. (Source: HEA 1001-2016, SECTION 21.)