

LEGISLATIVE COUNCIL RESOLUTION 17-01
(Adopted May 25, 2017)

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.

The term does not include the Commission on Improving the Status of Children in Indiana.

SECTION 2. **LIMITATION ON STUDY TOPICS; APPLICATION.** (a) 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.

(b) 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.

(c) 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 2-5-1.3, 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 Employment and Labor.
- (2) The Interim Study Committee on Public Policy.

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, 2017:

(1) INTERIM STUDY COMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

- (A) Proximity to and interaction of CAFOs with suburban and urban areas, issues relating to transformation of traditional farms to CAFOs, and the need for special regulations. (Source: Email-Senator Long.)

(2) INTERIM STUDY COMMITTEE ON COMMERCE AND ECONOMIC DEVELOPMENT

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Short term rentals and local restrictions on short term rentals (Source: HB 1133-2017, Senate Motion #6.)
- (B) Government regulation and government services (such as public safety, zoning and permitting) that arise around the sharing economy operating through electronic platforms. (Source: Letter-Rep. Lehman.)

(3) INTERIM STUDY COMMITTEE ON CORRECTIONS AND CRIMINAL CODE

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Implementation of HEA 1006-2014, including the following:
- (i) Savings accrued by the Department of Correction due to implementation of HEA 1006-2014.
 - (ii) Jail overcrowding.
 - (iii) Establishment of regional jails.
 - (iv) Availability and certification of treatment providers and treatment facilities. (Source: HEA 1349-2017, SECTION 2.)
- (B) Requiring bills creating crimes or increasing penalties to be reviewed by an interim study committee. (Source: SR 58 (2017).)
- (C) Extending support services provided under IC 12-23-19 (mental health and addiction forensic treatment services) to individuals in the criminal justice system:
- (i) who:
 - (a) are charged with a misdemeanor offense; or
 - (b) have a prior misdemeanor conviction; and
 - (ii) who have been placed in or are eligible for placement in a pretrial

services program, a community corrections program, a prosecuting attorney's diversion program, or jail.
(Source: HEA 1006-2017, SECTION 11.)

(D) Serious mental illness and the death penalty. (Source: SR 64 (2017).)

(4) 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) Adult protective services. (Source: SB 345-2017, SECTION 4 (Introduced Version).)

(C) The following topics:

(i) Providing indigent defense services to persons charged with a misdemeanor.

(ii) Providing defense services to children who are alleged to be children in need of services under IC 31-34.

(Source: HEA 1001-2017, SECTION 170.)

(D) Civil forfeiture laws. (Source: HEA 1123, SECTION 1.)

(E) 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: IC 2-5-1.3-12.)

(5) INTERIM STUDY COMMITTEE ON EDUCATION

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

(A) Eligibility of an undocumented student brought to the United States as a minor (Dreamer) to pay the resident tuition rate that is determined by a state educational institution. (Source: Letter-Rep. Harris, Jr.; Rep. Candelaria Reardon.)

(B) New teacher induction programs. (Source: HEA 1449-2017, SECTION 5.)

(C) The following topics related to the Every Student Succeeds Act (ESSA):

- (i) Opportunities to establish innovative education policy based on changes in federal law under the federal Every Student Succeeds Act (Public Law 114-95, 129 Stat. 1802) ("ESSA").
- (ii) Necessary changes to Indiana law based upon changes made to federal law under ESSA.
- (iii) Opportunities to maximize flexibility for school corporations, charter schools, and accredited nonpublic schools based on changes made in federal law.
- (iv) How to improve teacher preparation programs and better prepare future educators for the classroom.
- (v) The Department of Education's plan to implement and comply with ESSA.

(Source: SEA 407-2017, SECTION 3.)

(6) INTERIM STUDY COMMITTEE ON ELECTIONS

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

- (A) How policy changes to Indiana election law have affected voting in Indiana from 2000 through 2016 regarding voter participation and election results. (Source: HB 1472, SECTION 6 (as reprinted February 22, 2017).)

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

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Self-generation of electricity by school corporations. (Source: SEA 309-2017, SECTION 7.)
- (B) Construction of wind power devices, including related:
 - (i) health effects;
 - (ii) public safety implications;
 - (iii) issues of property valuation;
 - (iv) policies defining conflicts of interest; and
 - (v) issues concerning economic development.
 (Source: SB 309, House Motion #3.)
- (C) Rental rates and other fees for the attachment of communications service facilities on utility poles that are owned or controlled by electricity suppliers. (Source: SEA 478-2017, SECTION 2.)
- (D) Rural broadband service in Indiana. (Source: HEA 1626-2017, SECTION 3.)
- (E) Any report required to be submitted to the Committee by law. (Source: Personnel Subcommittee of the Legislative Council).

(8) INTERIM STUDY COMMITTEE ON ENVIRONMENTAL AFFAIRS

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Public water supply protection, including issues related to lead removal. (Source: SEA 421-2017, SECTION 12; HB 1519-2017, SECTION 5 (as reprinted February 22, 2017); Letter, Senator Breaux.)
- (B) How adequate and affordable water utility service can be provided in areas of Indiana in which water utility service is inadequate or costly. (Source: HB 1208, SECTION 1 (Introduced Version).)

(9) INTERIM STUDY COMMITTEE ON FINANCIAL INSTITUTIONS AND INSURANCE

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

- (A) Statutory incorporation by reference in IC 27 of documents of the National Association of Insurance Commissioners. (Source: HEA 1318-2017, SECTION 22.)

(10) INTERIM STUDY COMMITTEE ON FISCAL POLICY

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Issues relating to eliminating the state gross retail tax on food sold through a vending machine. (Source: EHB 1013-2017, SECTION 1 (as printed March 31, 2017).)
- (B) The following topics:
 - (i) Issues related to the state gross retail or use tax and any innkeeper's tax under IC 6-9 imposed and collected from a facilitator as a retail merchant making a retail transaction.
 - (ii) Issues related to the state gross retail or use tax and any innkeeper's tax under IC 6-9 imposed and collected for transient residential housing rented or furnished for consideration.(Source: HB 1284-2017, SECTION 4 (as reprinted February 14, 2017).)
- (C) Issues related to establishing a neighborhood enhancement property tax relief program to allow a county, city, or town to adopt an ordinance or resolution to provide a real property assessed value deduction to longtime owner-occupants of real property located in designated areas with deteriorated, vacant, or abandoned residences and properties where homestead values are expected to rise markedly as a consequence of the refurbishing or renovating of deteriorating residences in the area or the construction of new residences in the area. (Source: HEA 1450-

2017, SECTION 66.)

- (D) Tax increment financing issues and the uniform property tax assessment of nonprofit entities. (Source: HEA 1489-2017, SECTION 3.)
- (E) School district financial condition analysis and monitoring. (Source: SR 56 (2017).)
- (F) A multi-year review, analysis, and evaluation of all tax incentives. (Source: IC 2-5-3.2-1.)

(11) INTERIM STUDY COMMITTEE ON GOVERNMENT

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

- (A) Food deserts in Indiana, including the following topics:
 - (i) Identifying existing food desert areas in Indiana.
 - (ii) Examining public and private programs in Indiana and other states that address the problem of food deserts, including programs that specifically address food deserts in rural and urban areas.
 - (iii) Identifying programs and other solutions that would be likely to be effective in eliminating Indiana based food deserts, including potential public, private, and public-private partnerships.
 - (iv) Identifying sources of revenue that may be available for food desert programs.(Source: HB 1643-2017, SECTION 1 (Introduced Version).)

(12) 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) Increasing access to and participation of public employees in retirement savings programs. (Source: Letter-Rep. Saunders, Rep. Ziemke.)

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

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Shortage of health care providers in Indiana. (Source: SB 538-2017, SECTION 1

(Introduced Version.)

- (B) Goals, benchmarks, and plans to reduce the incidence of diabetes in Indiana, improving diabetes care, and controlling complications associated with diabetes. (Source: HEA 1642-2017, SECTION 1.)
- (C) Potential improvements to the INSPECT program under IC 35-48-7. (Source: SEA 408-2017, SECTION 3.)
- (D) Changes needed in state law and policy to respond to changes in federal law on health care. (Source: Letter-Sen. Lanane; Rep. Pelath.)

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

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

- (A) Whether the employer of a public safety officer who dies in the line of duty should offer to provide and pay for health coverage under the health coverage plan provided for active employees for the surviving spouse and each natural child, stepchild, and adopted child of the public safety officer. (Source: SB 383-2017, SECTION 1 (as printed February 10, 2017.))

(15) INTERIM STUDY COMMITTEE ON ROADS AND TRANSPORTATION

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS AND THE FOLLOWING RESPONSIBILITIES:

- (A) Motor vehicle inspection and maintenance program in Lake and Porter counties and whether there are alternatives to the program that would satisfy regulatory requirements and have a comparable effect on air quality. (Source: HEA 1491-2017, SECTION 192.)
- (B) Whether to increase the minimum amounts:
 - (i) relevant when certain financial statements must be prepared and attested as audited, reviewed, or certified as correct in a bid for a department of transportation contract under IC 8-23-10-3; and
 - (ii) of a subcontract entered into by a successful bidder involving work upon which the bidder may be engaged for the department under IC 8-23-10-4.(Source: HEA 1422-2017, SECTION 11.)
- (C) The following:
 - (i) The feasibility of a traffic amnesty program for a person who owes unpaid fees or is required to pay a driver's license reinstatement fee to

obtain a driver's license.

(ii) Possible creation of a process for a petition for traffic amnesty.

(iii) The requirements that must be met for a court to grant a petition for traffic amnesty.

(Source: HEA 1268-2017, SECTION 1.)

- (D) Advise the Bureau of Motor Vehicles regarding the suitability of a special groups to have a special group recognition license plate. (Source: IC 2-5-1.3-13; IC 9-18.5-12.)

SECTION 5. A subcommittee of the Legislative Council shall carry out the responsibilities assigned to the Subcommittee by the Chair and Vice-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, 2017, in an electronic format under IC 5-14-6.

SECTION 6. The following study committee established by statute shall carry out the responsibilities assigned to the study committee by law. In addition, the following study committee shall study and make findings and recommendations concerning the following topic 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, 2017:

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

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

- (A) Preparation of one or more technical corrections bills 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).

SECTION 7. The Legislative Council requests that the following governing body, which does not qualify as a study committee, study and make findings and recommendations concerning the following additional topic and submit a report of its activities to the Legislative Council in an electronic format under IC 5-14-6 before November 1, 2017:

(1) COMMISSION ON IMPROVING THE STATUS OF CHILDREN IN INDIANA (IC 2-5-36)

THE COMMISSION IS REQUESTED TO STUDY THE FOLLOWING TOPICS:

- (A) Infant mortality and children born with an addiction. (Source: HB 1080-2017 House Motion #1.)
- (B) Licensing requirements as barrier contributing to shortage of child care and child abuse providers. (Source: Personnel Subcommittee of the Legislative Council).

SECTION 8. (a) As used in this SECTION, "joint committee" refers to the joint

committee established under subsection (b).

(b) The Joint Committee on Judiciary and Public Policy is established as a study committee.

(c) The joint committee consists of the members of the Senate Standing Committee on the Judiciary and the members of the House of Representatives Standing Committee on Public Policy.

(d) The chair of the Senate Standing Committee on the Judiciary is the chair of the joint committee. The chair of the House of Representatives Standing Committee on Public Policy is the vice-chair of the joint committee.

(e) Except as otherwise provided in this SECTION, IC 2-5-1.2 applies to the operation of the joint committee.

(f) The joint committee is charged with studying the following topics and submitting a report of its activities to the Legislative Council in an electronic format under IC 5-14-6 before November 1, 2017:

- (A) Repeal of the law that requires a person to obtain a license to carry a handgun in Indiana, including the following:
 - (i) The fiscal impact of a repeal of the handgun licensure law.
 - (ii) The issuance and use of reciprocity licenses.
 - (iii) Any persons who should be prohibited from possessing or carrying a handgun.
 - (iv) The rate in which handguns are used in suicides in Indiana.
 - (v) The rate in which handguns are used in criminal acts in Indiana.

(Source: HEA 1071-2017, SECTION 4.)

- (B) The following:
 - (i) Reduction of firearms violence in Indiana, including requiring background checks to be conducted by all gun show vendors at gun shows in Indiana.
 - (ii) Increasing the number of law enforcement officers employed by local units of government in Indiana.

(Source: HB 1071-2017, House Motion #5.)

(g) This SECTION expires November 1, 2017.

SECTION 9. (a) The following definitions apply throughout this SECTION:

(1) "Commission" refers to the commission established under subsection (b).

(2) "Entertainment" refers to entertainment, the value of which, would need to be reported separately or in the aggregate with other expenditures in an activity report under IC 2-7 or an annual report under IC 4-2-8 if the person offering the entertainment were a lobbyist.

(3) "Gift" means the voluntary transfer of anything of value without consideration that would need to be reported separately or in the aggregate with other expenditures in an activity report under IC 2-7 or an annual report under IC 4-2-8 if the person transferring the gift were a lobbyist. The term does not include a contribution (as defined in IC 3-5-2-15).

(4) "Lobbying" means an act or combination of acts taken to:

(A) communicate by any means, or pay others to communicate by any means, with any legislative person (as defined in IC 2-7-1-8) with the purpose of influencing

- any legislative action (as defined in IC 2-7-1-7); or
 - (B) influence decision making of an agency (as defined in IC 4-2-7-1);
- that requires an individual or entity to register as a lobbyist under IC 2-7 or an executive branch lobbyist IC 4-2-8, or both.
- (5) "Lobbyist" means an individual or entity that is required to register as a lobbyist under IC 2-7 or an executive branch lobbyist IC 4-2-8, or both.
 - (6) "Member" refers to a member of the commission.
 - (7) "Person" has the meaning set forth in IC 7.1-1-3-31.
- (b) The Title 7.1 Alcohol Code Revision Commission is established as a study committee.
- (c) The commission has the following members:
 - (1) An individual appointed by the Chair of the Legislative Council, who serves as chair of the commission.
 - (2) The following members appointed by the President Pro Tempore of the Senate:
 - (A) Two (2) members of the General Assembly.
 - (B) Two (2) lay members.
 - (3) The following members appointed by the Minority Leader of the Senate:
 - (A) Two (2) members of the General Assembly.
 - (B) Two (2) lay members.
 - (4) The following members appointed by the Speaker of the House of Representatives:
 - (A) Two (2) members of the General Assembly.
 - (B) Two (2) lay members.
 - (5) The following members appointed by the Minority Leader of the House of Representatives:
 - (A) Two (2) members of the General Assembly.
 - (B) Two (2) lay members.
 - (d) One (1) of the two (2) lay members appointed under subsection (c)(2)(B), subsection (c)(3)(B), subsection (c)(4)(B), and subsection (c)(5)(B) must be in commerce, higher education, or industry and the other lay member must:
 - (1) be a former:
 - (A) full-time judge;
 - (B) official or officer of the Alcohol and Tobacco Commission; or
 - (C) excise police official or officer; or
 - (2) have other regulatory experience.
 - (e) An individual may not serve on the commission if, the individual:
 - (1) is a lobbyist;
 - (2) is an individual:
 - (A) who (by themselves or with others) has an ownership interest in a permit issued under IC 7.1-3 or IC 7.1-7-4 (or any predecessor statutes); or
 - (B) employed by, having a contractual relationship with, or having a partial or full ownership interest in a person with an ownership interest in a permit issued under IC 7.1-3 or IC 7.1-7-4 (or any predecessor statutes); or
 - (3) after being appointed to the commission, accepts a gift or entertainment from a person that:
 - (A) has an ownership interest in a permit issued under IC 7.1-3 or IC 7.1-7-4 (or a predecessor statute); or
 - (B) is employed by, has a contractual relationship with, or has a partial or full

ownership interest in a person that has an ownership interest in a permit issued under IC 7.1-3 or IC 7.1-7-4 (or a predecessor statute).

An individual appointed to the commission shall notify the executive director of the Legislative Services Agency in writing of any noncompliance with this subsection.

(f) A member serves as a member of the commission at the pleasure of the appointing authority. The personnel subcommittee of the legislative council may establish standards for membership on the commission and review matters related to the standards..

(g) A lay member on the commission is a voting member.

(h) Except as provided by this SECTION, IC 2-5-1.2 applies to the commission.

(i) The commission is charged with revising Title 7.1 of the Indiana Code. The commission shall divide the revision process between the 2017 and 2018 legislative interims, addressing sub-parts of Title 7.1 in each interim, with one (1) focus in 2017 concentrating on reform recommendations to the retail sector of the consumption of alcohol statutes.

(j) The commission shall make recommendations for legislation in the 2018 and 2019 sessions of the General Assembly. The commission shall submit:

(1) an interim report of its activities to the Legislative Council in an electronic format under IC 5-14-6 before November 1, 2017; and

(2) a final report of its activities to the Legislative Council in an electronic format under IC 5-14-6 before November 1, 2018.

(k) This SECTION expires November 1, 2018.

SECTION 10. (a) The study committee established by this SECTION shall carry out the functions of the Executive Officers Compensation Advisory Commission established by SEA 60-2017, SECTION 1.

(b) The following definitions apply throughout this SECTION:

(1) "Executive officer" refers to any of the following:

(A) Governor.

(B) Lieutenant governor.

(C) Secretary of state.

(D) Auditor of state.

(E) Treasurer of state.

(F) State superintendent of public instruction.

(G) Attorney general.

(2) "Committee" refers to the committee established in subsection (c).

(c) The Interim Study Committee on Executive Officers Compensation is established as a study committee.

(d) The committee consists of the following eleven (11) members:

(1) Two (2) individuals appointed by the Speaker of the House of Representatives.

(2) Two (2) individuals appointed by the Minority Leader of the House of Representatives.

(3) Two (2) individuals appointed by the President Pro Tempore of the Senate.

(4) Two (2) individuals appointed by the Minority Leader of the Senate.

(5) Three (3) individuals appointed by the Governor. Not more than two (2) members appointed under this subdivision may be members of the same political party.

(e) The following may not be a committee member:

(1) An executive officer.

(2) An employee of the executive branch of state government.

(3) An individual who has a pecuniary interest in the salary of an executive officer. For purposes of this subdivision, an individual has a pecuniary interest in the salary of an executive officer if an increase in the salary of an executive officer will result in an ascertainable increase in the income or net worth of the individual.

(f) A lay member of the committee is a voting member.

(g) Except as provided in this SECTION, IC 2-5-1.2 applies to the operation of the commission.

(h) The Legislative Services Agency may contract with consultants on behalf of the commission as the committee considers necessary.

(i) The committee shall do the following:

(1) For each executive officer, determine the most recent year that the executive officer received a salary increase.

(2) Receive information relating to the salaries of executive officers.

(3) Consider recommendations for suitable salaries for executive officers.

(4) Take testimony relating to the salaries of executive officers.

(j) The committee shall make written recommendations to the Legislative Council and the budget committee concerning suitable salaries for executive officers. The commission shall submit:

(1) an interim or a final report of its activities to the Legislative Council in an electronic format under IC 5-14-6 and the budget committee before November 1, 2017; and

(2) if a final report is not submitted in 2017, a final report of its activities to the Legislative Council in an electronic format under IC 5-14-6 before November 1, 2018.

When making recommendations, the committee shall make a separate recommendation for each separate executive officer. If the commission determines that the current salary of an executive officer, as of July 1, 2017, is appropriate, the commission shall make a recommendation for no adjustment of salary.

(k) This SECTION expires November 1, 2018.