

Adopted	Rejected
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COMMITTEE REPORT

YES:	7
NO:	0

MR. SPEAKER:

*Your Committee on Public Policy and Veterans Affairs, to which was referred Senate Bill 304, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 3, between lines 21 and 22, begin a new paragraph and insert:
- 2 "SECTION 2. IC 20-12-21-5.1 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5.1. (a) In addition
- 4 to the duties described in section 5(a) of this chapter, the commission
- 5 shall do the following:
- 6 (1) Prepare and supervise the issuance of public information
- 7 concerning all of the commission's programs.
- 8 (2) Prescribe the form and regulate the submission of applications
- 9 for all of the commission's programs.
- 10 (3) Determine the amounts of grants and scholarships.
- 11 (4) Determine eligibility for grants and scholarships.
- 12 (5) Receive federal funds made available to the commission for
- 13 awards, grants, and scholarships, and disburse these funds in the
- 14 manner prescribed by federal law.
- 15 (b) In addition to the powers described in section 5(b) of this

1 chapter, the commission may do the following:

2 (1) Accept gifts, grants, devises, or bequests for the purpose of
3 providing grants, awards, scholarships, loans, or other forms of
4 financial aid to students attending approved institutions of higher
5 learning.

6 (2) Enter into contracts, subject to IC 4-13-2, that the commission
7 determines are necessary to carry out the commission's functions.

8 (3) Provide administrative or technical assistance to other
9 governmental or nongovernmental entities if the provision of this
10 assistance will increase the number and value of grants, awards,
11 scholarships, or loans available to students attending approved
12 institutions of higher learning.

13 (c) When the commission receives an offer of a gift, grant, devise,
14 or bequest under subsection (b)(1), the commission may accept
15 stipulations on the use of the donated funds. In this case, sections 7(d)
16 and 17 of this chapter do not apply. Before accepting a gift, grant,
17 devise, or bequest, the commission shall determine that the purposes for
18 which a donor proposes to provide funds are:

- 19 (1) lawful;
20 (2) in the state's best interests; and
21 (3) generally consistent with the commission's programs and
22 purposes.

23 Whenever the commission agrees to stipulations on the use of donated
24 funds under this subsection, the commission and the donor shall,
25 subject to approval by the state budget agency and the governor or the
26 governor's designee, execute an agreement.

27 (d) Whenever the commission agrees to provide administrative or
28 technical assistance under subsection (b)(3), the commission and the
29 party to whom the assistance is to be provided shall execute an
30 agreement specifying:

- 31 (1) the assistance that is to be provided; and
32 (2) the charges, if any, that are to be assessed by the commission
33 for providing this assistance.

34 The commission may waive charges for administrative or technical
35 assistance under this subsection if the commission determines that a
36 waiver is in the best interest of the state. Agreements to provide
37 assistance under this subsection must be approved by the budget agency
38 and the governor or the governor's designee.

1 (e) The commission shall exercise its functions without regard to an
2 applicant's race, creed, sex, color, national origin, or ancestry.

3 (f) **This subsection applies to a person called to active duty after**
4 **September 11, 2001. As used in this subsection, "active duty"**
5 **means full-time service in:**

6 (1) **the national guard (as defined in IC 10-16-1-13); or**

7 (2) **any reserve component of the:**

8 (A) **Indiana national guard; or**

9 (B) **armed forces;**

10 **that exceeds thirty (30) consecutive days in a calendar year. When**
11 **determining financial eligibility under subsection (a)(4) for a Frank**
12 **O'Bannon grant, which includes grants formerly designated as the**
13 **higher education award and the freedom of choice award, the**
14 **commission may not consider any salary for service on active duty**
15 **that is received by a member of the national guard who is called to**
16 **active duty."**

17 Page 3, after line 29, begin a new paragraph and insert:

18 "SECTION 4. **An emergency is declared for this act.**"

19 Renumber all SECTIONS consecutively.

(Reference is to SB 304 as reprinted January 26, 2005.)

and when so amended that said bill do pass.

Representative Alderman