

**Members**

Sen. David Long, Chairperson  
Rep. B. Patrick Bauer, Vice-Chairperson  
Sen. James Merritt  
Sen. Connie Lawson  
Sen. Brandt Hershman  
Sen. Teresa Lubbers  
Sen. Richard Young  
Sen. Vi Simpson  
Sen. Samuel Smith  
Rep. Dale Grubb  
Rep. Russell Stilwell  
Rep. Scott Pelath  
Rep. Charlie Brown  
Rep. Brian Bosma  
Rep. Kathy Kreag Richardson  
Rep. William Friend



## LEGISLATIVE COUNCIL

Legislative Services Agency  
200 West Washington Street, Suite 301  
Indianapolis, Indiana 46204-2789  
Tel: (317) 233-0696 Fax: (317) 232-2554

**LSA Staff:**

John Rowings, Attorney for the Council  
Diane Powers, Fiscal Analyst for the Council

Authority: IC 2-5-1.1

### MEETING MINUTES<sup>1</sup>

**Meeting Date:** June 6, 2007  
**Meeting Time:** 1:30 P.M.  
**Meeting Place:** State House, 200 W. Washington St., Room 404  
**Meeting City:** Indianapolis, Indiana  
**Meeting Number:** 1

**Members Present:** Sen. David Long, Chairperson; Rep. B. Patrick Bauer, Vice-Chairperson; Sen. James Merritt; Sen. Brandt Hershman; Sen. Teresa Lubbers; Sen. Richard Young; Rep. Dale Grubb; Rep. Scott Pelath; Rep. Charlie Brown; Rep. Brian Bosma; Rep. Kathy Kreag Richardson; Rep. William Friend.

**Members Absent:** Sen. Connie Lawson; Sen. Vi Simpson; Sen. Samuel Smith; Rep. Russell Stilwell.

### Introduction

Senator David Long, Chairman, called the meeting to order at 1:50 p.m. and asked the members to introduce themselves.

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<sup>1</sup> Exhibits and other materials referenced in these minutes can be inspected and copied in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for copies may be mailed to the Legislative Information Center, Legislative Services Agency, 200 West Washington Street, Indianapolis, IN 46204-2789. A fee of \$0.15 per page and mailing costs will be charged for copies. These minutes are also available on the Internet at the General Assembly homepage. The URL address of the General Assembly homepage is <http://www.in.gov/legislative/>. No fee is charged for viewing, downloading, or printing minutes from the Internet.

### **Consideration of LCR 07-01 Concerning Creation of Interim Study Committees and Assignment of Study Topics to Statutory Committees**

The first order of business was consideration of the proposed Legislative Council Resolution 07-01 (LCR 07-01) concerning the creation of ad hoc study committees and assignment of topics to statutory committees and commissions (see Exhibit 1). Chairman Long briefly reviewed the proposed resolution, noting that it would establish three interim committees to study the issue of the imposition of the death penalty on mentally ill persons (the Bowser Commission), education matters, and transportation matters, as well as referring numerous study topics to statutory committees and commissions. He then asked for comments or questions from the members.

Representative Charlie Brown noted his concern that there was no mention of the Northwest Indiana Transportation Study Commission in the proposed resolution, and asked whether the Commission would be able to meet to discuss transportation issues of concern to northwest Indiana. Chairman Long noted that the Commission could still meet under its statutory enabling legislation and asked Representative Brown if he would like to make a suggestion for this Commission. Representative Brown responded that he would like a study of certain issues surrounding the lease of the Indiana toll road, and made a motion to that effect. In the ensuing discussion, various members of the Council noted issues that might be studied, as follows:

- Representative Brown said that he would like information as to the status of negotiations between the operators of the Indiana and Illinois toll roads concerning reciprocal toll discounts for the residents of each state. He noted that there was an ongoing disagreement as to whether each state would honor discounts for persons who have signed up for the other state's electronic toll collection systems (the I-Pass and I-Zoom programs).
- Speaker Bauer said that he would like to know the position of the administration and the operator of the toll road concerning reimbursement for local fire departments and other public safety providers when they respond to incidents on the toll road. He noted that the operator had recently denied some bills for such services.
- Representative Brown also expressed a concern about traffic congestion on the toll road. He noted that he has been contacted by constituents about long lines of traffic attempting to access the toll road and locations in which only one toll booth was operating, also leading to some long lines.
- Representative Scott Pelath said that he has been contacted by former toll road employees who indicated that the operator of the toll road has not been complying with its obligations concerning such former employees.

After further discussion of the issues noted above, the members consented to a suggestion by Chairman Long that a letter be drafted requesting information on each of those issues from the administration and the operator of the toll road, with the understanding that the information provided would be made available at the next Council meeting. Representative Brown withdrew his motion.

LCR 07-01 was adopted by a vote of 12-0.

### **Consideration of LCR 07-02 Concerning Operational Rules and Funding for Interim Committees**

Chairman Long asked John Rowings, Acting Executive Director of the Legislative Services Agency, to explain LCR 07-02 (see Exhibit 2). Mr. Rowings explained that the proposed resolution contains the operating guidelines, reporting deadlines, and budgetary amounts for interim and statutory study committees. He added that these were the same guidelines and amounts as were in effect during the 2006 interim and that various dates in the resolution had simply been updated in this year's version.

Representative Brown asked whether a committee not listed in the resolution was required to report back to the Council. Mr. Rowings explained that most statutory committees and commissions are required to make reports to the Council by their enabling statute.

LCR 07-02 was adopted by a vote of 12-0.

### **Consideration of LCR 07-03 Concerning Assignment of Quadrennial Study of Tax Abatement and Redevelopment Commissions**

Chairman Long asked Mr. Rowings to explain proposed LCR 07-03 and the underlying statutory requirements (see Exhibit 3). Mr. Rowings made the following points in his presentation and in response to questions from Council members:

- Three provisions of the Indiana Code that were enacted in the mid-1990s require the General Assembly to provide for a fiscal analysis of the effects of certain chapters of the Indiana Code, giving first priority to using the Indiana Economic Development Corporation ("IEDC").
- The chapters to be evaluated are the statutes governing tax abatement (see IC 6-1.1-12.1-11) and redevelopment commissions, including tax increment financing (see IC 36-7-14-44.2 and IC 36-7-15.1-36.2).
- The fiscal analyses are required to be conducted on a four year cycle, and a new round of analyses are due in 2007.
- The 1999 fiscal analysis was conducted by the Legislative Services Agency as part of an economic development study committee. The 2003 fiscal analysis was prepared by the Indiana Economic Development Council (a predecessor of the current IEDC) based upon data gathered through a survey conducted by the Center for Urban Policy and the Environment at Indiana University-Purdue University at Indianapolis.
- LCR 07-03 would designate the IEDC to carry out this year's required fiscal analyses and to submit a report to the Governor, President Pro Tempore of the Senate, and Speaker of the House of Representatives before December 1, 2007.

LCR 07-03 was adopted by a vote of 12-0.

### **Announcement of Legislative Council Subcommittees and Chairs**

Chairman Long announced the membership and chairmanship of the following

Legislative Council subcommittees:

LEGISLATIVE COUNCIL DATA PROCESSING SUBCOMMITTEE

Senator Hershman, Chair  
 Senator Smith  
 Representative Stilwell  
 Representative Richardson

LEGISLATIVE COUNCIL EVALUATION AND OVERSIGHT POLICY  
 SUBCOMMITTEE

Senator Lawson, Chair  
 Senator R. Young  
 Representative Pelath  
 Representative Friend

LEGISLATIVE COUNCIL PERSONNEL SUBCOMMITTEE

Senator Long, Chair  
 Senator R. Young  
 Speaker Bauer  
 Representative Bosma

LEGISLATIVE COUNCIL SPACE UTILIZATION SUBCOMMITTEE

Senator Merritt, Chair  
 Senator Simpson  
 Representative Grubb  
 Representative Richardson

**Status of Search for Permanent LSA Director**

Chairman Long stated that the four legislative leaders had received approximately 29 applications for the LSA Executive Director position. He indicated that the leaders hope to have the position filled by the end of the summer, and thanked Mr. Rowings for his service as acting director.

**Other Business**

Representative Brown noted that a question had arisen as to the scope of coverage of House Enrolled Act 1678 from the 2007 session, which requires health insurers and health maintenance organizations to cover children up to 24 years old upon request - does it apply to all types of generally used health benefit plans, including self-funded plans, or is the application of the bill more narrow? Representative Brown further indicated that he would like to investigate this issue, as he is concerned about the possibility of varying interpretations by employers around the state. In subsequent discussion, Representative Brown and other Council members consented to Chairman Long's suggestion that he send a letter posing this question to Commissioner Atterholt at the Department of Insurance and

Secretary Roob at FSSA, and report his findings to the Council at its next meeting.

**Adjournment**

The meeting was adjourned at 2:30 p.m.