

LEGISLATIVE COUNCIL RESOLUTION 09-01

(As Adopted July 27, 2009)

BE IT RESOLVED BY THE INDIANA LEGISLATIVE COUNCIL:

SECTION 1. Any interim study committee created by statute, and required to operate under the rules of the Council, unless otherwise provided by statute, and any interim committee created by the Legislative Council shall be composed of twelve (12) voting members, with six (6) appointed from the Senate by the Chairman of the Council, and six (6) appointed from the House by the Vice-Chairman of the Council. Appointments from each chamber shall be divided equally between the two major political parties. The Chairman and Vice-Chairman of the Council may each appoint non-legislators to serve as non-voting members of a committee.

Except as provided by statute, the Chairman of the Council, with the advice of the Vice-Chairman, shall designate the chairman of each committee, and may in the same manner designate a vice-chairman of each committee.

SECTION 2. The committee identified in this SECTION is established and shall study and make findings and recommendations concerning the topics assigned to it. The Chairman of the Council and the Vice-Chairman shall designate co-chairmen of the committee.

INTERIM STUDY COMMITTEE ON EDUCATION

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- A. Adult Education programs and make recommendations to the General Assembly addressing at least the following:
 - 1) Gaps that exist throughout Indiana in adult education programs offered.
 - 2) Funding issues, including a comprehensive fiscal analysis detailing the extent to which the demand for additional adult education programming exceeds the financial resources available.
- B. Early school start dates and calendar flexibility
- C. Need for after-school programming in Indiana

SECTION 3. The Legislative Council charges the following entities to study the topics indicated, and, unless otherwise provided in LCR 09-02, to submit findings and recommendations to the Council before November 1, 2009:

1. INTERIM STUDY COMMITTEE ON ALCOHOLIC BEVERAGE ISSUES (IC 2-5.5-4)

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

- A. Alcohol sale and distribution process in Indiana (SR 60)

2. CENSUS DATA ADVISORY COMMITTEE (IC 2-5-19)

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- A. Legislative redistricting (SCR 95)
- B. Use of electronic security protocols in vote centers (SR 114)

3. COMMISSION ON COURTS (IC 33-23-10-1)

THE COMMISSION IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- A. Consolidation of probation services in counties having more than one probation department (SR 31)
- B. Methods of providing financial support to local probation departments (SR 47)
- C. Liability, statute of limitations, and statute of repose for asbestos related illnesses (HR 98)

4. CRIMINAL CODE EVALUATION COMMISSION (HEA 1001(ss)-2009)

THE COMMISSION IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

- A. Evaluate the criminal laws of Indiana (HEA 1001(ss))

5. ENVIRONMENTAL QUALITY SERVICE COUNCIL (IC 13-13-7)

THE COUNCIL IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- A. Conduct a study and develop recommendations concerning the advisability of establishing an institutional control registry and an environmental trust fund as set forth in SB 460-2009, or in a different manner (HEA 1162)
- B. Conduct a study and develop recommendations concerning the feasibility of incorporating notice of restrictive covenants and environmental restrictive ordinances into the "One Call" system managed by the Indiana Underground Plant Protection Service under IC 8-1-26 (HEA 1162)
- C. Role and responsibilities of sewer districts (SR 77)

6. INTERIM STUDY COMMITTEE ON GAMING (HEA 1001(ss)-2009)

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- A. Prepare a market analysis of gaming in Indiana to determine viability and profitability in light of gaming in Michigan and Illinois and the potential of gaming in Ohio and Kentucky (HEA 1001(ss))

- B. Conduct a comprehensive study of the following issues related to gaming in Indiana (HEA 1001(ss))
- 1) Admission taxes for riverboats
 - 2) Competition from out of state gaming entities
 - 3) Waivers for gaming tournaments
 - 4) Land-based gaming
 - 5) Non-smoking accommodations
 - 6) Restrictions on alcohol prizes
 - 7) Authority to regulate type 2 gaming in for-profit ventures
 - 8) A referendum concerning gaming in the city of Fort Wayne
 - 9) Competition from tribal-operated casinos
 - 10) Issues related to the riverboat in French Lick, including modification of trust payments, subsidies paid by other gaming facilities, and land-based gaming
 - 11) The movement of riverboats in the city of Gary to new locations
 - 12) The need to retain United States Coast Guard compliant marine navigation systems
 - 13) Whether permit holders holding a gambling game license issued under IC 4-35-5 (racinos) are properly promoting and supporting the horse racing activities at the site
 - 14) Issues related to permit holders holding a gambling game license issued under IC 4-35-5 (racinos), including table games, double taxation, amounts paid to horsemen's associations, bonds, slot machines, and satellite locations
 - 15) Gaming license fees and suppliers' license fees
 - 16) Parity of confidentiality rules for riverboat gaming licensees and permit holders holding a gambling game license issued under IC 4-35-5 (racinos)
 - 17) Campaign contribution ban for riverboat gaming licensees

7. HEALTH FINANCE COMMISSION (IC 2-5-23)

THE COMMISSION IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- A. Whether pharmacy audits conducted under IC 25-26-22 should provide for an independent third party appeal, and if an independent third party audit is recommended, who should pay the costs for the audit (HEA 1292)
- B. Health plan provider contract provisions that would require a contracted provider to accept more than a certain number of patients, and whether an insurer should be required to directly reimburse an out-of-network health care provider (HEA 1300)
- C. Whether Indiana should require an endangered adult (as defined in IC 12-10-3-2(a)) to wear an electronic device to assist with locating the endangered adult if the endangered adult is lost or missing (SEA 307)
- D. The need for appropriate and uniform training of state department of health employees whose job duties include inspection of health facilities (SB 349)
- E. Whether the state department of health should establish a third party dispute resolution process for a health facility to use when a health facility appeals a state department finding in the health facility's survey report (SB 349)

- F. Study and define the relationships among the medical director, the provider organization, and the certified EMS personnel issues with the intent to define more clearly the role and responsibilities of the medical director, the EMS provider organization, and the EMS personnel (SR 73)

8. HEALTH POLICY ADVISORY COMMITTEE (2-5-23-8)

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

- A. Submit an annual report not later than September 15 to the Health Finance Commission that summarizes the committee's actions and the committee's findings and recommendations on any topic assigned to the committee (HEA 1572)

9. COMMISSION FOR HIGHER EDUCATION (IC 21-18-1)

THE COMMISSION IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

- A. Study the funding of college scholarship programs provided by SSACI and the state's public universities (HEA 1001(ss))

10. MEDICAID MANAGED CARE QUALITY STRATEGY COMMITTEE (HEA 1572-2009)

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING POLICY ISSUES CONCERNING MEDICAID:

- A. Emergency room utilization
- B. Prior authorization
- C. Standardization of procedures, forms, and service descriptions
- D. Effectiveness and quality of care
- E. The number of denials by a managed care organization, the reasons for the denials, and the number of appeals and overturning of denials by a managed care organization
- F. How reimbursement rates are determined by a managed care organization, including reimbursement rates for emergency room care and neonatal intensive care

11. SELECT JOINT COMMISSION ON MEDICAID OVERSIGHT (2-5-26-1)

THE COMMISSION IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- A. Children's oral health care issues (Sen. Miller)
- B. Medicaid managed care prescription drug programs (SR 35)

12. INTERIM STUDY COMMITTEE ON MEDICAID SUPPLEMENTAL PROGRAMS (HEA 1194-2009)

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- A. Federal intergovernmental transfer leveraging and alternative revenue generating options if currently used leveraging is determined by the federal government to be invalid (HEA 1194)
- B. The merits and effect of expanding the Indiana check-up plan, established by IC 12-15-44.2-3, to cover additional childless adults through a federal Medicaid waiver or Medicaid state plan amendment (HEA 1194)

13. COMMISSION ON MENTAL HEALTH (IC 12-21-6.5)

THE COMMISSION IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- A. How to protect the rights of mental health patients by ensuring that mental health records, testing, and psychotherapy notes are protected (HCR 45)
- B. Collaboration between agencies in regards to access to medical records and mental health referrals (HR 138)
- C. Funding clubhouse model programs that assist people in their recovery from serious mental illness (President Pro Tempore Long)

14. OHIO RIVER BRIDGES PROJECT COMMISSION (HEA 1001(ss)-2009)

THE COMMISSION IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

- A. Work with lawfully authorized representatives of the Commonwealth of Kentucky to prepare a proposed agreement between Indiana and Kentucky to govern the financing, construction, and maintenance of Ohio River bridges projects (HEA 1001(ss))

15. PENSION MANAGEMENT OVERSIGHT COMMISSION (IC 2-5-12-1)

THE COMMISSION IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- A. Study of the effect of a possible retroactive date for withdrawal of a PERF or TRF member's annuity savings accounts, specifically with respect to cessation of employment by, and withdrawal of annuity savings accounts of members of PERF and TRF (HCR 96)
- B. Whether an individual who has been terminated from employment must file a wage claim with the department of labor before filing a civil lawsuit seeking recovery of unpaid wages under IC 22-2-5-2 (SEA 533)

16. REGULATORY FLEXIBILITY COMMITTEE (IC 8-1-2.5-9 AND IC 8-1-2.6-4)

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- A. Studying the mission, organization, and management structure of the I-Light fiber optic network (HEA 1001(ss))
- B. Potential for nuclear energy in Indiana (Rep. Koch)

17. INTERIM STUDY COMMITTEE ON THE SCHOOL FUNDING FORMULA (HEA 1001(ss)-2009)

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

- A. Study issues related to the school funding formula (HEA 1001(ss))

18. SENTENCING POLICY STUDY COMMITTEE (IC 2-5.5-2)

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- A. Reform of Indiana's criminal justice system to address the needs of people with developmental disabilities and to study the establishment of law enforcement protocols for identifying, investigating, and prosecuting sexual assaults and other crimes committed on people with developmental disabilities (HR 120)
- B. Expunging a person's criminal record for a crime after that person has been exonerated (Rep. Tincher)
- C. Evaluate whether the state should pay all costs of trial in a prosecution for an offense committed at a state correctional facility (SEA 223)
- D. Child solicitation, habitual offenders, interference with custody, and non-support of a dependent (SR 61)
- E. Payment of claims from the victims' compensation fund

19. COMMISSION ON STATE TAX AND FINANCING POLICY (IC 2-5-3-2)

THE COMMISSION IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- A. Allocation and distribution of county adjusted gross income taxes (IC 6-3.5-1.1), county option income taxes (IC 6-3.5-6), and county economic development income taxes (IC 6-3.5-7) to civil taxing units within a county (HEA 1001(ss))
- B. Whether taxpayers are permitted an appropriate opportunity to participate in the process for determining the levies, tax rates, special assessments, special benefits taxes, and budgets imposed by political subdivisions (HEA 1001(ss))

- C. Receive a report from the attorney general concerning the guidelines the attorney general uses to determine whether a political subdivision may use private outside legal counsel in an appeal of a tax case. The attorney general shall, as requested by the commission on state tax and financing policy, make a presentation to the commission concerning the matters described in this subdivision (HEA 1001(ss))
- D. Advisability of eliminating the general reassessment of real property under the current schedule and requiring counties to develop plans for the annual assessment of a fixed percentage of the parcels within each class of real property in the county (HEA 1001(ss))
- E. Review recommendations from the department of local government finance concerning the actions necessary to restore timelines to the process of local budgeting and the imposition of property taxes (HEA 1001(ss))
- F. Tax policies for logistics providers in trucking, rail, waterborne shipping, aviation, and warehouse/distribution in the following Midwestern states: Ohio, Kentucky, Tennessee, Illinois, Michigan, and Wisconsin (HR 118)
- G. How to fund Indiana's growing community college system (Speaker Bauer)
- H. Practice of credit card companies raising interest rates and changing terms on non-delinquent accounts, and review the new federal legislation in this regard and determine what authority a state has to regulate these practices (Rep. Grubb)
- I. Assess the effect of the sales tax treatment of car purchase discounts, and review issues pertaining to its impact on Indiana car buyers (SCR 33)
- J. State taxation of retirement benefits and military pay and benefits (SR 18)

20. UNEMPLOYMENT INSURANCE OVERSIGHT COMMITTEE (HEA 1379-2009)

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

- A. Oversee the department of workforce development's administration of the unemployment insurance system (HEA 1379)
- B. Recommend improvements in the collection of contributions and reimbursements and in the determination of eligibility for and the payment of unemployment benefits (HEA 1379)
- C. Monitor the unemployment insurance benefit fund (HEA 1379)
- D. Make recommendations to improve the solvency of the fund (HEA 1379)

21. WATER RESOURCES STUDY COMMITTEE (IC 2-5-21-2)

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- A. Standardization of the regulation of residential irrigation system installations (HEA 1224)
- B. Development of continuing education programs and uniform rules to preserve ground water by individuals engaged in water well drilling, pump installation, well abandonment operations, and operating wells, pumps, and abandoned wells (HEA 1224)
- C. Water rights, drainage, and utilities (HEA 1278)