

## Legislative Council

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### LEGISLATIVE COUNCIL RESOLUTION 21-01

(Proposed for Adoption May 10, 2021)

A RESOLUTION to assign study topics to study committees:

*Whereas, among the powers granted to the Legislative Council, IC 2-5-1.1 authorizes the Legislative Council to:*

- (1) on its own initiative or at the direction of the General Assembly or of the Senate or House of Representatives, study subjects of interest and concern, and based on such study, recommend such legislation as the welfare of the state may require;*
- (2) direct standing committees of the Senate or House of Representatives, or appoint committees and subcommittees subject to the authority of the Council, to carry out studies on subjects of interest and concern; and*
- (3) do all other things necessary and proper to perform the functions of the legislative department of government and to carry out the intent, purposes and provisions of IC 2-5-1.1;*

*Therefore,*

*Be it Resolved by the Indiana Legislative Council:*

#### STUDY TOPICS FOR STUDY COMMITTEES

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

- (1) is required by law to be staffed by the Legislative Services Agency or to operate under procedures or policies established by the Legislative Council;
- (2) 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

(3) has members of the General Assembly serving as at least one-half (0.5) of its voting membership.

The term does not include the Commission on Improving the Status of Children in Indiana, the Youth Advisory Council, or the Indiana Uniform Law Commission.

**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 a majority of the members of 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 report is approved as a topic in writing by a majority of 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 Agriculture and Natural Resources.
- (2) The Interim Study Committee on Commerce and Economic Development.
- (3) The Interim Study Committee on Courts and the Judiciary.
- (4) The Interim Study Committee on Elections.
- (5) The Interim Study Committee on Environmental Affairs.
- (6) The Interim Study Committee on Financial Institutions and Insurance.
- (7) The Interim Study Committee on Government.
- (8) The Interim Study Committee on Public Safety and Military Affairs.

**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, 2021:

**(1) INTERIM STUDY COMMITTEE ON CHILD SERVICES**

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Review reports of state and local child fatality review teams and the Department of Child Services concerning child safety. (Source: SEA 301 (2021))

**(2) INTERIM STUDY COMMITTEE ON CORRECTIONS AND CRIMINAL CODE**

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Human trafficking, including topics specified in HB 1018 (2021). (Source: Letter: Bartlett; HB 1018 (2021))
- (B) Assignment of counsel at the initial hearing in criminal cases, the capacity of the public defender system to provide counsel, and the impact of providing counsel on jail overcrowding. (Source: Letter: Steuerwald; Frye)
- (C) Jurisdiction over adults for sex offenses committed while a child. (Source: Letter: GiaQuinta)
- (D) Juvenile sentencing to life without parole. (Source: Letter: GiaQuinta)
- (E) Costs and fees for juvenile prosecution. (Source: Letter: GiaQuinta)
- (F) Multi-year review of current trends with respect to criminal behavior, sentencing, incarceration, and treatment. (Source: IC 2-5-1.3-13)

**(3) INTERIM STUDY COMMITTEE ON EDUCATION**

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Multiyear study to eliminate, reduce, or streamline the number of education mandates placed on schools, streamline fiscal and compliance reporting to the general assembly on a sustainable and systematic basis, and study provisions listed in IC 20-19-8-3(a)(4). (Source: IC 20-19-8-3)
- (B) Review latest report on the Student Learning Grant Program and Fund. (Source: HEA 1008 (2021))
- (C) K-12 racial achievement gaps and how to "encourage" districts to use more transparent data and hold school boards accountable for results. (Source:

Email: Huston)

**(4) INTERIM STUDY COMMITTEE ON EMPLOYMENT AND LABOR**

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Unemployment programs for GIG economy workers and independent contractors. (Source: Letter: DeLaney, Leonard)).

**(5) INTERIM STUDY COMMITTEE ON ENERGY, UTILITIES, AND TELECOMMUNICATIONS**

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Multi-year study concerning implementation and use by electric utilities of the law permitting the securitization of costs for retired electric utility assets, including all issues described in SEA 385 (2021). (Source: SEA 386 (2021); HEA 1220 (2021))
- (B) Review latest annual report concerning the award of broadband grants for rural areas and, every three years beginning in 2021, receive the results of an audit of the grants. (Source: HEA 1449 (2021); IC 4-4-38.5-13)

**(6) INTERIM STUDY COMMITTEE ON FISCAL POLICY**

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) A multi-year review of tax incentives reports from the Legislative Services Agency. (Source: IC 2-5-3.2-1)
- (B) A multi-year review of workforce related programs. (Source: IC 2-5-42.4-6; IC 4-3-27-12)
- (C) How the higher educational operating funding mechanism should be structured and funded, which goals should be obtained from the funding mechanism, and how the achievement of the goals will be measured with reliable data points. (Source: EHB 1001 (reprinted 4/11/2021); Letter: J. Ford)
- (D) Establishment of watershed development commissions, including the topics described in HB 1055 (as printed 2/16/2021). (Source: HB 1055 (printed 2/16/2021); Letter: Aylesworth; Niemeyer; Hamilton; Charbonneau)
- (E) Affordable housing, workforce housing, and "missing middle" housing in Indiana. (HEA 1001 (2021); Letter: Yoder)

- (F) Review latest annual report summarizing federal assistance received by state agencies. (Source: IC 4-3-24-7)
- (G) Review latest annual Department of State Revenue report summarizing the Department's system modifications concerning geographic information system mapping of local income tax collections for the purpose of allocating local income taxes. (Source: IC 6-8.1-3-26)

**(7) INTERIM STUDY COMMITTEE ON PENSION MANAGEMENT OVERSIGHT**

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

- (A) Review latest annual Indiana Public Retirement System (INPRS) financial report. (Source: IC 5-10.5-4-1)
- (B) Review latest annual INPRS report of any stress test or risk assessment. (Source: IC 5-10.5-6-6)
- (C) Review latest report of the trustee or pension consultant for the State Police Pension concerning the results of a stress test or risk assessment on the trust fund. (Source: IC 10-12-2-12)

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

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

- (A) Indiana's trauma care system, including all topics specified in HB 1259 (2021). (Source: HB 1259 (2021); Letter: Vermillion)
- (B) Review latest annual report of the Alcohol and Tobacco Commission concerning implementation and enforcement of law and regulations related to smoking. (Source: IC 7.1-5-12-14)
- (C) Review latest annual report of the Office of the Secretary of Family and Social Services concerning any state savings resulting from use of home and community based services. (Source: IC 12-10-11.5-6)
- (D) Review latest report of Indiana Department of Health concerning OB Navigator Program metrics. (Source: HEA 1001 (2021))

- (E) Review latest report of office of Medicaid policy and planning concerning progress on risk based management care program or capitated managed care program for Medicaid recipients. (Source: HEA 1001 (2021))
- (F) Approval of private attorneys or entities (other than a prosecutor) used to implement the Title IV-D program concerning collecting child support (as needed). (Source: IC 31-25-4-13.1)

**(9) INTERIM STUDY COMMITTEE ON PUBLIC POLICY**

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

- (A) Restrictions on allowing out of state licensees to practice an occupation in Indiana. (Source: Letter: T. Brown)

**(10) INTERIM STUDY COMMITTEE ON ROADS AND TRANSPORTATION**

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

- (A) Advise the Bureau of Motor Vehicles regarding the suitability of a special group to have a special group recognition license plate. (Source: IC 2-5-1.3-13; IC 9-18.5-12)
- (B) Allocation methodologies for Community Crossings Grants from the Local Road and Bridge Matching Grant Fund and program results to date. (Source Letter: Pressel)

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, 2021, in an electronic format under IC 5-14-6, including on the following topic assigned by the Legislative Council:

**(1) AUDIT AND FINANCIAL REPORTING SUBCOMMITTEE (IC 2-5-1.1-6.3)**

THE COMMITTEE IS CHARGED WITH STUDYING THE FOLLOWING:

- (A) Establishment and preservation of an independent State Board of Accounts. (Source: HEA 1271 (2021); HB 1561 (2021); Letter: Lehman)

SECTION 6. The following study committees established by statute shall carry out the following responsibilities assigned to the study committees by the Legislative Council, study and make findings and recommendations concerning the topics to the Legislative Council, and submit a report of its activities to the Legislative Council in an electronic format under IC 5-14-6 before November 1, 2021:

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

THE COMMISSION IS CHARGED WITH THE FOLLOWING RESPONSIBILITY:

- (A) Preparation of one or more technical corrections bills to resolve technical conflicts and correct technical errors in statutes. (Source: IC 2-5-1.1-10).
- (B) Carry out the responsibilities assigned to the Commission by IC 2-5-1.1-10, IC 4-22-2-42, and IC 4-22-8-11. (Source: IC 2-5-1.1-10; IC 4-22-2-42; IC 4-22-8-11)

**(2) PROBATE CODE STUDY COMMISSION (IC 2-5-16.1 (SEA 518-2019))**

THE COMMISSION IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Needed changes in the following:
  - i) The probate code (IC 29-1).
  - ii) The trust code (IC 30-4).
  - iii) Any other statute affecting the administration of a decedent's estate, guardianship, probate jurisdiction, trust, or fiduciary.(Source: IC 2-5-16.1-13)

**(3) LEGISLATIVE STATE OF EMERGENCY ADVISORY GROUP (HEA 1123 (2021))**

THE GROUP IS CHARGED WITH THE FOLLOWING RESPONSIBILITY:

- (A) Meet during a state of emergency that the Legislative Council determines has statewide impact. (Source: HEA 1123 (2021))

**(4) 21<sup>st</sup> CENTURY ENERGY POLICY DEVELOPMENT TASK FORCE (HEA 1220 (2021))**

THE TASK FORCE IS CHARGED WITH STUDYING THE FOLLOWING TOPICS:

- (A) Topics assigned by IC 2-5-45.1. (Source: HEA 1220 (2021))

**TASK FORCE FOR WASTEWATER INFRASTRUCTURE INVESTMENTS AND SERVICES TO UNDERSERVED AREAS (SEA 348 (2021))**

THE TASK FORCE IS CHARGED WITH STUDYING THE FOLLOWING TOPIC:

- (A) Improvements in and financial options for wastewater management systems in underserved areas, including all topics described in SEA 348 (2021). (Source: SEA 348 (2021))

SECTION 7. **DURATION OF THIS RESOLUTION.** (a) This Resolution takes effect upon adoption by the Legislative Council.

(b) This Resolution, as amended from time to time, remains in force until specifically repealed or superseded.

(c) This Resolution supersedes Legislative Council Resolution 20-02.