



CONFERENCE COMMITTEE REPORT DIGEST FOR EHB 1001

Citations Affected: IC 4-4; IC 4-12; IC 4-30; IC 4-31; IC 4-33; IC 4-35; IC 5-10; IC 5-10.4; IC 5-28; IC 6-1.1; IC 6-3; IC 6-3.1; IC 6-3.5; IC 6-7; IC 7.1-4; IC 8-16; IC 9-20; IC 12-7; IC 12-8; IC 12-12; IC 12-15; IC 14-8; IC 14-23; IC 20-19; IC 20-20; IC 20-24; IC 20-40; IC 20-43; IC 20-45; IC 20-46; IC 21-29; IC 34-30; IC 35-38; IC 35-41; IC 35-50; IC 36-4; IC 36-7; noncode.

Synopsis: Appropriates money for the administration of state government, to make distributions to schools, state educational institutions, and other governmental units, to pay the state's obligations under the Medicaid program, and to provide social services and other services. Authorizes capital projects. Provides a school funding formula. Updates references to the Internal Revenue Code and requires certain adjustments for the purposes of calculating adjusted gross income. Prohibits the Indiana horse racing commission and the Indiana gaming commission from: (1) imposing, charging, or collecting by rule a fee that is not authorized by statute on any party to a proposed transfer of an ownership interest in a license; or (2) making the approval of a proposed transfer of an ownership interest in a license contingent upon the payment of any amount that is not authorized by statute. Reallocates the cigarette tax revenue that is used to offset the employer health plan tax credit to a new state retiree health benefit trust fund. Provides that any special volume cap regarding bonds issued under a federal act providing the cap is in addition to the volume cap under Section 146 of the Internal Revenue Code. Provides that the office of the secretary of family and social services may implement and require the use of tamper resistant prescription drug forms in any health care program administered by the office of the secretary. Provides that the total gross weight with load of a vehicle or combination of vehicles transporting an ocean going container may not exceed 95,000 pounds. Extends the expiration date of the office of the secretary of family and social services (FSSA), the office of Medicaid policy and planning, the statutes concerning directors of divisions within FSSA, and certain advisory committees under the FSSA statutes. Delays the implementation of fiscal year budgeting for school corporations until the budget year beginning July 1, 2011. Requires charter schools to conduct classes for a specified number of hours on at least 180 days per year. Changes the membership of the statewide independent living council. Authorizes certain industrial



development loans. Changes court fees. Extends the period in which charities may file for a property tax exemption. Authorizes certain studies. Authorizes a city to use its revenues to build a school building. Modifies the circuit breaker replacement grant available to schools. Requires a managed care provider's contract or agreement under the Medicaid program to include a prescription drug program. Permits chiropractic services, to be paid from the Indiana check-up plan trust fund. Requires student test numbers to be reported and stored so that the current location of students can be ascertained. Increases the maximum property tax levy that may be imposed for a school capital projects fund to pay insurance or utility costs. Makes other changes.

(This conference committee report changes various appropriations in and adds provisions to the Senate passed version of EHB 1001 including: (1) Provides that the total gross weight with load of a vehicle or combination of vehicles transporting an ocean going container may not exceed 95,000 pounds. (2) Extends the expiration date of the office of the secretary of family and social services, the office of Medicaid policy and planning, the statutes concerning directors of divisions within FSSA, and certain advisory committees under the FSSA statutes. (3) Provides that a sponsor may not during the period beginning July 1, 2009, and ending June 30, 2011, grant more than one additional charter to operate a charter school. (4) Requires the department of education to establish a pilot program for up to 100 students who attend a virtual charter school. (5) Permits screening tests of certain persons accused of a crime to determine whether the defendant is infected with a dangerous disease, lists the offense of dealing in methamphetamine as an unrelated conviction in the law concerning habitual offenders, and establishes a 15 member criminal code evaluation commission (6) Permits chiropractic services, to be paid from the Indiana check-up plan trust fund. (7) Requires student test numbers to be reported and stored so that the current location of students can be ascertained. Increases the maximum property tax levy that may be imposed for a school capital projects fund to pay insurance or utility costs. (8) Establishes the commission account within the shoreline environmental trust fund, and appropriates the balance recovered from the Lake Michigan marina development commission to the commission account to fund the operations of the shoreline development commission. (9) Extends the time in which a charity may file for a property tax exemption. (11) Extends the health facility quality assessment fee until August 1, 2011 and makes related changes. (12) Requires the commission for higher education to study college scholarship programs. This conference committee report removes various provisions from the Senate passed version of EHB 1001, including the following: (1) Provisions entitling a taxpayer to a state tax credit for a contribution to a scholarship granting organization. (2) Establishment of the office of the department of child services ombudsman. (3) Requirement that certain small schools consolidate. (4) Establishment of a charter school facilities incentive grants program and authorization of charter schools to receive technology funds. (5) Authorization of private entities to provide federally funded adult education programs. (6) Reduction of the automated record keeping fee and transfer of oversight responsibilities for the judicial technology and automation project to the budget agency. (7) Changes in prosecutors' pensions.)

Effective: Upon passage; July 1, 2007 (retroactive); July 1, 2008 (retroactive); October 1, 2008 (retroactive); January 1, 2009 (retroactive); July 1, 2009; January 1, 2010.

CONFERENCE COMMITTEE REPORT

MR. SPEAKER:

Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill No. 1001 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration and to make an appropriation.

Delete everything after the enacting clause and insert the following:

1 SECTION 1. [EFFECTIVE JULY 1, 2009]

2

3 (a) The following definitions apply throughout this act:

4 (1) "Augmentation allowed" means the governor and the budget agency are
5 authorized to add to an appropriation in this act from revenues accruing to the
6 fund from which the appropriation was made.

7 (2) "Biennium" means the period beginning July 1, 2009, and ending June 30, 2011.

8 Appropriations appearing in the biennial column for construction or other permanent
9 improvements do not revert under IC 4-13-2-19 and may be allotted.

10 (3) "Deficiency appropriation" or "special claim" means an appropriation available
11 during the 2008-2009 fiscal year.

12 (4) "Equipment" includes machinery, implements, tools, furniture,
13 furnishings, vehicles, and other articles that have a calculable period of service
14 that exceeds twelve (12) calendar months.

15 (5) "Fee replacement" includes payments to universities to be used to pay indebtedness
16 resulting from financing the cost of planning, purchasing, rehabilitation, construction,
17 repair, leasing, lease-purchasing, or otherwise acquiring land, buildings, facilities,
18 and equipment to be used for academic and instructional purposes.

19 (6) "Federally qualified health center" means a community health center that is designated
20 by the Health Resources Services Administration, Bureau of Primary Health Care, as a
21 Federally Qualified Health Center Look Alike under the FED 330 Consolidated

1 Health Center Program authorization, including Community Health Center (330e),
2 Migrant Health Center (330g), Health Care for the Homeless (330h), Public Housing
3 Primary Care (330i), and School Based Health Centers (330).

4 (7) "Other operating expense" includes payments for "services other than personal",
5 "services by contract", "supplies, materials, and parts", "grants, subsidies, refunds,
6 and awards", "in-state travel", "out-of-state travel", and "equipment".

7 (8) "Pension fund contributions" means the state of Indiana's contributions to a
8 specific retirement fund.

9 (9) "Personal services" includes payments for salaries and wages to officers and
10 employees of the state (either regular or temporary), payments for compensation
11 awards, and the employer's share of Social Security, health insurance, life insurance,
12 dental insurance, vision insurance, deferred compensation - state match, leave
13 conversion, disability, and retirement fund contributions.

14 (10) "SSBG" means the Social Services Block Grant. This was formerly referred to
15 as "Title XX".

16 (11) "State agency" means:

17 (A) each office, officer, board, commission, department, division, bureau, committee,
18 fund, agency, authority, council, or other instrumentality of the state;

19 (B) each hospital, penal institution, and other institutional enterprise of the
20 state;

21 (C) the judicial department of the state; and

22 (D) the legislative department of the state.

23 However, this term does not include cities, towns, townships, school cities, school
24 townships, school districts, other municipal corporations or political subdivisions
25 of the state, or universities and colleges supported in whole or in part by state
26 funds.

27 (12) "State funded community health center" means a public or private not for profit
28 (501(c)(3)) organization that provides comprehensive primary health care services to
29 all age groups.

30 (13) "Total operating expense" includes payments for both "personal services" and
31 "other operating expense".

32 (b) The state board of finance may authorize advances to boards or persons having
33 control of the funds of any institution or department of the state of a sum of
34 money out of any appropriation available at such time for the purpose of establishing
35 working capital to provide for payment of expenses in the case of emergency when
36 immediate payment is necessary or expedient. Advance payments shall be made by
37 warrant by the auditor of state, and properly itemized and receipted bills or invoices
38 shall be filed by the board or persons receiving the advance payments.

39 (c) All money appropriated by this act shall be considered either a direct appropriation
40 or an appropriation from a rotary or revolving fund.

41 (1) Direct appropriations are subject to withdrawal from the state treasury and
42 for expenditure for such purposes, at such time, and in such manner as may be prescribed
43 by law. Direct appropriations are not subject to return and rewithdrawal from the
44 state treasury, except for the correction of an error which may have occurred in
45 any transaction or for reimbursement of expenditures which have occurred in the
46 same fiscal year.

47 (2) A rotary or revolving fund is any designated part of a fund that is set apart
48 as working capital in a manner prescribed by law and devoted to a specific purpose
49 or purposes. The fund consists of earnings and income only from certain sources

1 or a combination thereof. The money in the fund shall be used for the purpose designated
 2 by law as working capital. The fund at any time consists of the original appropriation
 3 thereto, if any, all receipts accrued to the fund, and all money withdrawn from the
 4 fund and invested or to be invested. The fund shall be kept intact by separate entries
 5 in the auditor of state's office, and no part thereof shall be used for any purpose
 6 other than the lawful purpose of the fund or revert to any other fund at any time.
 7 However, any unencumbered excess above any prescribed amount shall be transferred
 8 to the state general fund at the close of each fiscal year unless otherwise specified
 9 in the Indiana Code.

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11 **SECTION 2. [EFFECTIVE JULY 1, 2009]**

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13 For the conduct of state government, its offices, funds, boards, commissions, departments,
 14 societies, associations, services, agencies, and undertakings, and for other appropriations
 15 not otherwise provided by statute, the following sums in SECTIONS 3 through 10 are
 16 appropriated for the periods of time designated from the general fund of the state
 17 of Indiana or other specifically designated funds.

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19 In this act, whenever there is no specific fund or account designated, the appropriation
 20 is from the general fund.

21

22 **SECTION 3. [EFFECTIVE JULY 1, 2009]**

23

24 **GENERAL GOVERNMENT**

25

26 **A. LEGISLATIVE**

27

28 **FOR THE GENERAL ASSEMBLY**

29

LEGISLATORS' SALARIES - HOUSE		
Total Operating Expense	6,198,756	6,434,309

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HOUSE EXPENSES		
Total Operating Expense	10,549,327	10,950,339

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LEGISLATORS' SALARIES - SENATE		
Total Operating Expense	2,247,345	2,342,556

32

SENATE EXPENSES		
Total Operating Expense	10,413,712	11,812,594

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34 Included in the above appropriations for house and senate expenses are funds for
 35 a legislative business per diem allowance, meals, and other usual and customary expenses
 36 associated with legislative affairs. Except as provided below, this allowance is
 37 to be paid to each member of the general assembly for every day, including Sundays,
 38 during which the general assembly is convened in regular or special session, commencing
 39 with the day the session is officially convened and concluding with the day the session
 40 is adjourned sine die. However, after five (5) consecutive days of recess, the legislative
 41 business per diem allowance is to be made on an individual voucher basis until the
 42 recess concludes.

43

44 Members of the general assembly are entitled, when authorized by the speaker of the
 45 house or the president pro tempore of the senate, to the legislative business per

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1 diem allowance for each and every day engaged in official business.

2
3 The legislative business per diem allowance that each member of the general assembly
4 is entitled to receive equals the maximum daily amount allowable to employees of
5 the executive branch of the federal government for subsistence expenses while away
6 from home in travel status in the Indianapolis area. The legislative business per
7 diem changes each time there is a change in that maximum daily amount.

8
9 In addition to the legislative business per diem allowance, each member of the general
10 assembly shall receive the mileage allowance in an amount equal to the standard mileage
11 rates for personally owned transportation equipment established by the federal Internal
12 Revenue Service for each mile necessarily traveled from the member's usual place
13 of residence to the state capitol. However, if the member traveled by a means other
14 than by motor vehicle, and the member's usual place of residence is more than one
15 hundred (100) miles from the state capitol, the member is entitled to reimbursement
16 in an amount equal to the lowest air travel cost incurred in traveling from the usual
17 place of residence to the state capitol. During the period the general assembly is
18 convened in regular or special session, the mileage allowance shall be limited to
19 one (1) round trip each week per member.

20
21 Any member of the general assembly who is appointed, by the governor, speaker
22 of the house, president or president pro tempore of the senate, house or senate minority
23 floor leader, or Indiana legislative council to serve on any research, study, or
24 survey committee or commission, or who attends any meetings authorized or convened
25 under the auspices of the Indiana legislative council, including pre-session conferences
26 and federal-state relations conferences, is entitled, when authorized by the legislative
27 council, to receive the legislative business per diem allowance for each day in actual
28 attendance and is also entitled to a mileage allowance, at the rate specified above,
29 for each mile necessarily traveled from the member's usual place of residence to
30 the state capitol, or other in-state site of the committee, commission, or conference.
31 The per diem allowance and the mileage allowance permitted under this paragraph shall
32 be paid from the legislative council appropriation for legislator and lay member
33 travel unless the member is attending an out-of-state meeting, as authorized by the
34 speaker of the house of representatives or the president pro tempore of the senate,
35 in which case the member is entitled to receive:

- 36 (1) the legislative business per diem allowance for each day the member is engaged
37 in approved out-of-state travel; and
38 (2) reimbursement for traveling expenses actually incurred in connection with the
39 member's duties, as provided in the state travel policies and procedures established
40 by the legislative council.

41
42 Notwithstanding the provisions of this or any other statute, the legislative council
43 may adopt, by resolution, travel policies and procedures that apply only to members
44 of the general assembly or to the staffs of the house of representatives, senate,
45 and legislative services agency, or both members and staffs. The legislative council
46 may apply these travel policies and procedures to lay members serving on research,
47 study, or survey committees or commissions that are under the jurisdiction of the
48 legislative council. Notwithstanding any other law, rule, or policy, the state travel
49 policies and procedures established by the Indiana department of administration and

1 approved by the budget agency do not apply to members of the general assembly, to
 2 the staffs of the house of representatives, senate, or legislative services agency,
 3 or to lay members serving on research, study, or survey committees or commissions
 4 under the jurisdiction of the legislative council (if the legislative council applies
 5 its travel policies and procedures to lay members under the authority of this SECTION),
 6 except that, until the legislative council adopts travel policies and procedures,
 7 the state travel policies and procedures established by the Indiana department of
 8 administration and approved by the budget agency apply to members of the general
 9 assembly, to the staffs of the house of representatives, senate, and legislative
 10 services agency, and to lay members serving on research, study, or survey committees
 11 or commissions under the jurisdiction of the legislative council. The executive director
 12 of the legislative services agency is responsible for the administration of travel
 13 policies and procedures adopted by the legislative council. The auditor of state
 14 shall approve and process claims for reimbursement of travel related expenses under
 15 this paragraph based upon the written affirmation of the speaker of the house of
 16 representatives, the president pro tempore of the senate, or the executive director
 17 of the legislative services agency that those claims comply with the travel policies
 18 and procedures adopted by the legislative council. If the funds appropriated for
 19 the house and senate expenses and legislative salaries are insufficient to pay all
 20 the necessary expenses incurred, including the cost of printing the journals of the
 21 house and senate, there is appropriated such further sums as may be necessary to
 22 pay such expenses.

23

LEGISLATORS' SUBSISTENCE		
LEGISLATORS' EXPENSES - HOUSE		
Total Operating Expense	2,524,980	2,620,929
LEGISLATORS' EXPENSES - SENATE		
Total Operating Expense	1,126,579	1,004,601

29

30 Each member of the general assembly is entitled to a subsistence allowance of forty
 31 percent (40%) of the maximum daily amount allowable to employees of the executive
 32 branch of the federal government for subsistence expenses while away from home in
 33 travel status in the Indianapolis area:

34 (1) each day that the general assembly is not convened in regular or special session;
 35 and
 36 (2) each day after the first session day held in November and before the first session
 37 day held in January.

38

39 However, the subsistence allowance under subdivision (2) may not be paid with respect
 40 to any day after the first session day held in November and before the first session
 41 day held in January with respect to which all members of the general assembly are
 42 entitled to a legislative business per diem.

43

44 The subsistence allowance is payable from the appropriations for legislators' subsistence.

45

46 The officers of the senate are entitled to the following amounts annually in addition
 47 to the subsistence allowance: president pro tempore, \$7,000; assistant president
 48 pro tempore, \$3,000; majority floor leader, \$5,500; assistant majority floor leaders,
 49 \$3,500; majority caucus chair, \$5,500; assistant majority caucus chairs, \$1,500;

1 **appropriations committee chair, \$5,500; tax and fiscal policy committee chair, \$5,500;**
 2 **appropriations committee ranking majority member, \$2,000; tax and fiscal policy committee**
 3 **ranking majority member, \$2,000; majority whip, \$4,000; assistant majority whip,**
 4 **\$2,000; minority floor leader, \$6,000; minority leader emeritus, \$1,500; minority**
 5 **caucus chair, \$5,000; minority assistant floor leader, \$5,000; appropriations committee**
 6 **ranking minority member, \$2,000; tax and fiscal policy committee ranking minority**
 7 **member, \$2,000; minority whip(s), \$2,000; assistant minority caucus chair(s), \$1,000;**
 8 **agriculture and small business committee chair, \$1,000; commerce, public policy,**
 9 **and interstate cooperation committee chair, \$1,000; corrections, criminal, and civil**
 10 **matters committee chair, \$1,000; education and career development chair, \$1,000;**
 11 **elections committee chair, \$1,000; energy and environmental affairs committee chair,**
 12 **\$1,000; pensions and labor committee chair, \$1,000; health and provider services**
 13 **committee chair, \$1,000; homeland security, transportation, and veterans affairs**
 14 **committee chair, \$1,000; insurance and financial institutions committee chair, \$1,000;**
 15 **judiciary committee chair, \$1,000; local government committee chair, \$1,000; utilities**
 16 **and technology committee chair, \$1,000; and natural resources committee chair, \$1,000.**
 17 **If an officer fills more than one leadership position, the officer shall be paid for**
 18 **the higher paid position.**

19
 20 **Officers of the house of representatives are entitled to the following amounts annually**
 21 **in addition to the subsistence allowance: speaker of the house, \$6,500; speaker pro**
 22 **tempore, \$5,000; deputy speaker pro tempore, \$1,500; majority leader, \$5,000; majority**
 23 **caucus chair, \$5,000; assistant majority caucus chair, \$1,000; ways and means committee**
 24 **chair, \$5,000; ways and means committee ranking majority member, \$3,000; ways and**
 25 **means committee, chairman of the education subcommittee, \$1,500; speaker pro tempore**
 26 **emeritus, \$1,500; budget subcommittee chair, \$3,000; majority whip, \$3,500; assistant**
 27 **majority whip, \$1,000; assistant majority leader, \$1,000; minority leader, \$5,500;**
 28 **minority caucus chair, \$4,500; ways and means committee ranking minority member,**
 29 **\$3,500; minority whip, \$2,500; assistant minority leader, \$4,500; second assistant**
 30 **minority leader, \$1,500; and deputy assistant minority leader, \$1,000.**

31
 32 **If the senate or house of representatives eliminates a committee or officer referenced**
 33 **in this SECTION and replaces the committee or officer with a new committee or position,**
 34 **the foregoing appropriations for subsistence shall be used to pay for the new committee**
 35 **or officer. However, this does not permit any additional amounts to be paid under**
 36 **this SECTION for a replacement committee or officer than would have been spent for**
 37 **the eliminated committee or officer. If the senate or house of representatives creates**
 38 **a new additional committee or officer, or assigns additional duties to an existing**
 39 **officer, the foregoing appropriations for subsistence shall be used to pay for the**
 40 **new committee or officer, or to adjust the annual payments made to the existing officer,**
 41 **in amounts determined by the legislative council.**

42
 43 **If the funds appropriated for legislators' subsistence are insufficient to pay all**
 44 **the subsistence incurred, there are hereby appropriated such further sums as may**
 45 **be necessary to pay such subsistence.**

46
 47 **FOR THE LEGISLATIVE COUNCIL AND THE LEGISLATIVE SERVICES AGENCY**
 48 **Total Operating Expense** **9,989,200** **10,388,768**
 49 **LEGISLATOR AND LAY MEMBER TRAVEL**

1	Total Operating Expense	700,000	750,000
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2
3 **Included in the above appropriations for the legislative council and legislative**
4 **services agency expenses are funds for usual and customary expenses associated with**
5 **legislative services.**

6
7 **If the funds above appropriated for the legislative council and the legislative services**
8 **agency and legislator and lay member travel are insufficient to pay all the necessary**
9 **expenses incurred, there are hereby appropriated such further sums as may be necessary**
10 **to pay those expenses.**

11
12 **Any person other than a member of the general assembly who is appointed by the governor,**
13 **speaker of the house, president or president pro tempore of the senate, house or**
14 **senate minority floor leader, or legislative council to serve on any research, study,**
15 **or survey committee or commission is entitled, when authorized by the legislative**
16 **council, to a per diem instead of subsistence of \$75 per day during the 2009-2011**
17 **biennium. In addition to the per diem, such a person is entitled to mileage reimbursement,**
18 **at the rate specified for members of the general assembly, for each mile necessarily**
19 **traveled from the person's usual place of residence to the state capitol or other**
20 **in-state site of the committee, commission, or conference. However, reimbursement**
21 **for any out-of-state travel expenses claimed by lay members serving on research,**
22 **study, or survey committees or commissions under the jurisdiction of the legislative**
23 **council shall be based on SECTION 14 of this act, until the legislative council applies**
24 **those travel policies and procedures that govern legislators and their staffs to**
25 **such lay members as authorized elsewhere in this SECTION. The allowance and reimbursement**
26 **permitted in this paragraph shall be paid from the legislative council appropriations**
27 **for legislative and lay member travel unless otherwise provided for by a specific**
28 **appropriation.**

30	LEGISLATIVE COUNCIL CONTINGENCY FUND		
31	Total Operating Expense		225,000

32
33 **Disbursements from the fund may be made only for purposes approved by the chairman**
34 **and vice chairman of the legislative council.**

35
36 **The legislative services agency shall charge the following fees, unless the legislative**
37 **council sets these or other fees at different rates:**

38
39 **Annual subscription to the session document service for sessions ending in odd-numbered**
40 **years: \$900**

41
42 **Annual subscription to the session document service for sessions ending in even-numbered**
43 **years: \$500**

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45 **Per page charge for copies of legislative documents: \$0.15**

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47 **Annual charge for interim calendar: \$10**

48
49 **Daily charge for the journal of either house: \$2**

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PRINTING AND DISTRIBUTION

Total Operating Expense	939,400	975,000
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The above funds are appropriated for the printing and distribution of documents published by the legislative council. These documents include journals, bills, resolutions, enrolled documents, the acts of the first and second regular sessions of the 116th general assembly, the supplements to the Indiana Code for fiscal years 2009-2010 and 2010-2011, and the publication of the Indiana Administrative Code and the Indiana Register. Upon completion of the distribution of the Acts and the supplements to the Indiana Code, as provided in IC 2-6-1.5, remaining copies may be sold at a price or prices periodically determined by the legislative council. If the above appropriations for the printing and distribution of documents published by the legislative council are insufficient to pay all of the necessary expenses incurred, there are hereby appropriated such sums as may be necessary to pay such expenses.

COUNCIL OF STATE GOVERNMENTS ANNUAL DUES

Other Operating Expense	149,702	155,000
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NATIONAL CONFERENCE OF STATE LEGISLATURES ANNUAL DUES

Other Operating Expense	199,031	207,019
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NATIONAL CONFERENCE OF INSURANCE LEGISLATORS ANNUAL DUES

Other Operating Expense	10,000	10,000
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REAPPORTIONMENT SUPPORT AND SERVICES

Total Operating Expense		250,000
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If the above appropriation for reapportionment support and services is insufficient to pay all of the necessary expenses incurred, there is appropriated such further sums as may be necessary to pay such expenses.

FOR THE INDIANA LOBBY REGISTRATION COMMISSION

Total Operating Expense	271,910	271,910
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B. JUDICIAL

FOR THE SUPREME COURT

Personal Services	7,721,165	7,721,165
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Other Operating Expense	2,195,069	2,195,069
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The above appropriation for the supreme court personal services includes the subsistence allowance as provided by IC 33-38-5-8.

LOCAL JUDGES' SALARIES

Personal Services	57,146,053	57,146,053
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Other Operating Expense	39,000	39,000
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COUNTY PROSECUTORS' SALARIES

Personal Services	24,785,126	24,785,126
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Other Operating Expense	31,000	31,000
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1 The above appropriations for county prosecutors' salaries represent the amounts authorized
2 by IC 33-39-6-5 and that are to be paid from the state general fund.

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4 In addition to the appropriations for local judges' salaries and for county prosecutors'
5 salaries, there are hereby appropriated for personal services the amounts that the
6 state is required to pay for salary changes or for additional courts created by the
7 116th general assembly.

8

9 TRIAL COURT OPERATIONS

10 Total Operating Expense 596,075 596,075

11 INDIANA CONFERENCE FOR LEGAL EDUCATION OPPORTUNITY

12 Total Operating Expense 778,750 778,750

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14 The above funds are appropriated to the division of state court administration in
15 compliance with the provisions of IC 33-24-13-7.

16

17 PUBLIC DEFENDER COMMISSION

18 Total Operating Expense 13,494,533 13,494,533

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20 The above appropriation is made in addition to the distribution authorized by
21 IC 33-37-7-9(c) for the purpose of reimbursing counties for indigent defense services
22 provided to a defendant. The division of state court administration of the supreme
23 court of Indiana shall provide staff support to the commission and shall administer
24 the public defense fund. The administrative costs may come from the public defense
25 fund. Any balance in the public defense fund is appropriated to the public defender
26 commission.

27

28 GUARDIAN AD LITEM

29 Total Operating Expense 2,970,248 2,970,248

30

31 The division of state court administration shall use the foregoing appropriation
32 to administer an office of guardian ad litem and court appointed special advocate
33 services and to provide matching funds to counties that are required to implement,
34 in courts with juvenile jurisdiction, a guardian ad litem and court appointed special
35 advocate program for children who are alleged to be victims of child abuse or neglect
36 under IC 31-33 and to administer the program. A county may use these matching funds
37 to supplement amounts collected as fees under IC 31-40-3 to be used for the operation
38 of guardian ad litem and court appointed special advocate programs. The county fiscal
39 body shall appropriate adequate funds for the county to be eligible for these matching
40 funds.

41

42 CIVIL LEGAL AID

43 Total Operating Expense 1,500,000 1,500,000

44

45 The above funds include the appropriation provide in IC 33-24-12-7.

46

47 SPECIAL JUDGES - COUNTY COURTS

48 Personal Services 15,000 15,000

49 Other Operating Expense 134,000 134,000

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If the funds appropriated above for special judges of county courts are insufficient to pay all of the necessary expenses that the state is required to pay under IC 34-35-1-4, there are hereby appropriated such further sums as may be necessary to pay these expenses.

COMMISSION ON RACE AND GENDER FAIRNESS

Total Operating Expense	380,996	380,996
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FOR THE COURT OF APPEALS

Personal Services	9,307,301	9,307,301
Other Operating Expense	1,083,440	1,083,440

The above appropriations for the court of appeals personal services include the subsistence allowance provided by IC 33-38-5-8.

FOR THE TAX COURT

Personal Services	549,418	549,418
Other Operating Expense	123,595	123,595

FOR THE JUDICIAL CENTER

Personal Services	1,833,579	1,833,579
Other Operating Expense	1,240,419	1,240,419

The above appropriations for the judicial center include the appropriations for the judicial conference.

DRUG AND ALCOHOL PROGRAMS FUND

Total Operating Expense	299,010	299,010
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The above funds are appropriated under IC 33-37-7-9 for the purpose of administering, certifying, and supporting alcohol and drug services programs under IC 12-23-14. However, if the receipts are less than the appropriation, the center may not spend more than is collected.

INTERSTATE COMPACT FOR ADULT OFFENDER SUPERVISION

Total Operating Expense	200,000	200,000
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FOR THE PUBLIC DEFENDER

Personal Services	6,133,410	6,133,410
Other Operating Expense	1,031,506	1,031,506

FOR THE PUBLIC DEFENDER COUNCIL

Personal Services	943,769	943,769
Other Operating Expense	420,328	420,328

FOR THE PROSECUTING ATTORNEYS' COUNCIL

Personal Services	638,099	638,099
Other Operating Expense	577,177	577,177

	<i>FY 2009-2010 Appropriation</i>	<i>FY 2010-2011 Appropriation</i>	<i>Biennial Appropriation</i>
1	DRUG PROSECUTION		
2	Drug Prosecution Fund (IC 33-39-8-6)		
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1	From the General Fund		
2		15,128,969	15,128,969
3	From the Motor Vehicle Odometer Fund (IC 9-29-1-5)		
4		90,000	90,000
5	Augmentation allowed.		
6	From the Medicaid Fraud Control Unit Fund (IC 4-6-10-1)		
7		542,447	542,447
8	Augmentation allowed.		
9	From the Address Confidentiality Fund (IC 5-26.5-3-6)		
10		59,929	59,929
11	Augmentation allowed.		
12	From the Real Estate Appraiser Investigative Fund (IC 25-34.1-8-7.5)		
13		64,230	64,230
14	Augmentation allowed.		
15	From the Consumer Protection Division Telephone Solicitation Fund (IC 24-4.7-3-6)		
16		116,678	116,678
17	Augmentation allowed.		
18	From the Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
19		494,467	494,467
20	Augmentation allowed.		
21	From the Abandoned Property Fund (IC 32-34-1-33)		
22		318,968	318,968
23	Augmentation allowed.		

24
25 The amounts specified from the General Fund, motor vehicle odometer fund, medicaid
26 fraud control unit fund, address confidentiality fund, non-consumer settlements fund,
27 real estate appraisers investigative fund, tobacco master settlement fund, and abandoned
28 property fund are for the following purposes:

29			
30	Personal Services	15,690,686	15,690,686
31	Other Operating Expense	1,125,002	1,125,002
32			
33	HOMEOWNER PROTECTION UNIT		
34	Homeowner Protection Unit Account (IC 4-6-12-9)		
35	Total Operating Expense	422,000	422,000
36	MEDICAID FRAUD UNIT		
37	Total Operating Expense	829,789	829,789

38
39 The above appropriations to the Medicaid fraud unit are the state's matching share
40 of the state Medicaid fraud control unit under IC 4-6-10 as prescribed by 42 U.S.C.
41 1396b(q). Augmentation allowed from collections.

42			
43	UNCLAIMED PROPERTY		
44	Abandoned Property Fund (IC 32-34-1-33)		
45	Personal Services	1,347,951	1,347,951
46	Other Operating Expense	3,163,434	3,163,434
47	Augmentation allowed.		

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49 **D. FINANCIAL MANAGEMENT**

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FOR THE AUDITOR OF STATE

Personal Services	4,587,218	4,587,218
Other Operating Expense	1,388,632	1,388,632

GOVERNORS' AND GOVERNORS' SURVIVING SPOUSES' PENSIONS

Total Operating Expense	140,246	140,246
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The above appropriations for governors' and governors' surviving spouses' pensions are made under IC 4-3-3.

FOR THE STATE BOARD OF ACCOUNTS

Personal Services	20,581,483	20,581,483
Other Operating Expense	1,178,717	1,178,717

FOR THE STATE BUDGET COMMITTEE

Total Operating Expense	54,126	54,126
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Notwithstanding IC 4-12-1-11(b), the salary per diem of the legislative members of the budget committee is an amount equal to one hundred fifty percent (150%) of the legislative business per diem allowance. If the above appropriations are insufficient to carry out the necessary operations of the budget committee, there are hereby appropriated such further sums as may be necessary.

FOR THE OFFICE OF MANAGEMENT AND BUDGET

Personal Services	1,000,227	1,000,227
Other Operating Expense	153,095	153,095

FOR THE STATE BUDGET AGENCY

Personal Services	2,729,047	2,729,047
Other Operating Expense	639,093	639,093

DEPARTMENTAL AND INSTITUTIONAL EMERGENCY CONTINGENCY FUND

Total Operating Expense	10,000,000
-------------------------	------------

The foregoing departmental and institutional emergency contingency fund appropriation is subject to allotment to departments, institutions, and all state agencies by the budget agency with the approval of the governor. These allocations may be made upon written request of proper officials, showing that contingencies exist that require additional funds for meeting necessary expenses. The budget committee shall be advised of each transfer request and allotment.

OUTSIDE BILL CONTINGENCY

Total Operating Expense	1
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PERSONAL SERVICES/FRINGE BENEFITS CONTINGENCY FUND

Total Operating Expense	66,750,000
-------------------------	------------

The foregoing personal services/fringe benefits contingency fund appropriation is subject to allotment to departments, institutions, and all state agencies by the

1 **budget agency with the approval of the governor.**

2

3 **The foregoing personal services/fringe benefits contingency fund appropriation may**
4 **be used only for salary increases, fringe benefit increases, an employee leave conversion**
5 **program, or a state retiree health program for state employees and may not be used**
6 **for any other purpose.**

7

8 **The foregoing personal services/fringe benefits contingency fund appropriation does**
9 **not revert at the end of the biennium but remains in the personal services/fringe**
10 **benefits contingency fund.**

11

12 **STATE RETIREE HEALTH BENEFIT TRUST FUND**

13

State Employee Retiree Health Benefit Trust Fund (IC 5-10-8-8.5)

14

Total Operating Expense

64,400,000

15

Augmentation Allowed.

16

17 **The foregoing appropriation for the state retiree health plan:**

18

- 19 **(1) is to fund employer contributions and benefits provided under IC 5-10-8.5;**
20 **(2) does not revert at the end of any state fiscal year but remains available for**
21 **the purposes of the appropriation in subsequent state fiscal years; and**
22 **(3) is not subject to transfer to any other fund or to transfer, assignment, or reassignment**
23 **for any other use or purpose by the state board of finance notwithstanding IC 4-9.1-1-7**
24 **and IC 4-13-2-23 or by the budget agency notwithstanding IC 4-12-1-12 or any other**
25 **law.**

26

27 **The budget agency may transfer appropriations from federal or dedicated funds to**
28 **the trust fund to accrue funds to pay benefits to employees that are not paid from**
29 **the general fund.**

30

31 **COMPREHENSIVE HEALTH INSURANCE ASSOCIATION STATE SHARE**

32

Total Operating Expense

77,000,000

33

Augmentation Allowed.

34

35 **SCHOOL AND LIBRARY INTERNET CONNECTION**

36

Total Operating Expense

5,000,000

5,000,000

37

38 **Of the foregoing appropriations, \$2,300,000 each year shall be used for schools under**
39 **IC 4-34-3-4, and \$1,200,000 each year shall be used for libraries under IC 4-34-3-2.**

40

41 **INSPIRE (IC 4-34-3-2)**

42

Build Indiana Fund (IC 4-30-17)

43

Other Operating Expense

3,000,000

44

45 **FOR THE PUBLIC EMPLOYEES' RETIREMENT FUND**

46

PUBLIC SAFETY PENSION

47

Total Operating Expense

96,000,000

112,000,000

48

49 **FOR THE TREASURER OF STATE**

1	Personal Services	817,630	817,630
2	Other Operating Expense	52,476	52,476

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The treasurer of state, the board for depositories, the Indiana commission for higher education, and the state student assistance commission shall cooperate and provide to the Indiana education savings authority the following:

- (1) Clerical and professional staff and related support.
- (2) Office space and services.
- (3) Reasonable financial support for the development of rules, policies, programs, and guidelines, including authority operations and travel.

12

E. TAX ADMINISTRATION

13

**FOR THE DEPARTMENT OF REVENUE
COLLECTION AND ADMINISTRATION**

14
15

From the General Fund

48,831,936 48,831,936

16
17

From the Motor Carrier Regulation Fund (IC 8-2.1-23)

794,261 794,261

18
19

From the Motor Vehicle Highway Account (IC 8-14-1)

2,449,434 2,449,434

20
21

Augmentation allowed from the Motor Carrier Regulation Fund and the Motor Vehicle Highway Account.

22
23

The amounts specified from the General Fund, Motor Carrier Regulation Fund, and the Motor Vehicle Highway Account are for the following purposes:

24
25

Personal Services	37,103,377	37,103,377
Other Operating Expense	14,972,254	14,972,254

26
27

With the approval of the governor and the budget agency, the department shall annually reimburse the state general fund for expenses incurred in support of the collection of dedicated fund revenue according to the department's cost allocation plan.

28
29

With the approval of the governor and the budget agency, the foregoing sums for the department of state revenue may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department of state revenue from taxes and fees.

30
31

OUTSIDE COLLECTIONS

Total Operating Expense	4,500,000	4,500,000
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32
33

With the approval of the governor and the budget agency, the foregoing sums for the department of state revenue's outside collections may be augmented to an amount not exceeding in total, together with the above specific amounts, one and one-tenth percent (1.1%) of the amount of money collected by the department from taxes and fees.

34
35

MOTOR CARRIER REGULATION

Motor Carrier Regulation Fund (IC 8-2.1-23)

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42

1	Personal Services	1,744,843	1,744,843
2	Other Operating Expense	3,797,857	3,797,857
3	Augmentation allowed from the Motor Carrier Regulation Fund.		

4

5 **MOTOR FUEL TAX DIVISION**

6	Motor Vehicle Highway Account (IC 8-14-1)		
7	Personal Services	7,041,830	7,041,830
8	Other Operating Expense	2,561,625	2,561,625
9	Augmentation allowed from the Motor Vehicle Highway Account.		

10

11 In addition to the foregoing appropriations, there is hereby appropriated to the

12 department of revenue motor fuel tax division an amount sufficient to pay claims

13 for refunds on license-fee-exempt motor vehicle fuel as provided by law. The sums

14 above appropriated from the motor vehicle highway account for the operation of the

15 motor fuel tax division, together with all refunds for license-fee-exempt motor vehicle

16 fuel, shall be paid from the receipts of those license fees before they are distributed

17 as provided by IC 6-6-1.1.

18

19 **FOR THE INDIANA GAMING COMMISSION**

20	From the State Gaming Fund (IC 4-33-13-3)		
21		3,501,183	3,501,183
22	From the Gaming Investigations		
23		600,000	600,000

24

25 The amounts specified from the state gaming fund and gaming investigations are

26 for the following purposes:

27			
28	Personal Services	3,288,542	3,288,542
29	Other Operating Expense	812,641	812,641

30

31 The foregoing appropriations to the Indiana gaming commission are made from revenues

32 accruing to the state gaming fund under IC 4-33-13-3 before any distribution is made

33 under IC 4-33-13-5.

34 Augmentation allowed.

35

36 The foregoing appropriations to the Indiana gaming commission are made instead of

37 the appropriation made in IC 4-33-13-4.

38

39 **FOR THE INDIANA DEPARTMENT OF GAMING RESEARCH**

40	Personal Services	120,394	120,394
41	Other Operating Expense	104,312	104,312
42	Augmentation allowed from fees accruing under IC 4-33-18-8.		

43

44 **FOR THE INDIANA HORSE RACING COMMISSION**

45	Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)		
46	Personal Services	2,126,562	2,126,562
47	Other Operating Expense	627,890	627,890

48

49 The foregoing appropriations to the Indiana horse racing commission are made from

1 revenues accruing to the Indiana horse racing commission before any distribution
 2 is made under IC 4-31-9.

3 Augmentation allowed.

4
 5 **STANDARD BRED ADVISORY BOARD**

6 Standardbred Horse Fund (IC 15-19-2-10)

7 Total Operating Expense	193,500	193,500
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8
 9 The foregoing appropriations to the standardbred advisory board are made from
 10 revenues accruing to the Indiana horse racing commission before any distribution
 11 is made under IC 4-31-9.

12 Augmentation allowed.

13
 14 **STANDARD BRED BREED DEVELOPMENT**

15 Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)

16 Total Operating Expense	4,049,719	4,049,719
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17 Augmentation allowed.

18 **THOROUGHBRED BREED DEVELOPMENT**

19 Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)

20 Total Operating Expense	2,904,012	2,904,012
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21 Augmentation allowed.

22 **QUARTER HORSE BREED DEVELOPMENT**

23 Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)

24 Total Operating Expense	228,896	228,896
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25 Augmentation allowed.

26 **FINGERPRINT FEES**

27 Indiana Horse Racing Commission Operating Fund (IC 4-31-10-2)

28 Total Operating Expense	52,110	52,110
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29 Augmentation allowed.

30 **GAMING INTEGRITY FUND - IHRC**

31 Gaming Integrity Fund - IHRC (IC 4-35-8.7-3)

32 Total Operating Expense	500,000	500,000
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33 Augmentation allowed.

34
 35 **FOR THE DEPARTMENT OF LOCAL GOVERNMENT FINANCE**

36 Personal Services	3,927,361	3,926,359
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37 Other Operating Expense	722,957	722,957
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38
 39 From the above appropriations for the department of local government finance, travel
 40 subsistence and mileage allowances may be paid for members of the local government
 41 tax control board created by IC 6-1.1-18.5-11 and the state school property tax control
 42 board created by IC 6-1.1-19-4.1, under state travel regulations.

43
 44 **DISTRESSED UNIT APPEAL BOARD**

45 Total Operating Expense	20,600	20,600
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46
 47 **FOR THE INDIANA BOARD OF TAX REVIEW**

48 Personal Services	1,209,019	1,209,019
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49 Other Operating Expense	63,510	63,510
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F. ADMINISTRATION

FOR THE DEPARTMENT OF ADMINISTRATION

Personal Services	11,562,865	11,562,865
Other Operating Expense	14,718,815	14,718,815

FOR THE STATE PERSONNEL DEPARTMENT

Personal Services	3,405,686	3,405,686
Other Operating Expense	320,200	320,200

The department may establish an internal service fund to perform the functions of the department.

The state must provide a variety of healthcare plan options to the extent such plans are reasonably available and not restrict employees to health savings account plans.

FOR THE STATE EMPLOYEES APPEALS COMMISSION

Personal Services	169,653	169,653
Other Operating Expense	10,086	10,086

FOR THE OFFICE OF TECHNOLOGY

Total Operating Expense	1,900,000	1,900,000
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FOR THE COMMISSION ON PUBLIC RECORDS

Personal Services	1,325,220	1,325,220
Other Operating Expense	141,446	141,446

FOR THE OFFICE OF THE PUBLIC ACCESS COUNSELOR

Personal Services	153,041	153,041
Other Operating Expense	3,688	3,688

FOR THE OFFICE OF FEDERAL GRANTS AND PROCUREMENT

Total Operating Expense	95,039	95,039
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G. OTHER

FOR THE COMMISSION ON UNIFORM STATE LAWS

Total Operating Expense	43,584	43,584
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FOR THE OFFICE OF INSPECTOR GENERAL

Personal Services	1,212,488	1,212,488
Other Operating Expense	229,383	229,383

STATE ETHICS COMMISSION

Personal Services	2,668	2,668
Other Operating Expense	6,297	6,297

FOR THE SECRETARY OF STATE

1	ELECTION DIVISION		
2	Personal Services	701,510	701,510
3	Other Operating Expense	196,242	196,242
4	VOTER LIST MAINTENANCE		
5	Total Operating Expense	2,500,000	2,500,000
6			
7	The secretary of state shall use federal funding available for voter list maintenance		
8	before using the above appropriations.		
9			
10	H. COMMUNITY SERVICES		
11			
12	FOR THE GOVERNOR'S OFFICE OF FAITH BASED & COMMUNITY INITIATIVES		
13	Personal Services	240,327	240,327
14	Other Operating Expense	50,225	50,225
15			
16	SECTION 4. [EFFECTIVE JULY 1, 2009]		
17			
18	PUBLIC SAFETY		
19			
20	A. CORRECTION		
21			
22	FOR THE DEPARTMENT OF CORRECTION		
23	CENTRAL OFFICE		
24	Personal Services	9,376,633	9,376,633
25	Other Operating Expense	4,258,981	4,258,981
26	TECHNOLOGY UPGRADES AND IMPROVEMENTS		
27	Correctional Facilities Calling System Fund (IC 5-22-23-7)		
28	Other Operating Expense	1,900,000	1,900,000
29	ESCAPEE COUNSEL AND TRIAL EXPENSE		
30	Other Operating Expense	198,000	198,000
31	COUNTY JAIL MISDEMEANANT HOUSING		
32	Total Operating Expense	4,281,101	4,281,101
33	ADULT CONTRACT BEDS		
34	Total Operating Expense	2,831,443	2,831,443
35	STAFF DEVELOPMENT AND TRAINING		
36	Personal Services	1,084,457	1,084,457
37	Other Operating Expense	132,885	132,885
38	PAROLE DIVISION		
39	Personal Services	8,337,627	8,337,627
40	Other Operating Expense	905,405	905,405
41	PAROLE BOARD		
42	Personal Services	657,976	657,976
43	Other Operating Expense	23,741	23,741
44	INFORMATION MANAGEMENT SERVICES		
45	Personal Services	1,048,752	1,048,752
46	Other Operating Expense	432,534	432,534
47	JUVENILE TRANSITION		
48	Personal Services	662,692	662,692
49	Other Operating Expense	908,545	908,545

1 **COMMUNITY CORRECTIONS PROGRAMS**
2 **Total Operating Expense** **78,000,000**

3
4 **The above appropriation for community corrections programs is not subject to transfer**
5 **to any other fund or to transfer, assignment, or reassignment for any other use or**
6 **purpose by the state board of finance notwithstanding IC 4-9.1-1-7 and IC 4-13-2-23**
7 **or by the budget agency notwithstanding IC 4-12-1-12 or any other law.**

8
9 **Notwithstanding IC 4-13-2-19 and any other law, the above appropriation for community**
10 **corrections programs does not revert to the general fund or another fund at the close**
11 **of a state fiscal year but remains available in subsequent state fiscal years for**
12 **the purposes of the appropriation.**

13
14 **DRUG PREVENTION AND OFFENDER TRANSITION**
15 **Total Operating Expense** **206,824** **206,824**

16
17 **The above appropriation shall be used for minimum security release programs, transition**
18 **programs, mentoring programs, and supervision of and assistance to adult and juvenile**
19 **offenders to promote the successful integration of the offender into the community.**

20
21 **CENTRAL EMERGENCY RESPONSE**
22 **Personal Services** **1,159,005** **1,159,005**
23 **Other Operating Expense** **120,174** **120,174**

24 **MEDICAL SERVICES**
25 **Other Operating Expense** **76,130,153** **86,032,783**

26
27 **The above appropriations for medical services shall be used only for services that are determined**
28 **to be medically necessary.**

29
30 **DRUG ABUSE PREVENTION**
31 **Corrections Drug Abuse Fund (IC 11-8-2-11)**
32 **Personal Services** **740,000** **740,000**
33 **Other Operating Expense** **2,600** **2,600**

34 **Augmentation allowed.**
35 **COUNTY JAIL MAINTENANCE CONTINGENCY FUND**
36 **Other Operating Expense** **20,000,000** **20,000,000**

37
38 **Disbursements from the fund shall be made for the purpose of reimbursing sheriffs**
39 **for the cost of incarcerating in county jails persons convicted of felonies to the**
40 **extent that such persons are incarcerated for more than five (5) days after the day**
41 **of sentencing, at the rate of \$35 per day. In addition to the per diem, the state**
42 **shall reimburse the sheriffs for expenses determined by the sheriff to be medically**
43 **necessary medical care to the convicted persons. However, if the sheriff or county**
44 **receives money with respect to a convicted person (from a source other than the county),**
45 **the per diem or medical expense reimbursement with respect to the convicted person**
46 **shall be reduced by the amount received. A sheriff shall not be required to comply**
47 **with IC 35-38-3-4(a) or transport convicted persons within five (5) days after the**
48 **day of sentencing if the department of correction does not have the capacity to receive**
49 **the convicted person.**

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Augmentation allowed.

FOOD SERVICES

Total Operating Expense	36,652,458	40,281,856
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FOR THE STATE BUDGET AGENCY

MEDICAL SERVICE PAYMENTS

Total Operating Expense	25,000,000	25,000,000
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These appropriations for medical service payments are made to pay for services determined to be medically necessary for committed individuals, patients and students of institutions under the jurisdiction of the department of correction, the state department of health, the division of mental health and addiction, the school for the blind and visually impaired, the school for the deaf, the division of disability and rehabilitative services, or the division of aging if the services are provided outside these institutions. These appropriations may not be used for payments for medical services that are covered by IC 12-16 unless these services have been approved under IC 12-16. These appropriations shall not be used for payment for medical services which are payable from an appropriation in this act for the state department of health, the division of mental health and addiction, the school for the blind and visually impaired, the school for the deaf, the division of disability and rehabilitative services, the division of aging, or the department of correction, or that are reimbursable from funds for medical assistance under IC 12-15. If these appropriations are insufficient to make these medical service payments, there is hereby appropriated such further sums as may be necessary.

Direct disbursements from the above contingency fund are not subject to the provisions of IC 4-13-2.

FOR THE DEPARTMENT OF ADMINISTRATION

DEPARTMENT OF CORRECTION OMBUDSMAN BUREAU

Personal Services	134,554	134,554
Other Operating Expense	7,328	7,328

FOR THE DEPARTMENT OF CORRECTION

INDIANA STATE PRISON

Personal Services	32,867,370	32,867,370
Other Operating Expense	6,751,252	6,751,252

PENDLETON CORRECTIONAL FACILITY

Personal Services	27,299,395	27,299,395
Other Operating Expense	7,070,626	7,070,626

CORRECTIONAL INDUSTRIAL FACILITY

Personal Services	20,245,770	20,245,770
Other Operating Expense	997,243	997,243

INDIANA WOMEN'S PRISON

Personal Services	8,612,523	8,612,523
Other Operating Expense	1,059,099	1,059,099

PUTNAMVILLE CORRECTIONAL FACILITY

Personal Services	30,333,741	30,333,741
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	<i>FY 2009-2010 Appropriation</i>	<i>FY 2010-2011 Appropriation</i>	<i>Biennial Appropriation</i>
1	Other Operating Expense	4,329,691	4,329,691
2	WABASH VALLEY CORRECTIONAL FACILITY		
3	Personal Services	35,452,554	36,957,852
4	Other Operating Expense	5,409,888	5,810,040
5	PLAINFIELD EDUCATION RE-ENTRY FACILITY		
6	Personal Services	7,055,354	7,055,354
7	Other Operating Expense	3,235,412	3,235,412
8	INDIANAPOLIS JUVENILE CORRECTIONAL FACILITY		
9	Personal Services	10,906,670	10,906,670
10	Other Operating Expense	1,090,070	1,090,070
11	BRANCHVILLE CORRECTIONAL FACILITY		
12	Personal Services	16,560,275	16,560,275
13	Other Operating Expense	2,361,080	2,361,080
14	WESTVILLE CORRECTIONAL FACILITY		
15	Personal Services	42,786,893	42,786,893
16	Other Operating Expense	5,980,703	5,980,703
17	ROCKVILLE CORRECTIONAL FACILITY FOR WOMEN		
18	Personal Services	14,998,655	14,998,655
19	Other Operating Expense	1,927,015	1,927,015
20	PLAINFIELD CORRECTIONAL FACILITY		
21	Personal Services	22,950,007	22,950,007
22	Other Operating Expense	2,619,303	2,619,303
23	RECEPTION AND DIAGNOSTIC CENTER		
24	Personal Services	11,799,385	11,799,385
25	Other Operating Expense	695,865	695,865
26	MIAMI CORRECTIONAL FACILITY		
27	Personal Services	28,891,409	30,302,909
28	Other Operating Expense	5,231,704	5,595,103
29	NEW CASTLE CORRECTIONAL FACILITY		
30	Other Operating Expense	31,587,079	32,328,736
31	SOCIAL SERVICES BLOCK GRANT		
32	General Fund		
33	Total Operating Expense	5,029,318	5,029,318
34	Work Release - Study Release Special Revenue Fund (IC 11-10-8-6.5)		
35	Total Operating Expense	1,328,704	1,328,704
36	Augmentation allowed from Work Release - Study Release Special Revenue Fund		
37	and Social Services Block Grant.		
38	HENRYVILLE CORRECTIONAL FACILITY		
39	Personal Services	2,355,124	2,355,124
40	Other Operating Expense	271,599	271,599
41	CHAIN O' LAKES CORRECTIONAL FACILITY		
42	Personal Services	1,743,782	1,743,782
43	Other Operating Expense	261,355	261,355
44	MADISON CORRECTIONAL FACILITY		
45	Personal Services	4,835,168	4,835,168
46	Other Operating Expense	962,558	962,558
47	EDINBURGH CORRECTIONAL FACILITY		
48	Personal Services	3,614,415	3,614,415
49	Other Operating Expense	388,295	388,295

1	SOUTH BEND JUVENILE CORRECTIONAL FACILITY		
2	Personal Services	4,739,483	4,739,483
3	Other Operating Expense	2,826,481	2,826,481
4	NORTH CENTRAL JUVENILE CORRECTIONAL FACILITY		
5	Personal Services	9,213,446	9,213,446
6	Other Operating Expense	1,243,603	1,243,603
7	CAMP SUMMIT		
8	Personal Services	2,258,110	2,258,110
9	Other Operating Expense	217,833	217,833
10	PENDLETON JUVENILE CORRECTIONAL FACILITY		
11	Personal Services	15,807,771	15,807,771
12	Other Operating Expense	1,633,941	1,633,941

13

14 **B. LAW ENFORCEMENT**

15

16 **FOR THE INDIANA STATE POLICE AND MOTOR CARRIER INSPECTION**

17	From the General Fund		
18		62,391,905	62,391,905
19	From the Motor Vehicle Highway Account (IC 8-14-1)		
20		62,391,904	62,391,904
21	From the Motor Carrier Regulation Fund (IC 8-2.1-23)		
22		4,391,978	4,391,978
23	Augmentation allowed from the general fund, the motor vehicle highway account,		
24	and the motor carrier regulation fund.		

25

26 The amounts specified from the General Fund, the Motor Vehicle Highway Account, and the

27 Motor Carrier Regulation Fund are for the following purposes:

28			
29	Personal Services	115,028,075	115,028,075
30	Other Operating Expense	14,147,712	14,147,712

31

32 The above appropriations for personal services and other operating expense include

33 funds to continue the state police minority recruiting program.

34

35 The foregoing appropriations for the Indiana state police and motor carrier inspection

36 include funds for the police security detail to be provided to the Indiana state

37 fair board. However, amounts actually expended to provide security for the Indiana state

38 fair board as determined by the budget agency shall be reimbursed by the Indiana

39 state fair board to the state general fund.

40			
41	ODOMETER FRAUD INVESTIGATION		
42	Motor Vehicle Odometer Fund (IC 9-29-1-5)		
43	Total Operating Expense	25,000	25,000
44	Augmentation allowed.		
45			
46	STATE POLICE TRAINING		
47	State Police Training Fund (IC 5-2-8-5)		
48	Total Operating Expense	502,875	502,875
49	Augmentation allowed.		

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FORENSIC AND HEALTH SCIENCES LABORATORIES

From the General Fund

3,888,671	3,888,671
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From the Motor Carrier Regulation Fund (IC 8-2.1-23)

375,611	375,611
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From the Motor Vehicle Highway Account (IC 8-14-1)

6,783,078	6,783,078
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Augmentation allowed from the general fund, the motor vehicle highway account, and the motor carrier regulation fund.

The amounts specified from the General Fund, the Motor Vehicle Highway Account, and the Motor Carrier Regulation Fund are for the following purposes:

Personal Services	10,572,562	10,572,562
Other Operating Expense	474,798	474,798

ENFORCEMENT AID

General Fund

Total Operating Expense	40,000	40,000
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Motor Vehicle Highway Account (IC 8-14-1)

Total Operating Expense	40,000	40,000
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The above appropriations for enforcement aid are to meet unforeseen emergencies of a confidential nature. They are to be expended under the direction of the superintendent and to be accounted for solely on the superintendent's authority.

PENSION FUND

General Fund

Total Operating Expense	4,736,247	4,736,247
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Motor Vehicle Highway Account (IC 8-14-1)

Total Operating Expense	4,736,246	4,736,246
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The above appropriations shall be paid into the state police pension fund provided for in IC 10-12-2 in twelve (12) equal installments on or before July 30 and on or before the 30th of each succeeding month thereafter.

BENEFIT FUND

General Fund

Total Operating Expense	1,713,151	1,713,151
--------------------------------	-----------	-----------

Augmentation allowed.

Motor Vehicle Highway Account (IC 8-14-1)

Total Operating Expense	1,713,151	1,713,151
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Augmentation allowed.

All benefits to members shall be paid by warrant drawn on the treasurer of state by the auditor of state on the basis of claims filed and approved by the trustees of the state police pension and benefit funds created by IC 10-12-2.

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SUPPLEMENTAL PENSION

General Fund

Total Operating Expense	1,900,753	1,900,753
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Augmentation allowed.

Motor Vehicle Highway Account (IC 8-14-1)

Total Operating Expense	1,900,753	1,900,753
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Augmentation allowed.

If the above appropriations for supplemental pension for any one (1) year are greater than the amount actually required under the provisions of IC 10-12-5, then the excess shall be returned proportionately to the funds from which the appropriations were made. If the amount actually required under IC 10-12-5 is greater than the above appropriations, then, with the approval of the governor and the budget agency, those sums may be augmented from the general fund and the motor vehicle highway account.

ACCIDENT REPORTING

Accident Report Account (IC 9-29-11-1)

Total Operating Expense	30,000	30,000
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Augmentation allowed.

DRUG INTERDICTION

Drug Interdiction Fund (IC 10-11-7)

Total Operating Expense	273,420	273,420
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Augmentation allowed.

DNA SAMPLE PROCESSING FUND

DNA Sample Processing Fund (IC 10-13-6-9.5)

Total Operating Expense	1,327,777	1,327,777
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Augmentation allowed.

FOR THE INTEGRATED PUBLIC SAFETY COMMISSION

PROJECT SAFE-T

Integrated Public Safety Communications Fund (IC 5-26-4-1)

Total Operating Expense	13,000,000	13,000,000
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Augmentation allowed.

FOR THE ADJUTANT GENERAL

CAMP ATTERBURY MUSCATATUCK CENTER FOR COMPLEX OPERATIONS

Personal Services	653,456	653,456
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Other Operating Expense	362,134	362,134
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ADJUTANT GENERAL FEDERAL COOP AGREEMENT

Total Operating Expense	9,653,699	9,653,699
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BAER FIELD FEDERAL COOP AGREEMENT

Total Operating Expense	370,161	370,161
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HULMAN FIELD FEDERAL COOP AGREEMENT

Total Operating Expense	306,453	306,453
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DISABLED SOLDIERS' PENSION

Other Operating Expense	1	1
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Augmentation allowed.

1	MUTC - MUSCATATUCK URBAN TRAINING CENTER		
2	Total Operating Expense	1,386,906	1,386,906
3	HOOSIER YOUTH CHALLENGE ACADEMY		
4	Total Operating Expense	1,148,948	1,148,948
5	GOVERNOR'S CIVIL AND MILITARY CONTINGENCY FUND		
6	Total Operating Expense		288,672

7
8 **The above appropriations for the governor's civil and military contingency fund are**
9 **made under IC 10-16-11-1.**

10
11 **FOR THE CRIMINAL JUSTICE INSTITUTE**

12	ADMINISTRATIVE MATCH		
13	Total Operating Expense	427,253	427,253
14	DRUG ENFORCEMENT MATCH		
15	Total Operating Expense	1,571,760	1,571,760
16	VICTIM AND WITNESS ASSISTANCE FUND		
17	Victim and Witness Assistance Fund (IC 5-2-6-14)		
18	Total Operating Expense	629,689	629,689
19	Augmentation allowed.		
20	ALCOHOL AND DRUG COUNTERMEASURES		
21	Alcohol and Drug Countermeasures Fund (IC 9-27-2-11)		
22	Total Operating Expense	348,211	348,211
23	Augmentation allowed.		
24	STATE DRUG FREE COMMUNITIES FUND		
25	State Drug Free Communities Fund (IC 5-2-10-2)		
26	Total Operating Expense	526,585	526,585
27	Augmentation allowed.		
28	INDIANA SAFE SCHOOLS		
29	General Fund		
30	Total Operating Expense	1,497,756	1,497,756
31	Indiana Safe Schools Fund (IC 5-2-10.1-2)		
32	Total Operating Expense	514,397	514,397
33	Augmentation allowed from Indiana Safe Schools Fund.		

34
35 **Of the above appropriations for the Indiana safe schools program, \$1,262,153 is appropriated**
36 **annually to provide grants to school corporations for school safe haven programs,**
37 **emergency preparedness programs, and school safety programs, and \$750,000 is appropriated**
38 **annually for use in providing training to school safety specialists.**

39			
40	CHILD RESTRAINT SYSTEM FUND		
41	Total Operating Expense	100,000	100,000
42	COMMUNITY DRIVER TRAINING SCHOOLS & INSTRUCTION		
43	Motor Vehicle Highway Account (IC 8-14-1)		
44	Total Operating Expense	63,359	63,359
45	Augmentation allowed.		
46	OFFICE OF TRAFFIC SAFETY		
47	Motor Vehicle Highway Account (IC 8-14-1)		
48	Personal Services	575,778	575,778
49	Other Operating Expense	13,211,355	13,211,355

1 **Augmentation allowed.**

2

3 **The above appropriation for the office of traffic safety is from the motor vehicle**
 4 **highway account and may be used to fund traffic safety projects that are included**
 5 **in a current highway safety plan approved by the governor and the budget agency.**
 6 **The department shall apply to the national highway traffic safety administration**
 7 **for reimbursement of all eligible project costs. Any federal reimbursement received**
 8 **by the department for the highway safety plan shall be deposited into the motor vehicle**
 9 **highway account.**

10

11 **PROJECT IMPACT**

12 Total Operating Expense	196,000	196,000
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13

14 **SEXUAL ASSAULT VICTIMS' ASSISTANCE**

15 Sexual Assault Victims' Assistance Account (IC 5-2-6-23(h))		
16 Total Operating Expense	49,000	49,000

17

18 **Augmentation allowed. The full amount of the above appropriations shall be distributed**
 19 **to rape crisis centers in Indiana without any deduction of personal services or other**
 20 **operating expenses of any state agency.**

21

22 **VICTIMS OF VIOLENT CRIME ADMINISTRATION**

23 Violent Crime Victims Compensation Fund (IC 5-2-6.1-40)		
24 Personal Services	112,122	112,122
25 Other Operating Expense	2,407,402	2,407,402
26 Augmentation allowed.		

27

28 **FOR THE CORONERS' TRAINING BOARD**

29 Coroners' Training and Continuing Education Fund (IC 4-23-6.5-8)		
30 Total Operating Expense	361,229	361,229
31 Augmentation allowed.		

32

33 **FOR THE LAW ENFORCEMENT TRAINING ACADEMY**

34 From the General Fund		
	2,190,933	2,190,933
36 From the Law Enforcement Training Fund (IC 5-2-1-13(b))		
	2,220,048	2,220,048
38 Augmentation allowed from the Law Enforcement Training Fund.		

39

40 **The amounts specified from the General Fund and the Law Enforcement Training Fund**
 41 **are for the following purposes:**

42

43 Personal Services	3,608,441	3,608,441
44 Other Operating Expense	802,540	802,540

45

46 **C. REGULATORY AND LICENSING**

47

48 **FOR THE BUREAU OF MOTOR VEHICLES**

49 **Motor Vehicle Highway Account (IC 8-14-1)**

	<i>FY 2009-2010 Appropriation</i>	<i>FY 2010-2011 Appropriation</i>	<i>Biennial Appropriation</i>
1	Personal Services	17,446,403	17,446,403
2	Other Operating Expense	13,493,000	13,493,000
3	Augmentation allowed.		
4	LICENSE PLATES		
5	Motor Vehicle Highway Account (IC 8-14-1)		
6	Total Operating Expense	5,600,000	5,600,000
7	Augmentation allowed.		
8	FINANCIAL RESPONSIBILITY COMPLIANCE VERIFICATION		
9	Financial Responsibility Compliance Verification Fund (IC 9-25-9-7)		
10	Total Operating Expense	6,571,932	6,571,932
11	Augmentation allowed.		
12	STATE MOTOR VEHICLE TECHNOLOGY		
13	State Motor Vehicle Technology Fund (IC 9-29-16-1)		
14	Total Operating Expense	5,261,692	5,261,692
15	Augmentation allowed.		
16			
17	FOR THE DEPARTMENT OF LABOR		
18	Personal Services	871,619	871,619
19	Other Operating Expense	141,615	141,615
20	BUREAU OF MINES AND MINING		
21	Personal Services	150,554	150,554
22	Other Operating Expense	20,104	20,104
23	M.I.S. RESEARCH AND STATISTICS		
24	Personal Services	207,354	207,354
25	Other Operating Expense	22,360	22,360
26	OCCUPATIONAL SAFETY AND HEALTH		
27	Personal Services	3,237,073	3,237,073
28	Other Operating Expense	568,548	568,548
29			
30	The above funds are appropriated to occupational safety and health		
31	and management information services research and statistics to provide the total		
32	program cost of the Indiana occupational safety and health plan as approved by the		
33	United States Department of Labor. Inasmuch as the state is eligible to receive		
34	from the federal government partial reimbursement of the state's total Indiana occupational		
35	safety and health plan program cost, it is the intention of the general assembly		
36	that the department of labor make application to the federal government for the federal		
37	share of the total program cost. Federal funds received shall be considered a reimbursement		
38	of state expenditures and as such shall be deposited into the state general fund.		
39			
40	EMPLOYMENT OF YOUTH		
41	Employment of Youth Fund (IC 20-33-3-42)		
42	Total Operating Expense	183,555	183,555
43	Augmentation allowed.		
44	INSAFE		
45	Special Fund for Safety and Health Consultation, Education, and		
46	Training Services (IC 22-8-1.1-48)		
47	Personal Services	874,587	874,587
48	Other Operating Expense	217,752	217,752
49	Augmentation allowed.		

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Federal cost reimbursements for expenses attributable to INSafe appropriations shall be deposited into the special fund for safety and health consultation, education, and training services.

FOR THE DEPARTMENT OF INSURANCE

Department of Insurance Fund (IC 27-1-3-28)

Personal Services	5,318,138	5,318,138
Other Operating Expense	1,195,519	1,195,519

Augmentation allowed.

BAIL BOND DIVISION

Bail Bond Enforcement and Administration Fund (IC 27-10-5-1)

Personal Services	171,597	171,597
Other Operating Expense	8,832	8,832

Augmentation allowed.

PATIENTS' COMPENSATION AUTHORITY

Patients' Compensation Fund (IC 34-18-6-1)

Personal Services	490,135	490,135
Other Operating Expense	1,346,870	1,346,870

Augmentation allowed.

POLITICAL SUBDIVISION RISK MANAGEMENT

Political Subdivision Risk Management Fund (IC 27-1-29-10)

Personal Services	44,195	44,195
Other Operating Expense	782,960	782,960

Augmentation allowed.

MINE SUBSIDENCE INSURANCE

Mine Subsidence Insurance Fund (IC 27-7-9-7)

Personal Services	62,116	62,116
Other Operating Expense	827,283	827,283

Augmentation allowed.

TITLE INSURANCE ENFORCEMENT OPERATING

Title Insurance Enforcement Fund (IC 27-7-3.6-1)

Personal Services	288,370	288,370
Other Operating Expense	80,921	80,921

Augmentation allowed.

FOR THE ALCOHOL AND TOBACCO COMMISSION

Enforcement and Administration Fund (IC 7.1-4-10-1)

Personal Services	8,612,469	8,612,469
Other Operating Expense	1,780,699	1,780,699

Augmentation allowed.

ALCOHOLIC BEVERAGE ENFORCEMENT OFFICERS' TRAINING

Alcoholic Beverage Commission Enforcement Officers' Training Fund (IC 5-2-8-8)

Total Operating Expense	4,200	4,200
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Augmentation allowed.

YOUTH TOBACCO EDUCATION AND ENFORCEMENT

Richard D. Doyle Youth Tobacco Education and Enforcement Fund (IC 7.1-6-2-6)

Total Operating Expense	25,000	25,000
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1	Augmentation allowed.		
2			
3	FOR THE DEPARTMENT OF FINANCIAL INSTITUTIONS		
4	Financial Institutions Fund (IC 28-11-2-9)		
5	Personal Services	6,972,935	6,972,935
6	Other Operating Expense	1,518,119	1,518,119
7	Augmentation allowed.		
8			
9	FOR THE PROFESSIONAL LICENSING AGENCY		
10	Personal Services	4,669,317	4,669,317
11	Other Operating Expense	867,325	867,325
12	PRENEED CONSUMER PROTECTION		
13	Preneed Consumer Protection Fund (IC 30-2-13-28)		
14	Total Operating Expense	72,750	72,750
15	Augmentation allowed.		
16	BOARD OF FUNERAL AND CEMETERY SERVICE		
17	Funeral Service Education Fund (IC 25-15-9-13)		
18	Total Operating Expense	4,850	4,850
19	Augmentation allowed.		
20			
21	FOR THE CIVIL RIGHTS COMMISSION		
22	Personal Services	1,916,298	1,916,298
23	Other Operating Expense	270,632	270,632
24			
25	It is the intention of the general assembly that the civil rights commission shall		
26	apply to the federal government for funding based upon the processing of employment		
27	and housing discrimination complaints by the civil rights commission. Such federal		
28	funds received by the state shall be considered as a reimbursement of state expenditures		
29	and shall be deposited into the state general fund.		
30			
31	MARTIN LUTHER KING JR. HOLIDAY COMMISSION		
32	Total Operating Expense	20,000	20,000
33			
34	FOR THE UTILITY CONSUMER COUNSELOR		
35	Public Utility Fund (IC 8-1-6-1)		
36	Personal Services	4,485,790	4,485,790
37	Other Operating Expense	687,910	687,910
38	Augmentation allowed.		
39			
40	EXPERT WITNESS FEES AND AUDIT		
41	Public Utility Fund (IC 8-1-6-1)		
42	Total Operating Expense		1,503,500
43	Augmentation allowed.		
44			
45	FOR THE UTILITY REGULATORY COMMISSION		
46	Public Utility Fund (IC 8-1-6-1)		
47	Personal Services	6,729,019	6,729,019
48	Other Operating Expense	1,917,752	1,917,752
49	Augmentation allowed.		

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FOR THE WORKERS' COMPENSATION BOARD

From the General Fund

1,918,782 1,918,782

From the Workers' Compensation Supplemental Administration Fund (IC 22-3-5-6)

145,007 145,007

Augmentation allowed.

The amounts specified from the general fund and the workers' compensation supplemental administrative fund are for the following purposes:

Personal Services	1,927,761	1,927,761
Other Operating Expense	136,028	136,028

FOR THE STATE BOARD OF ANIMAL HEALTH

Personal Services	4,021,557	4,021,557
Other Operating Expense	865,228	865,228

INDEMNITY FUND

Total Operating Expense		9,700
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Augmentation allowed.

MEAT & POULTRY INSPECTION

Total Operating Expense	1,884,049	1,884,049
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FOR THE DEPARTMENT OF HOMELAND SECURITY

FIRE AND BUILDING SERVICES

From the Fire and Building Services Fund (IC 22-12-6-1)

15,251,362 15,251,362

From the Medical Services Education Fund (IC 16-31-7-1)

23,437 23,437

Augmentation allowed from the fire and building services fund and medical services education fund.

The amounts specified from the fire and building services fund and medical services education fund are for the following purposes:

Personal Services	12,467,711	12,467,711
Other Operating Expense	2,807,088	2,807,088

REGIONAL PUBLIC SAFETY TRAINING

Regional Public Safety Training Fund (IC 10-15-3-12)

Total Operating Expense	1,902,047	1,902,047
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Augmentation allowed.

EMERGENCY MANAGEMENT CONTINGENCY FUND

Total Operating Expense	221,645	221,645
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The above appropriations for the emergency management contingency fund are made under IC 10-14-3-28.

1	PUBLIC ASSISTANCE		
2	Total Operating Expense	1	1
3	HOMELAND SECURITY FUND - FOUNDATION		
4	Homeland Security Fund - Foundation (IC 10-15-3-1)		
5	Total Operating Expense	224,423	224,423
6	Augmentation allowed.		
7	INDIANA EMERGENCY RESPONSE COMMISSION		
8	Emergency Planning and Right to Know Fund (IC 6-6-10-5 & IC 6-6-10-7)		
9	Total Operating Expense	40,962	40,962
10	Augmentation allowed.		
11	STATE DISASTER RELIEF FUND		
12	State Disaster Relief Fund (IC 10-14-4-5)		
13	Total Operating Expense	500,000	500,000
14	Augmentation allowed, not to exceed revenues collected from the public safety fee imposed by IC 22-11-14-12.		
15			
16			
17	Augmentation allowed from the general fund to match federal disaster relief funds.		
18			
19	REDUCED IGNITION PROPENSITY STANDARDS FOR CIGARETTES FUND		
20	Reduced Ignition Propensity Standards for Cigarettes Fund (IC 22-14-7-22(a))		
21	Total Operating Expense	80,000	80,000
22	Augmentation allowed.		
23	INDIANA INTELLIGENCE FUSION CENTER		
24	Total Operating Expense	969,252	969,252
25	STATEWIDE FIRE AND BUILDING SAFETY EDUCATION FUND		
26	Statewide Fire and Building Safety Education Fund (IC 22-12-6-3)		
27	Total Operating Expense	117,162	117,162
28	Augmentation allowed.		
29			
30	SECTION 5. [EFFECTIVE JULY 1, 2009]		
31			
32	CONSERVATION AND ENVIRONMENT		
33			
34	A. NATURAL RESOURCES		
35			
36	FOR THE DEPARTMENT OF NATURAL RESOURCES - ADMINISTRATION		
37	Personal Services	8,179,372	8,179,372
38	Other Operating Expense	1,358,733	1,358,733
39	ENTOMOLOGY AND PLANT PATHOLOGY DIVISION		
40	Personal Services	588,850	588,850
41	Other Operating Expense	151,997	151,997
42	ENTOMOLOGY AND PLANT PATHOLOGY FUND		
43	Entomology and Plant Pathology Fund (IC 14-24-10-3)		
44	Total Operating Expense		662,868
45	Augmentation allowed.		
46	ENGINEERING DIVISION		
47	Personal Services	1,728,557	1,728,557
48	Other Operating Expense	99,232	99,232
49	STATE MUSEUM		

	<i>FY 2009-2010 Appropriation</i>	<i>FY 2010-2011 Appropriation</i>	<i>Biennial Appropriation</i>
1	Personal Services	5,020,180	5,020,180
2	Other Operating Expense	1,251,406	1,251,406
3	HISTORIC PRESERVATION DIVISION		
4	Personal Services	755,246	755,246
5	Other Operating Expense	70,346	70,346
6	HISTORIC PRESERVATION - FEDERAL		
7	Total Operating Expense	32,559	32,559
8	STATE HISTORIC SITES		
9	Personal Services	2,400,530	2,400,530
10	Other Operating Expense	499,789	499,789

11
12 From the above appropriations, \$75,000 in each state fiscal year shall be used for
13 the Grissom Museum.

14
15 **INDIANA FLOOD CONTROL SUMMIT**

16 Total Operating Expense 5,000 0

17
18 The department of natural resources shall schedule, organize, and conduct an Indiana
19 flood control summit for one (1) or more days in Indiana before November 1, 2009.

20
21 **WABASH RIVER HERITAGE CORRIDOR**

22 Total Operating Expense 80,246 80,246

23 **OUTDOOR RECREATION DIVISION**

24 Personal Services 615,004 615,004

25 Other Operating Expense 41,931 41,931

26 **NATURE PRESERVES DIVISION**

27 Personal Services 923,068 923,068

28 Other Operating Expense 46,569 46,569

29 **WATER DIVISION**

30 Personal Services 4,417,754 4,417,754

31 Other Operating Expense 405,079 405,079

32
33 All revenues accruing from state and local units of government and from private utilities
34 and industrial concerns as a result of water resources study projects, and as a result
35 of topographic and other mapping projects, shall be deposited into the state general
36 fund, and such receipts are hereby appropriated, in addition to the foregoing amounts,
37 for water resources studies.

38
39 **DEER RESEARCH AND MANAGEMENT**

40 Deer Research and Management Fund (IC 14-22-5-2)

41 Total Operating Expense 189,160 189,160

42 Augmentation allowed.

43 **OIL AND GAS DIVISION**

44 Oil and Gas Fund (IC 6-8-1-27)

45 Personal Services 1,300,410 1,300,410

46 Other Operating Expense 322,789 322,789

47 Augmentation allowed.

48
49 **STATE PARKS AND RESERVOIRS**

1 **From the General Fund**
2 **11,343,213 11,343,213**
3 **From the State Parks and Reservoirs Special Revenue Fund (IC 14-19-8-2)**
4 **20,644,742 20,644,742**
5 **Augmentation allowed from the State Parks and Reservoirs Special Revenue Fund.**

6
7 **The amounts specified from the General Fund and the State Parks and Reservoirs**
8 **Special Revenue Fund are for the following purposes:**

9			
10	Personal Services	23,781,129	23,781,129
11	Other Operating Expense	8,206,826	8,206,826

12
13 **OFF-ROAD VEHICLE AND SNOWMOBILE FUND**
14 **Off-Road Vehicle and Snowmobile Fund (IC 14-16-1-30)**
15 **Total Operating Expense 291,001 291,001**
16 **Augmentation allowed.**

17 **LAW ENFORCEMENT DIVISION**
18 **From the General Fund**
19 **9,936,748 9,936,748**
20 **From the Fish and Wildlife Fund (IC 14-22-3-2)**
21 **13,381,894 13,381,894**
22 **Augmentation allowed from the Fish and Wildlife Fund.**

23
24 **The amounts specified from the General Fund and the Fish and Wildlife Fund are for**
25 **the following purposes:**

26			
27	Personal Services	19,396,301	19,396,301
28	Other Operating Expense	3,922,341	3,922,341

29
30 **FISH AND WILDLIFE DIVISION**
31 **Fish and Wildlife Fund (IC 14-22-3-2)**
32 **Personal Services 13,124,471 13,124,471**
33 **Other Operating Expense 4,377,957 4,377,957**
34 **Augmentation allowed.**

35 **FORESTRY DIVISION**
36 **From the General Fund**
37 **4,494,586 4,494,586**
38 **From the State Forestry Fund (IC 14-23-3-2)**
39 **7,492,186 7,492,186**
40 **Augmentation allowed from the State Forestry Fund.**

41
42 **The amounts specified from the General Fund and the State Forestry Fund are**
43 **for the following purposes:**

44			
45	Personal Services	7,796,996	7,796,996
46	Other Operating Expense	4,189,776	4,189,776

47
48 **All money expended by the division of forestry of the department of natural resources**
49 **for the detention and suppression of forest, grassland, and wasteland fires shall**

1 be through the enforcement division of the department, and the employment with such
 2 money of all personnel, with the exception of emergency labor, shall be in accordance
 3 with IC 14-9-8.
 4

5 **RECLAMATION DIVISION**

6 **Natural Resources Reclamation Division Fund (IC 14-34-14-2)**

7 Personal Services	1,496,777	1,496,777
8 Other Operating Expense	393,565	393,565

9 **Augmentation allowed.**

10
 11 **In addition to any of the foregoing appropriations for the department of natural**
 12 **resources, any federal funds received by the state of Indiana for support of approved**
 13 **outdoor recreation projects for planning, acquisition, and development under the**
 14 **provisions of the federal Land and Water Conservation Fund Act, P.L.88-578, are appropriated**
 15 **for the uses and purposes for which the funds were paid to the state, and shall be**
 16 **distributed by the department of natural resources to state agencies and other governmental**
 17 **units in accordance with the provisions under which the funds were received.**
 18

19 **LAKE MICHIGAN COASTAL PROGRAM**

20 **Cigarette Tax Fund (IC 6-7-1-29.1)**

21 Total Operating Expense	142,283	142,283
-----------------------------------	---------	---------

22 **Augmentation allowed.**

23 **LAKE AND RIVER ENHANCEMENT**

24 **Lake and River Enhancement Fund (IC 6-6-11-12.5)**

25 Total Operating Expense		4,603,882
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26 **Augmentation allowed.**

27 **CONSERVATION OFFICERS' MARINE ENFORCEMENT FUND**

28 **Lake and River Enhancement Fund (IC 6-6-11-12.5)**

29 Total Operating Expense	795,400	795,400
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30 **Augmentation allowed.**

31 **HERITAGE TRUST**

32 **Build Indiana Fund (IC 4-30-17)**

33 Total Operating Expense	1,000,000	1,000,000
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34
 35 **B. OTHER NATURAL RESOURCES**

36
 37 **FOR THE WORLD WAR MEMORIAL COMMISSION**

38 Personal Services	735,437	735,437
39 Other Operating Expense	302,381	302,381

40
 41 **All revenues received as rent for space in the buildings located at 777 North Meridian**
 42 **Street and 700 North Pennsylvania Street, in the city of Indianapolis, that exceed**
 43 **the costs of operation and maintenance of the space rented, shall be paid into the**
 44 **general fund. The American Legion shall provide for the complete maintenance of**
 45 **the interior of these buildings.**
 46

47 **FOR THE WHITE RIVER PARK COMMISSION**

48 Total Operating Expense	998,999	998,999
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1	FOR THE MAUMEE RIVER BASIN COMMISSION		
2	Total Operating Expense	67,658	67,658
3			
4	FOR THE ST. JOSEPH RIVER BASIN COMMISSION		
5	Total Operating Expense	58,751	58,751
6			
7	FOR THE KANKAKEE RIVER BASIN COMMISSION		
8	Total Operating Expense	67,658	67,658
9			
10	C. ENVIRONMENTAL MANAGEMENT		
11			
12	FOR THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT		
13	ADMINISTRATION		
14	From the General Fund		
15	3,363,457	3,363,457	
16	From the State Solid Waste Management Fund (IC 13-20-22-2)		
17	66,480	66,480	
18	From the Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)		
19	57,475	57,475	
20	From the Waste Tire Management Fund (IC 13-20-13-8)		
21	101,519	101,519	
22	From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)		
23	639,953	639,953	
24	From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		
25	608,752	608,752	
26	From the Environmental Management Special Fund (IC 13-14-12-1)		
27	88,128	88,128	
28	From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
29	179,093	179,093	
30	From the Asbestos Trust Fund (IC 13-17-6-3)		
31	23,089	23,089	
32	From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)		
33	51,616	51,616	
34	From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)		
35	1,761,099	1,761,099	
36	Augmentation allowed from the State Solid Waste Management Fund, Indiana		
37	Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title		
38	V Operating Permit Program Trust Fund, Environmental Management Permit		
39	Operation Fund, Environmental Management Special Fund, Hazardous		
40	Substances Response Trust Fund, Asbestos Trust Fund, Underground Petroleum		
41	Storage Tank Trust Fund, and Underground Petroleum Storage Tank Excess		
42	Liability Trust Fund.		
43			
44	The amounts specified from the General Fund, State Solid Waste Management Fund,		
45	Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund,		
46	Title V Operating Permit Program Trust Fund, Environmental Management Permit		
47	Operation Fund, Environmental Management Special Fund, Hazardous Substances		
48	Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank		
49	Trust Fund, and Underground Petroleum Storage Tank Excess Liability Trust Fund		

1 are for the following purposes:
2

3	Personal Services	5,241,508	5,241,508
4	Other Operating Expense	1,699,153	1,699,153

5
6 **LABORATORY CONTRACTS**

7	Environmental Management Special Fund (IC 13-14-12-1)		
8	Total Operating Expense	461,424	461,424

9 Augmentation allowed.

10	Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
11	Total Operating Expense	200,747	200,747

12 Augmentation allowed.

13
14 **OWQ LABORATORY CONTRACTS**

15	Environmental Management Special Fund (IC 13-14-12-1)		
16	Total Operating Expense	340,470	340,470

17 Augmentation allowed.

18	Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
19	Total Operating Expense	794,430	794,430

20 Augmentation allowed.

21
22 **NORTHWEST REGIONAL OFFICE**

23 From the General Fund

24	308,229	308,229
----	---------	---------

25 From the State Solid Waste Management Fund (IC 13-20-22-2)

26	6,760	6,760
----	-------	-------

27 From the Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)

28	5,844	5,844
----	-------	-------

29 From the Waste Tire Management Fund (IC 13-20-13-8)

30	12,094	12,094
----	--------	--------

31 From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)

32	143,845	143,845
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33 From the Environmental Management Permit Operation Fund (IC 13-15-11-1)

34	69,339	69,339
----	--------	--------

35 From the Environmental Management Special Fund (IC 13-14-12-1)

36	10,760	10,760
----	--------	--------

37 From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)

38	23,294	23,294
----	--------	--------

39 From the Asbestos Trust Fund (IC 13-17-6-3)

40	5,190	5,190
----	-------	-------

41 From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)

42	7,396	7,396
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43 Augmentation allowed from the State Solid Waste Management Fund, Indiana
44 Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title
45 V Operating Permit Program Trust Fund, Environmental Management Permit
46 Operation Fund, Environmental Management Special Fund, Hazardous Substances
47 Response Trust Fund, Asbestos Trust Fund, and Underground Petroleum Storage
48 Tank Trust Fund.

49

1 **The amounts specified from the General Fund, State Solid Waste Management**
2 **Fund, Indiana Recycling Promotion and Assistance Fund, Waste Tire Management**
3 **Fund, Title V Operating Permit Program Trust Fund, Environmental Management**
4 **Permit Operation Fund, Environmental Management Special Fund, Hazardous**
5 **Substances Response Trust Fund, Asbestos Trust Fund, and Underground**
6 **Petroleum Storage Tank Trust Fund are for the following purposes:**

8 Personal Services	255,609	255,609
9 Other Operating Expense	337,142	337,142

10
11 **NORTHERN REGIONAL OFFICE**

12 From the General Fund		
13 190,702	190,702	
14 From the State Solid Waste Management Fund (IC 13-20-22-2)		
15 8,067	8,067	
16 From the Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)		
17 6,972	6,972	
18 From the Waste Tire Management Fund (IC 13-20-13-8)		
19 12,143	12,143	
20 From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)		
21 118,951	118,951	
22 From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		
23 74,143	74,143	
24 From the Environmental Management Special Fund (IC 13-14-12-1)		
25 11,395	11,395	
26 From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
27 21,336	21,336	
28 From the Asbestos Trust Fund (IC 13-17-6-3)		
29 4,290	4,290	
30 From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)		
31 6,050	6,050	
32 Augmentation allowed from the State Solid Waste Management Fund, Indiana		
33 Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title		
34 V Operating Permit Program Trust Fund, Environmental Management Permit		
35 Operation Fund, Environmental Management Special Fund, Hazardous Substances		
36 Response Trust Fund, Asbestos Trust Fund, and Underground Petroleum Storage		
37 Tank Trust Fund.		

38
39 **The amounts specified from the General Fund, State Solid Waste Management Fund,**
40 **Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund,**
41 **Title V Operating Permit Program Trust Fund, Environmental Management Permit**
42 **Operation Fund, Environmental Management Special Fund, Hazardous Substances**
43 **Response Trust Fund, Asbestos Trust Fund, and Underground Petroleum Storage**
44 **Tank Trust Fund are for the following purposes:**

45 46 Personal Services	204,566	204,566
47 Other Operating Expense	249,483	249,483

48
49 **SOUTHWEST REGIONAL OFFICE**

1	From the General Fund		
2		152,909	152,909
3	From the State Solid Waste Management Fund (IC 13-20-22-2)		
4		16,615	16,615
5	From the Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)		
6		14,363	14,363
7	From the Waste Tire Management Fund (IC 13-20-13-8)		
8		20,150	20,150
9	From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)		
10		69,085	69,085
11	From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		
12		65,400	65,400
13	From the Environmental Management Special Fund (IC 13-14-12-1)		
14		11,913	11,913
15	From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
16		22,794	22,794
17	From the Asbestos Trust Fund (IC 13-17-6-3)		
18		2,490	2,490
19	From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)		
20		6,564	6,564
21	Augmentation allowed from the State Solid Waste Management Fund, Indiana		
22	Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title		
23	V Operating Permit Program Trust Fund, Environmental Management Permit		
24	Operation Fund, Environmental Management Special Fund, Hazardous Substances		
25	Response Trust Fund, Asbestos Trust Fund, and Underground Petroleum Storage		
26	Tank Trust Fund.		

27
 28 **The amounts specified from the General Fund, State Solid Waste Management Fund,**
 29 **Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund,**
 30 **Title V Operating Permit Program Trust Fund, Environmental Management Permit**
 31 **Operation Fund, Environmental Management Special Fund, Hazardous Substances**
 32 **Response Trust Fund, Asbestos Trust Fund, and Underground Petroleum Storage**
 33 **Tank Trust Fund are for the following purposes:**

34			
35	Personal Services	200,171	200,171
36	Other Operating Expense	182,112	182,112

37			
38	LEGAL AFFAIRS		
39	From the General Fund		
40		493,113	493,113
41	From the Waste Tire Management Fund (IC 13-20-13-8)		
42		8,168	8,168
43	From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)		
44		217,015	217,015
45	From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		
46		159,037	159,037
47	From the Environmental Management Special Fund (IC 13-14-12-1)		
48		19,518	19,518
49	From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)		

1		36,872	36,872	
2	From the Asbestos Trust Fund (IC 13-17-6-3)			
3		7,829	7,829	
4	From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)			
5		9,907	9,907	
6	From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)			
7		337,980	337,980	
8	Augmentation allowed from the Waste Tire Management Fund, Title V Operating			
9	Permit Program Trust Fund, Environmental Management Permit Operation Fund,			
10	Environmental Management Special Fund, Hazardous Substances Response Trust			
11	Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund,			
12	and Underground Petroleum Storage Tank Excess Liability Trust Fund.			

13
 14 The amounts specified from the General Fund, Waste Tire Management Fund, Title V
 15 Operating Permit Program Trust Fund, Environmental Management Permit Operation
 16 Fund, Environmental Management Special Fund, Hazardous Substances Response Trust
 17 Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust Fund, and
 18 Underground Petroleum Storage Tank Excess Liability Trust Fund are for the
 19 following purposes:

20				
21	Personal Services	1,173,821	1,173,821	
22	Other Operating Expense	115,618	115,618	

23
 24 **ENFORCEMENT**

25	From the General Fund			
26		199,909	199,909	
27	From the Waste Tire Management Fund (IC 13-20-13-8)			
28		14,231	14,231	
29	From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)			
30		55,898	55,898	
31	From the Environmental Management Special Fund (IC 13-14-12-1)			
32		15,847	15,847	
33	From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)			
34		51,200	51,200	
35	From the Asbestos Trust Fund (IC 13-17-6-3)			
36		2,016	2,016	
37	From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)			
38		17,255	17,255	
39	Augmentation allowed from the Waste Tire Management Fund, Title V Operating			
40	Permit Program Trust Fund, Environmental Management Special Fund, Hazardous			
41	Substances Response Trust Fund, Asbestos Trust Fund, and Underground Petroleum			
42	Storage Tank Trust Fund.			

43
 44 The amounts specified from the General Fund, Waste Tire Management Fund, Title V
 45 Operating Permit Program Trust Fund, Environmental Management Special Fund,
 46 Hazardous Substances Response Trust Fund, Asbestos Trust Fund, and Underground
 47 Petroleum Storage Tank Trust Fund are for the following purposes:

48				
49	Personal Services	289,276	289,276	

1	Other Operating Expense	67,080	67,080
2			

3 **INVESTIGATIONS**

4 **From the General Fund**

5		173,097	173,097
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6 **From the State Solid Waste Management Fund (IC 13-20-22-2)**

7		6,622	6,622
---	--	--------------	--------------

8 **From the Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)**

9		5,725	5,725
---	--	--------------	--------------

10 **From the Waste Tire Management Fund (IC 13-20-13-8)**

11		15,565	15,565
----	--	---------------	---------------

12 **From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)**

13		57,883	57,883
----	--	---------------	---------------

14 **From the Environmental Management Permit Operation Fund (IC 13-15-11-1)**

15		83,397	83,397
----	--	---------------	---------------

16 **From the Environmental Management Special Fund (IC 13-14-12-1)**

17		10,405	10,405
----	--	---------------	---------------

18 **From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)**

19		33,468	33,468
----	--	---------------	---------------

20 **From the Asbestos Trust Fund (IC 13-17-6-3)**

21		2,088	2,088
----	--	--------------	--------------

22 **From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)**

23		11,753	11,753
----	--	---------------	---------------

24 **Augmentation allowed from the State Solid Waste Management Fund, Indiana**
 25 **Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title V**
 26 **Operating Permit Program Trust Fund, Environmental Management Permit Operation**
 27 **Fund, Environmental Management Special Fund, Hazardous Substances Response Trust**
 28 **Fund, Asbestos Trust Fund, and Underground Petroleum Storage Tank Trust Fund.**

29
 30 **The amounts specified from the General Fund, State Solid Waste Management Fund,**
 31 **Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund,**
 32 **Title V Operating Permit Program Trust Fund, Environmental Management Permit**
 33 **Operation Fund, Environmental Management Special Fund, Hazardous Substances**
 34 **Response Trust Fund, Asbestos Trust Fund, and Underground Petroleum Storage Tank**
 35 **Trust Fund are for the following purposes:**

36			
37	Personal Services	330,556	330,556
38	Other Operating Expense	69,447	69,447

39

40 **MEDIA AND COMMUNICATIONS**

41 **From the General Fund**

42		417,794	417,794
----	--	----------------	----------------

43 **From the State Solid Waste Management Fund (IC 13-20-22-2)**

44		8,437	8,437
----	--	--------------	--------------

45 **From the Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)**

46		7,294	7,294
----	--	--------------	--------------

47 **From the Waste Tire Management Fund (IC 13-20-13-8)**

48		12,595	12,595
----	--	---------------	---------------

49 **From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)**

1		73,727	73,727
2	From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		
3		64,768	64,768
4	From the Environmental Management Special Fund (IC 13-14-12-1)		
5		9,757	9,757
6	From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
7		20,693	20,693
8	From the Asbestos Trust Fund (IC 13-17-6-3)		
9		2,657	2,657
10	From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)		
11		6,208	6,208
12	From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)		
13		211,660	211,660
14	Augmentation allowed from the State Solid Waste Management Fund, Indiana		
15	Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title V		
16	Operating Permit Program Trust Fund, Environmental Management Permit Operation		
17	Fund, Environmental Management Special Fund, Hazardous Substances Response		
18	Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust		
19	Fund, and Underground Petroleum Storage Tank Excess Liability Trust Fund.		

20
21 **The amounts specified from the General Fund, State Solid Waste Management Fund,**
22 **Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund,**
23 **Title V Operating Permit Program Trust Fund, Environmental Management Permit**
24 **Operation Fund, Environmental Management Special Fund, Hazardous Substances**
25 **Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank**
26 **Trust Fund, and Underground Petroleum Storage Tank Excess Liability Trust Fund,**
27 **are for the following purposes:**

28			
29	Personal Services	780,640	780,640
30	Other Operating Expense	54,950	54,950

31
32 **COMMUNITY RELATIONS**

33	From the General Fund		
34		480,081	480,081
35	From the State Solid Waste Management Fund (IC 13-20-22-2)		
36		13,954	13,954
37	From the Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)		
38		12,061	12,061
39	From the Waste Tire Management Fund (IC 13-20-13-8)		
40		20,830	20,830
41	From the Title V Operating Permit Program Trust Fund (IC 13-17-8-1)		
42		121,916	121,916
43	From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		
44		107,104	107,104
45	From the Environmental Management Special Fund (IC 13-14-12-1)		
46		16,124	16,124
47	From the Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
48		34,215	34,215
49	From the Asbestos Trust Fund (IC 13-17-6-3)		

1		4,398	4,398	
2	From the Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)			
3		10,260	10,260	
4	From the Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)			
5		349,996	349,996	
6	Augmentation allowed from the State Solid Waste Management Fund, Indiana			
7	Recycling Promotion and Assistance Fund, Waste Tire Management Fund, Title V			
8	Operating Permit Program Trust Fund, Environmental Management Permit Operation			
9	Fund, Environmental Management Special Fund, Hazardous Substances Response			
10	Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank Trust			
11	Fund, and Underground Petroleum Storage Tank Excess Liability Trust Fund.			

12
13 The amounts specified from the General Fund, State Solid Waste Management Fund,
14 Indiana Recycling Promotion and Assistance Fund, Waste Tire Management Fund,
15 Title V Operating Permit Program Trust Fund, Environmental Management Permit
16 Operation Fund, Environmental Management Special Fund, Hazardous Substances
17 Response Trust Fund, Asbestos Trust Fund, Underground Petroleum Storage Tank
18 Trust Fund, and Underground Petroleum Storage Tank Excess Liability Trust Fund
19 are for the following purposes:

20				
21	Personal Services	1,080,148	1,080,148	
22	Other Operating Expense	90,791	90,791	

23				
24	OHIO RIVER VALLEY WATER SANITATION COMMISSION			
25	Environmental Management Special Fund (IC 13-14-12-1)			
26	Total Operating Expense	270,242	270,242	
27	Augmentation allowed.			

28				
29	OFFICE OF ENVIRONMENTAL RESPONSE			
30	Personal Services	3,000,468	3,000,468	
31	Other Operating Expense	319,013	319,013	

32				
33	POLLUTION PREVENTION AND TECHNICAL ASSISTANCE			
34	Personal Services	1,456,036	1,456,036	
35	Other Operating Expense	437,489	437,489	

36				
37	PCB INSPECTIONS			
38	Environmental Management Permit Operation Fund (IC 13-15-11-1)			
39	Total Operating Expense	30,562	30,562	
40	Augmentation allowed.			

41				
42	U.S. GEOLOGICAL SURVEY CONTRACTS			
43	Environmental Management Special Fund (IC 13-14-12-1)			
44	Total Operating Expense	64,398	64,398	
45	Augmentation allowed.			

46				
47	STATE SOLID WASTE GRANTS MANAGEMENT			
48	State Solid Waste Management Fund (IC 13-20-22-2)			
49	Personal Services	391,814	391,814	
50	Other Operating Expense	337,443	337,443	

51				
52	RECYCLING OPERATING			
53	Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)			
54	Personal Services	325,931	325,931	

1	Other Operating Expense	312,525	312,525
2	Augmentation allowed.		
3	RECYCLING PROMOTION AND ASSISTANCE PROGRAM		
4	Indiana Recycling Promotion and Assistance Fund (IC 4-23-5.5-14)		
5	Total Operating Expense	770,000	770,000
6	Augmentation allowed.		
7	VOLUNTARY CLEAN-UP PROGRAM		
8	Voluntary Remediation Fund (IC 13-25-5-21)		
9	Personal Services	739,322	739,322
10	Other Operating Expense	179,935	179,935
11	Augmentation allowed.		
12	TITLE V AIR PERMIT PROGRAM		
13	Title V Operating Permit Program Trust Fund (IC 13-17-8-1)		
14	Personal Services	12,041,882	12,041,882
15	Other Operating Expense	2,798,196	2,798,196
16	Augmentation allowed.		
17	WATER MANAGEMENT PERMITTING		
18	From the General Fund		
19	1,923,612	1,923,612	
20	From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		
21	4,867,843	4,867,843	
22	Augmentation allowed from the Environmental Management Permit Operation Fund.		
23			
24	The amounts specified from the General Fund and the Environmental Management Permit		
25	Operation Fund are for the following purposes:		
26			
27	Personal Services	6,136,065	6,136,065
28	Other Operating Expense	655,390	655,390
29			
30	SOLID WASTE MANAGEMENT PERMITTING		
31	From the General Fund		
32	2,221,388	2,221,388	
33	From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		
34	3,409,461	3,409,461	
35	Augmentation allowed from the Environmental Management Permit Operation Fund.		
36			
37	The amounts specified from the General Fund and the Environmental Management Permit		
38	Operation Fund are for the following purposes:		
39			
40	Personal Services	5,310,601	5,310,601
41	Other Operating Expense	320,248	320,248
42			
43	CFO/CAFO INSPECTIONS		
44	Total Operating Expense	450,000	450,000
45			
46	HAZARDOUS WASTE MANAGEMENT PERMITTING		
47	From the General Fund		
48	2,319,283	2,319,283	
49	From the Environmental Management Permit Operation Fund (IC 13-15-11-1)		

1 2,762,897 2,762,897
2 Augmentation allowed from the Environmental Management Permit Operation Fund.

3
4 The amounts specified from the General Fund and the Environmental Management Permit
5 Operation Fund are for the following purposes:

6
7 Personal Services 4,156,730 4,156,730
8 Other Operating Expense 925,450 925,450
9

10 SAFE DRINKING WATER PROGRAM

11 From the General Fund
12 371,290 371,290
13 From the Environmental Management Permit Operation Fund (IC 13-15-11-1)
14 2,421,272 2,421,272
15 Augmentation allowed from the Environmental Management Permit Operation Fund.

16
17 The amounts specified from the General Fund and the Environmental Management Permit
18 Operation Fund are for the following purposes:

19
20 Personal Services 2,301,996 2,301,996
21 Other Operating Expense 490,566 490,566
22

23 CLEAN VESSEL PUMPOUT

24 Environmental Management Special Fund (IC 13-14-12-1)
25 Total Operating Expense 77,588 77,588
26 Augmentation allowed.

27 GROUNDWATER PROGRAM

28 Environmental Management Special Fund (IC 13-14-12-1)
29 Total Operating Expense 122,150 122,150
30 Augmentation allowed.

31 UNDERGROUND STORAGE TANK PROGRAM

32 Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)
33 Total Operating Expense 656,973 656,973
34 Augmentation allowed.

35 Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)

36 Total Operating Expense 282,669 282,669
37 Augmentation allowed.

38 AIR MANAGEMENT OPERATING

39 From the General Fund
40 620,477 620,477
41 From the Environmental Management Special Fund (IC 13-14-12-1)
42 248,424 248,424
43 Augmentation allowed from the Environmental Management Special Fund.

44
45 The amounts specified from the General Fund and the Environmental Management Special
46 Fund are for the following purposes:

47
48 Personal Services 518,018 518,018
49 Other Operating Expense 350,883 350,883

1			
2	WATER MANAGEMENT NONPERMITTING		
3	Personal Services	3,291,009	3,291,009
4	Other Operating Expense	719,538	719,538
5	GREAT LAKES INITIATIVE		
6	Environmental Management Special Fund (IC 13-14-12-1)		
7	Total Operating Expense	57,207	57,207
8	Augmentation allowed.		
9	OUTREACH OPERATOR TRAINING		
10	General Fund		
11	Total Operating Expense	2,963	2,963
12	Environmental Management Special Fund (IC 13-14-12-1)		
13	Total Operating Expense	5,924	5,924
14	Augmentation allowed.		
15	LEAKING UNDERGROUND STORAGE TANKS		
16	Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)		
17	Personal Services	161,311	161,311
18	Other Operating Expense	31,718	31,718
19	Augmentation allowed.		
20	CORE SUPERFUND		
21	Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
22	Total Operating Expense	12,967	12,967
23	Augmentation allowed.		
24	AUTO EMISSIONS TESTING PROGRAM		
25	Personal Services	86,983	86,983
26	Other Operating Expense	5,672,829	5,672,829
27			
28	The above appropriations for auto emissions testing are the maximum amounts available		
29	for this purpose. If it becomes necessary to conduct additional tests in other locations, the		
30	above appropriations shall be prorated among all locations.		
31			
32	HAZARDOUS WASTE SITE - STATE CLEAN-UP		
33	Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
34	Personal Services	1,425,495	1,425,495
35	Other Operating Expense	515,152	515,152
36	Augmentation allowed.		
37	HAZARDOUS WASTE SITES - NATURAL RESOURCE DAMAGES		
38	Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
39	Personal Services	141,408	141,408
40	Other Operating Expense	289,544	289,544
41	Augmentation allowed.		
42	SUPERFUND MATCH		
43	Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
44	Total Operating Expense	511,675	511,675
45	Augmentation allowed.		
46	HOUSEHOLD HAZARDOUS WASTE		
47	Hazardous Substances Response Trust Fund (IC 13-25-4-1)		
48	Other Operating Expense	278,293	278,293
49	Augmentation allowed.		

1	ASBESTOS TRUST - OPERATING		
2	Asbestos Trust Fund (IC 13-17-6-3)		
3	Personal Services	415,391	415,391
4	Other Operating Expense	132,292	132,292
5	Augmentation allowed.		
6	UNDERGROUND PETROLEUM STORAGE TANK - OPERATING		
7	Underground Petroleum Storage Tank Excess Liability Trust Fund (IC 13-23-7-1)		
8	Personal Services	874,215	874,215
9	Other Operating Expense	42,446,857	42,446,857
10	Augmentation allowed.		
11	WASTE TIRE MANAGEMENT		
12	Waste Tire Management Fund (IC 13-20-13-8)		
13	Total Operating Expense	563,887	563,887
14	Augmentation allowed.		
15	WASTE TIRE RE-USE		
16	Waste Tire Management Fund (IC 13-20-13-8)		
17	Total Operating Expense	907,796	907,796
18	Augmentation allowed.		
19	VOLUNTARY COMPLIANCE		
20	Environmental Management Special Fund (IC 13-14-12-1)		
21	Personal Services	293,070	293,070
22	Other Operating Expense	170,394	170,394
23	Augmentation allowed.		
24	ENVIRONMENTAL MANAGEMENT SPECIAL FUND - OPERATING		
25	Environmental Management Special Fund (IC 13-14-12-1)		
26	Total Operating Expense	961,315	961,315
27	Augmentation allowed.		
28	SMALL TOWN COMPLIANCE		
29	Environmental Management Special Fund (IC 13-14-12-1)		
30	Total Operating Expense	58,200	58,200
31	Augmentation allowed.		
32	WETLANDS PROTECTION		
33	Environmental Management Special Fund (IC 13-14-12-1)		
34	Total Operating Expense	22,148	22,148
35	Augmentation allowed.		
36	PETROLEUM TRUST - OPERATING		
37	Underground Petroleum Storage Tank Trust Fund (IC 13-23-6-1)		
38	Personal Services	121,790	121,790
39	Other Operating Expense	350,689	350,689
40	Augmentation allowed.		

41

42 Notwithstanding any other law, with the approval of the governor and the budget agency,

43 the above appropriations for hazardous waste management permitting, wetlands

44 protection, groundwater program, underground storage tank program, air management

45 operating, asbestos trust operating, water management nonpermitting, safe drinking water

46 program, and any other appropriation eligible to be included in a performance

47 partnership grant may be used to fund activities incorporated into a performance

48 partnership grant between the United States Environmental Protection Agency and the

49 department of environmental management.

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FOR THE OFFICE OF ENVIRONMENTAL ADJUDICATION

Personal Services	308,690	308,690
Other Operating Expense	59,560	59,560

SECTION 6. [EFFECTIVE JULY 1, 2009]

ECONOMIC DEVELOPMENT

A. AGRICULTURE

FOR THE DEPARTMENT OF AGRICULTURE

Personal Services	1,930,284	1,930,284
Other Operating Expense	456,387	456,387

DISTRIBUTIONS TO FOOD BANKS

Total Operating Expense	300,000	300,000
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CLEAN WATER INDIANA

Build Indiana Fund (IC 4-30-17)

Total Operating Expense	500,000	500,000
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Cigarette Tax Fund (IC 6-7-1-29.1)

Total Operating Expense	3,666,425	3,666,425
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Augmentation allowed.

SOIL CONSERVATION DIVISION

Cigarette Tax Fund (IC 6-7-1-29.1)

Total Operating Expense	1,862,216	1,862,216
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Augmentation allowed.

GRAIN BUYERS AND WAREHOUSE LICENSING

Grain Buyers and Warehouse Licensing Agency License Fee Fund (IC 26-3-7-6.3)

Total Operating Expense	165,050	165,050
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Augmentation allowed.

B. COMMERCE

FOR THE LIEUTENANT GOVERNOR

RURAL ECONOMIC DEVELOPMENT FUND

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	1,747,688	1,747,688
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OFFICE OF TOURISM

General Fund

3,406,684	3,406,684
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ARRA State Fiscal Stabilization Fund (Section 14002(b))

1,000,000	1,000,000
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Total Operating Expense	4,406,684	4,406,684
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Of the above appropriations, the office of tourism shall distribute \$1,000,000 each year to the Indiana Sports Corporation to promote the hosting of amateur sporting events in Indiana cities. Funds may be released after review by the budget committee. The above appropriations include \$1,000,000 for grants for local convention and visitors

1	Augmentation allowed.		
2	ECONOMIC DEVELOPMENT GRANT AND LOAN PROGRAM		
3	General Fund		
4	Total Operating Expense		1,006,744
5	Economic Development Fund (IC 5-28-8-5)		
6	Total Operating Expense		448,256
7	Augmentation allowed.		
8	INDUSTRIAL DEVELOPMENT GRANT PROGRAM		
9	General Fund		
10	Total Operating Expense		6,500,000
11	Industrial Development Grant Fund (IC 5-28-25-4)		
12	Total Operating Expense		4,500,000
13	Augmentation allowed.		
14	TECHNOLOGY DEVELOPMENT GRANT PROGRAM		
15	Total Operating Expense	1,894,410	1,894,410
16			
17	FOR THE INDIANA FINANCE AUTHORITY (IFA)		
18	ENVIRONMENTAL REMEDIATION REVOLVING LOAN PROGRAM		
19	Total Operating Expense		2,097,382
20			
21	FOR THE HOUSING AND COMMUNITY DEVELOPMENT AUTHORITY		
22	INDIANA INDIVIDUAL DEVELOPMENT ACCOUNTS		
23	Total Operating Expense	1,600,000	1,600,000
24			
25	The housing and community development authority shall collect and report to the family		
26	and social services administration (FSSA) all data required for FSSA to meet the		
27	data collection and reporting requirements in 45 CFR Part 265.		
28			
29	Family and social services administration, division of family resources shall apply		
30	all qualifying expenditures for individual development accounts deposits toward Indiana's		
31	maintenance of effort under the federal Temporary Assistance to Needy Families		
32	(TANF) program (45 CFR 260 et seq.).		
33			
34	MORTGAGE FORECLOSURE COUNSELING		
35	Home Ownership Education Fund (IC 5-20-1-27)		
36	Total Operating Expense	2,000,000	2,000,000
37	Augmentation Allowed.		
38			
39	FOR THE STATE BUDGET AGENCY		
40	MIDWEST INSTITUTE FOR NANOELECTRONICS DISCOVERY (MIND)		
41	ARRA State Fiscal Stabilization Fund (Section 14002(b))		
42	Total Operating Expense		10,000,000
43			
44	FOR THE SHORELINE DEVELOPMENT COMMISSION (IC 36-7-13.5)		
45	ARRA State Fiscal Stabilization Fund (Division A, Section 14002(b))		
46	Total Operating Expense	1,000,000	1,000,000
47			
48	Release of funds must be approved by the budget agency after budget committee review		
49	before money may be allotted from the above appropriation to the Shoreline Development		

1 **Commission.**

2
3 **C. EMPLOYMENT SERVICES**

4
5 **FOR THE DEPARTMENT OF WORKFORCE DEVELOPMENT**

6 **ADMINISTRATION**

7 Total Operating Expense	855,000	855,000
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8 **WOMEN'S COMMISSION**

9 Personal Services	106,824	106,824
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10 Other Operating Expense	12,175	12,175
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11 **NATIVE AMERICAN INDIAN AFFAIRS COMMISSION**

12 Total Operating Expense	90,211	90,211
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13
14 **The department of education shall encourage school corporations to present materials**
15 **concerning the culture, heritage, and history of Native Americans in Indiana to students**
16 **in kindergarten through grade 5 each year during the month of November. The department**
17 **of education shall cooperate with nonprofit organizations in developing and distributing**
18 **appropriate student materials and teaching guides for the curriculum. The department**
19 **of education shall encourage school corporations to present materials concerning**
20 **Native American games and activities to students in kindergarten through grade 5**
21 **each year during the month of November. The department of education shall cooperate**
22 **with nonprofit organizations in developing and distributing appropriate student materials**
23 **and teaching guides for the information presented. At least fifty-six thousand dollars**
24 **(\$56,000) of the above appropriation for the Native American Indian affairs commission for**
25 **the state fiscal year ending June 30, 2010, shall be used by the department of education**
26 **for the purposes of these projects.**

27
28 **COMMISSION ON HISPANIC/LATINO AFFAIRS**

29 Total Operating Expense	124,235	124,235
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30
31 **The above appropriations are in addition to any funding for the commission derived**
32 **from funds appropriated to the department of workforce development.**

33
34 **D. OTHER ECONOMIC DEVELOPMENT**

35
36 **FOR THE INDIANA STATE FAIR BOARD**

37 **STATE FAIR**

38 Total Operating Expense	2,119,124	2,119,124
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39
40 **SECTION 7. [EFFECTIVE JULY 1, 2009]**

41
42 **TRANSPORTATION**

43
44 **FOR THE DEPARTMENT OF TRANSPORTATION**

45
46 **For the conduct and operation of the department of transportation, the following**
47 **sums are appropriated for the periods designated, from federal funds, the state general**
48 **fund, the public mass transportation fund, the industrial rail service fund, the**
49 **state highway fund, the motor vehicle highway account, the distressed road fund,**

1 the state highway road construction and improvement fund, the motor carrier regulation
 2 fund, and the crossroads 2000 fund.

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INTERMODAL GRANT PROGRAM

Public Mass Transportation Fund (IC 8-23-3-8)

Total Operating Expense	50,000	50,000
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Augmentation allowed.

RAILROAD GRADE CROSSING IMPROVEMENT

Motor Vehicle Highway Account (IC 8-14-1)

Total Operating Expense	500,000	500,000
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HIGH SPEED RAIL

Industrial Rail Service Fund (IC 8-3-1.7-2)

Matching Funds		40,000
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Augmentation allowed.

PUBLIC MASS TRANSPORTATION

Public Mass Transportation Fund (IC 8-23-3-8)

Total Operating Expense	43,740,000	45,980,000
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Augmentation allowed.

Any unencumbered amount remaining from this appropriation at the end of a state fiscal year remains available in subsequent state fiscal years for the purposes for which it is appropriated.

The appropriations are to be used solely for the promotion and development of public transportation. The department of transportation shall allocate funds based on a formula approved by the commissioner of the department of transportation.

The department of transportation may distribute public mass transportation funds to an eligible grantee that provides public transportation in Indiana.

The state funds can be used to match federal funds available under the Federal Transit Act (49 U.S.C. 1601, et seq.) or local funds from a requesting grantee.

Before funds may be disbursed to a grantee, the grantee must submit its request for financial assistance to the department of transportation for approval. Allocations must be approved by the governor and the budget agency after review by the budget committee and shall be made on a reimbursement basis. Only applications for capital and operating assistance may be approved. Only those grantees that have met the reporting requirements under IC 8-23-3 are eligible for assistance under this appropriation.

HIGHWAY OPERATING

State Highway Fund (IC 8-23-9-54)

Personal Services	256,703,031	252,219,117
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Other Operating Expense	63,309,536	63,309,536
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HIGHWAY VEHICLE AND ROAD MAINTENANCE EQUIPMENT

State Highway Fund (IC 8-23-9-54)

Other Operating Expense	8,800,000	18,000,000
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1 **The above appropriations for highway operating and highway vehicle and road maintenance**
2 **equipment may be used for personal services, equipment, and other operating expense,**
3 **including the cost of transportation for the governor.**

4
5 **HIGHWAY MAINTENANCE WORK PROGRAM**

	State Highway Fund (IC 8-23-9-54)		
6	Other Operating Expense	63,000,000	70,000,000

8
9 **The above appropriations for the highway maintenance work program may be used for:**

- 10 **(1) materials for patching roadways and shoulders;**
11 **(2) repairing and painting bridges;**
12 **(3) installing signs and signals and painting roadways for traffic control;**
13 **(4) mowing, herbicide application, and brush control;**
14 **(5) drainage control;**
15 **(6) maintenance of rest areas, public roads on properties of the department of natural**
16 **resources, and driveways on the premises of all state facilities;**
17 **(7) materials for snow and ice removal;**
18 **(8) utility costs for roadway lighting; and**
19 **(9) other special maintenance and support activities consistent with the highway**
20 **maintenance work program.**

21
22 **HIGHWAY CAPITAL IMPROVEMENTS**

	State Highway Fund (IC 8-23-9-54)		
23	Right-of-Way Expense	38,250,000	24,800,000
24	Formal Contracts Expense	47,181,225	72,307,207
25	Consulting Services Expense	18,600,000	24,736,741
26	Institutional Road Construction	5,000,000	5,000,000

27
28
29 **The above appropriations for the capital improvements program may be used for:**

- 30 **(1) bridge rehabilitation and replacement;**
31 **(2) road construction, reconstruction, or replacement;**
32 **(3) construction, reconstruction, or replacement of travel lanes, intersections,**
33 **grade separations, rest parks, and weigh stations;**
34 **(4) relocation and modernization of existing roads;**
35 **(5) resurfacing;**
36 **(6) erosion and slide control;**
37 **(7) construction and improvement of railroad grade crossings, including the use of**
38 **the appropriations to match federal funds for projects;**
39 **(8) small structure replacements;**
40 **(9) safety and spot improvements; and**
41 **(10) right-of-way, relocation, and engineering and consulting expenses associated**
42 **with any of the above types of projects.**

43
44 **The appropriations for highway operating, highway vehicle and road maintenance**
45 **equipment, highway buildings and grounds, the highway planning and research program,**
46 **the highway maintenance work program, and highway capital improvements are appropriated**
47 **from estimated revenues, which include the following:**

- 48 **(1) Funds distributed to the state highway fund from the motor vehicle highway account**
49 **under IC 8-14-1-3(4).**

- 1 (2) Funds distributed to the state highway fund from the highway, road and street
- 2 fund under IC 8-14-2-3.
- 3 (3) All fees and miscellaneous revenues deposited in or accruing to the state highway
- 4 fund under IC 8-23-9-54.
- 5 (4) Any unencumbered funds carried forward in the state highway fund from any previous
- 6 fiscal year.
- 7 (5) All other funds appropriated or made available to the department of transportation
- 8 by the general assembly.

9

10 **If funds from sources set out above for the department of transportation exceed appropriations**

11 **from those sources to the department, the excess amount is hereby appropriated to**

12 **be used for formal contracts with approval of the governor and the budget agency.**

13

14 **If there is a change in a statute reducing or increasing revenue for department use,**

15 **the budget agency shall notify the auditor of state to adjust the above appropriations**

16 **to reflect the estimated increase or decrease. Upon the request of the department,**

17 **the budget agency, with the approval of the governor, may allot any increase in appropriations**

18 **to the department for formal contracts.**

19

20 **If the department of transportation finds that an emergency exists or that an appropriation**

21 **will be insufficient to cover expenses incurred in the normal operation of the department,**

22 **the budget agency may, upon request of the department, and with the approval of the**

23 **governor, transfer funds from revenue sources set out above from one (1) appropriation**

24 **to the deficient appropriation. No appropriation from the state highway fund may**

25 **be used to fund any toll road or toll bridge project except as specifically provided**

26 **for under IC 8-15-2-20.**

27

28 **HIGHWAY PLANNING AND RESEARCH PROGRAM**

29 **State Highway Fund (IC 8-23-9-54)**

Total Operating Expense	2,500,000	2,500,000
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30

31

32 **STATE HIGHWAY ROAD CONSTRUCTION AND IMPROVEMENT PROGRAM**

33 **State Highway Road Construction Improvement Fund (IC 8-14-10-5)**

Lease Rental Payments Expense	61,524,711	62,139,958
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34 **Augmentation allowed.**

35

36

37 **The above appropriations for the state highway road construction and improvement**

38 **program are appropriated from the state highway road construction and improvement**

39 **fund provided in IC 8-14-10-5 and may include any unencumbered funds carried forward**

40 **from any previous fiscal year. The funds shall be first used for payment of rentals**

41 **and leases relating to projects under IC 8-14.5. If any funds remain, the funds may**

42 **be used for the following purposes.**

- 43 (1) road and bridge construction, reconstruction, or replacement;
 - 44 (2) construction, reconstruction, or replacement of travel lanes, intersections,
 - 45 and grade separations;
 - 46 (3) relocation and modernization of existing roads; and
 - 47 (4) right-of-way, relocation, and engineering and consulting expenses associated
 - 48 with any of the above types of projects.
- 49

1	CROSSROADS 2000 PROGRAM		
2	Crossroads 2000 Fund (IC 8-14-10-9)		
3	Lease Rental Payment Expense	46,142,787	38,517,564
4	Augmentation allowed.		

5

6 The above appropriations for the crossroads 2000 program are appropriated from the

7 crossroads 2000 fund provided in IC 8-14-10-9 and may include any unencumbered funds

8 carried forward from any previous fiscal year. The funds shall be first used for

9 payment of rentals and leases relating to projects under IC 8-14-10-9. If any funds

10 remain, the funds may be used for the following purposes:

- 11** (1) road and bridge construction, reconstruction, or replacement;
- 12** (2) construction, reconstruction, or replacement of travel lanes, intersections, and
- 13** grade separations;
- 14** (3) relocation and modernization of existing roads; and
- 15** (4) right-of-way, relocation, and engineering and consulting expenses associated
- 16** with any of the above types of projects.

17	MAJOR MOVES CONSTRUCTION PROGRAM		
18	Major Moves Construction Fund (IC 8-14-14-5)		
19	Formal Contracts Expense	545,000,000	535,000,000

20	FEDERAL APPORTIONMENT		
21	Right-of-Way Expense	174,250,000	113,100,000
22	Formal Contracts Expense	426,642,292	502,792,291
23	Consulting Engineers Expense	84,500,000	69,500,000
24	Highway Planning and Research	12,807,708	12,807,709
25	Local Government Revolving Acct.	266,000,000	266,000,000

26

27 The department may establish an account to be known as the "local government revolving

28 account". The account is to be used to administer the federal-local highway construction

29 program. All contracts issued and all funds received for federal-local projects under

30 this program shall be entered into this account.

31

32 If the federal apportionments for the fiscal years covered by this act exceed the

33 above estimated appropriations for the department or for local governments, the excess

34 federal apportionment is hereby appropriated for use by the department with the approval

35 of the governor and the budget agency.

36

37 The department shall bill, in a timely manner, the federal government for all department

38 payments that are eligible for total or partial reimbursement.

39

40 The department may let contracts and enter into agreements for construction and preliminary

41 engineering during each year of the 2009-2011 biennium that obligate not more than

42 one-third (1/3) of the amount of state funds estimated by the department to be available

43 for appropriation in the following year for formal contracts and consulting engineers

44 for the capital improvements program.

45

46 Under IC 8-23-5-7(a), the department, with the approval of the governor, may construct

47 and maintain roadside parks and highways where highways will connect any state highway

1 now existing, or hereafter constructed, with any state park, state forest preserve,
 2 state game preserve, or the grounds of any state institution. There is appropriated
 3 to the department of transportation an amount sufficient to carry out the provisions
 4 of this paragraph. Under IC 8-23-5-7(d), such appropriations shall be made from
 5 the motor vehicle highway account before distribution to local units of government.
 6

7 **LOCAL TECHNICAL ASSISTANCE AND RESEARCH**

8
 9 Under IC 8-14-1-3(6), there is appropriated to the department of transportation an
 10 amount sufficient for:

- 11 (1) the program of technical assistance under IC 8-23-2-5(6); and
 12 (2) the research and highway extension program conducted for local government under
 13 IC 8-17-7-4.

14
 15 The department shall develop an annual program of work for research and extension
 16 in cooperation with those units being served, listing the types of research and educational
 17 programs to be undertaken. The commissioner of the department of transportation may
 18 make a grant under this appropriation to the institution or agency selected to conduct
 19 the annual work program. Under IC 8-14-1-3(6), appropriations for the program of
 20 technical assistance and for the program of research and extension shall be taken
 21 from the local share of the motor vehicle highway account.
 22

23 Under IC 8-14-1-3(7) there is hereby appropriated such sums as are necessary to maintain
 24 a sufficient working balance in accounts established to match federal and local money
 25 for highway projects. These funds are appropriated from the following sources in
 26 the proportion specified:

- 27 (1) one-half (1/2) from the forty-seven percent (47%) set aside of the motor vehicle
 28 highway account under IC 8-14-1-3(7); and
 29 (2) for counties and for those cities and towns with a population greater than five
 30 thousand (5,000), one-half (1/2) from the distressed road fund under IC 8-14-8-2.

31
 32 **AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA)**

33
 34 There is appropriated to the department of transportation the following sums for
 35 the periods and purposes designated under the American Recovery and Reinvestment
 36 Act (ARRA) of 2009.

37
 38 **FOR THE DEPARTMENT OF TRANSPORTATION**

39	Highway Capital Improvements	
40	Formal Contracts Expense	440,000,000
41	Augmentation allowed	
42		
43	Transportation Enhancements	
44	Formal Contracts Expense	20,000,000
45	Augmentation allowed	
46		
47		
48	Highway Capital Improvements - Metro Planning Organizations,	
49	Cities, Towns, and Counties	198,000,000

1 **Augmentation allowed**

2

3 **Rural Transit Funds**
 4 **Augmentation allowed**

20,000,000

5

6 **As soon as practical after passage of this act, the department with the approval**
 7 **of the governor shall prepare a plan for the allocation and expenditure of the appropriations**
 8 **listed above. The plan shall list the projects to be funded. The department shall**
 9 **present the plan to the state budget committee for review under IC 4-12-1-11.5.**

10

11 **In preparing that portion of the plan for expenditure for Highway Capital Improvements**
 12 **and Transportation Enhancements, the department shall adhere to the following goals**
 13 **to the extent practical:**

14

- 15 **(1) The plan shall comply with all applicable federal statutes, rules, and policies**
 16 **as necessary to ensure eligibility for the maximum level of federal funding.**
- 17 **(2) The plan shall be designed to obligate the federal funds and begin construction**
 18 **as soon as practical.**
- 19 **(3) The plan shall be designed to minimize the likelihood that any funding apportioned**
 20 **to Indiana will have to be returned to the federal government.**
- 21 **(4) The plan shall strive to make Indiana eligible for any increased funding that**
 22 **may become available as a result of reallocation from other states.**
- 23 **(5) The plan shall reasonably allocate funding to projects located across all areas**
 24 **of the state, with an emphasis on areas determined by the department to be economically**
 25 **distressed.**
- 26 **(6) The department may hold special lettings for contracts using the above appropriations.**
 27 **The department shall strive to limit each contract to a maximum of \$10,000,000.**
- 28 **(7) The department shall strive to diversify the type of work using the above appropriations.**

29

30 **In preparing that portion of the plan for expenditure for Highway Capital Improvements**
 31 **- Local Government and Highway Capital Improvements - Metro Planning Organizations,**
 32 **Cities, Towns, and Counties, the department shall adhere to the following guidelines**
 33 **to the extent practical:**

34

- 35 **(1) The plan shall comply with all applicable federal statutes, rules, and policies**
 36 **as necessary to ensure eligibility for the maximum level of federal funding.**
- 37 **(2) The plan shall be designed to obligate the federal funds and begin construction**
 38 **as soon as practical.**
- 39 **(3) The plan shall be designed to minimize the likelihood that any funding apportioned**
 40 **to Indiana will have to be returned to the federal government.**
- 41 **(4) The plan shall strive to make Indiana eligible for any increased funding that**
 42 **may become available as a result of reallocation from other states.**
- 43 **(5) The plan shall reasonably allocate funds to projects located across all areas**
 44 **of the state. However, if the department cannot identify local government projects**
 45 **that can be obligated within the established time frames the department may allocate**
 46 **funds as necessary to fully obligate all federal funding.**
- 47 **(6) For Highway Capital Improvements for Metro Planning Organizations the plan shall**
 48 **include projects selected by the respective metropolitan planning organizations.**
 49 **However, if the metropolitan planning organizations cannot identify projects that**

1 can be obligated within the established time frames, the department may select alternate
2 projects as necessary to fully obligate all federal funding.

3 (7) The department may hold special lettings for contracts using the above appropriations.
4 The department shall strive to limit each contract for Highway Capital Improvements
5 for Cities, Towns, and Counties to a maximum of \$7,000,000.

6
7 The department shall establish reasonable policies and guidelines for cities, towns,
8 and counties and metropolitan planning organizations to follow to help ensure reasonable
9 access and timely obligation of funds. The department shall provide reasonable assistance
10 to cities, towns, and counties and metropolitan planning organizations in meeting
11 deadlines established to ensure timely obligation of funding.

12
13 If the governor finds that any of the above goals conflict with another goal, the
14 governor shall determine the appropriate weight to give to each goal. Actions taken
15 by the governor or the department with respect to allocation, obligation, or expenditure
16 of the above appropriations before passage of this act is deemed to have satisfied
17 the requirement for budget committee review providing such actions were taken to
18 conform to the plan or to comply with laws, policies, or direction issued by the
19 United States Department of Transportation or any other federal agency as a condition
20 to qualifying for the federal funds.

21
22 The department with the approval of the governor may adjust the above appropriations
23 for Highway Capital Improvements, Transportation Enhancements, Highway Capital Improvements
24 - Metropolitan Planning Organizations, Cities, Towns, and Counties as necessary to
25 comply with federal law, policies, or direction established to ensure continuing
26 eligibility for federal funding.

27
28 The department shall submit reports to the budget committee and legislative council
29 by December 31 of 2009, 2010, and 2011 detailing the status of the appropriations
30 and projects funded under the plan. The department may submit copies of reports required
31 to be submitted to the federal government to fulfill this requirement.

32
33 The above appropriations do not revert but remain in effect until obligated.

34
35 **SECTION 8. [EFFECTIVE JULY 1, 2009]**

36
37 **FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS**

38
39 **A. FAMILY AND SOCIAL SERVICES**

40
41 **FOR THE STATE BUDGET AGENCY**

42
43 **INDIANA PRESCRIPTION DRUG PROGRAM**

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
Total Operating Expense	1,117,830	1,117,830

44
45
46
47 **FOR THE FAMILY AND SOCIAL SERVICES ADMINISTRATION**

48 **CHILDREN'S HEALTH INSURANCE PROGRAM**

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
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49

	<i>FY 2009-2010 Appropriation</i>	<i>FY 2010-2011 Appropriation</i>	<i>Biennial Appropriation</i>
1	Total Operating Expense	34,918,921	36,984,511
2			
3	FAMILY AND SOCIAL SERVICES ADMINISTRATION		
4	Total Operating Expense	19,764,734	19,764,734
5	OFFICE OF MEDICAID POLICY AND PLANNING - ADMINISTRATION		
6	Total Operating Expense	6,061,868	6,062,487
7	MEDICAID ADMINISTRATION		
8	Total Operating Expense	36,427,564	36,427,564
9	MEDICAID - CURRENT OBLIGATIONS		
10	General Fund		
11	Total Operating Expense	1,130,995,000	1,429,688,000
12			
13	The foregoing appropriations for Medicaid current obligations and for Medicaid administration		
14	are for the purpose of enabling the office of Medicaid policy and planning to carry		
15	out all services as provided in IC 12-8-6. In addition to the above appropriations,		
16	all money received from the federal government and paid into the state treasury as		
17	a grant or allowance is appropriated and shall be expended by the office of Medicaid		
18	policy and planning for the respective purposes for which the money was allocated		
19	and paid to the state. Subject to the provisions of P.L.46-1995, if the sums herein		
20	appropriated for Medicaid current obligations and for Medicaid administration are		
21	insufficient to enable the office of Medicaid policy and planning to meet its obligations,		
22	then there is appropriated from the general fund such further sums as may be		
23	necessary for that purpose, subject to the approval of the governor and the budget		
24	agency.		
25			
26	INDIANA CHECK-UP PLAN (EXCLUDING IMMUNIZATION)		
27	Indiana Check-Up Plan Trust Fund (IC 12-15-44.2-17)		
28	Total Operating Expense	137,466,043	157,766,043
29	HOSPITAL CARE FOR THE INDIGENT FUND		
30	Total Operating Expense	63,000,000	63,000,000
31	MEDICAID DISABILITY ELIGIBILITY EXAMS		
32	Total Operating Expense	937,000	937,000
33	MEDICAL ASSISTANCE TO WARDS (MAW)		
34	Total Operating Expense	13,100,000	13,100,000
35	MARION COUNTY HEALTH AND HOSPITAL CORPORATION		
36	Total Operating Expense	40,000,000	40,000,000
37	MENTAL HEALTH ADMINISTRATION		
38	Other Operating Expense	4,059,047	4,059,047
39			
40	Two hundred seventy-five thousand dollars (\$275,000) of the above appropriation for		
41	the state fiscal year beginning July 1, 2009, and ending June 30, 2010, and two hundred		
42	seventy-five thousand dollars (\$275,000) of the above appropriation for the state		
43	fiscal year beginning July 1, 2010, and ending June 30, 2011, shall be distributed in		
44	the state fiscal year to neighborhood based community service programs.		
45			
46	CHILD PSYCHIATRIC SERVICES FUND		
47	Total Operating Expense	20,423,760	20,423,760
48	SERIOUSLY EMOTIONALLY DISTURBED		
49	Total Operating Expense	15,975,408	15,975,408

1	SERIOUSLY MENTALLY ILL		
2	General Fund		
3	Total Operating Expense	91,046,702	91,046,702
4	Mental Health Centers Fund (IC 6-7-1-32.1)		
5	Total Operating Expense	4,311,650	4,311,650
6	Augmentation allowed.		
7	COMMUNITY MENTAL HEALTH CENTERS		
8	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
9	Total Operating Expense	7,000,000	7,000,000

10
11 **The above appropriation from the Tobacco Master Settlement Agreement Fund is in addition**
12 **to other funds. The above appropriations for comprehensive community mental health**
13 **services include the intragovernmental transfers necessary to provide the nonfederal**
14 **share of reimbursement under the Medicaid rehabilitation option.**

15
16 **The comprehensive community mental health centers shall submit their proposed annual**
17 **budgets (including income and operating statements) to the budget agency on or before**
18 **August 1 of each year. All federal funds shall be applied in augmentation of the**
19 **foregoing funds rather than in place of any part of the funds. The office of the**
20 **secretary, with the approval of the budget agency, shall determine an equitable allocation**
21 **of the appropriation among the mental health centers.**

22			
23	GAMBLERS' ASSISTANCE		
24	Gamblers' Assistance Fund (IC 4-33-12-6)		
25	Total Operating Expense	4,490,809	4,490,809
26	MVOV CONFERENCE		
27	Gamblers' Assistance Fund (IC 4-33-12-6)		
28	Total Operating Expense	199,763	199,763
29	SUBSTANCE ABUSE TREATMENT		
30	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
31	Total Operating Expense	4,855,820	4,855,820

32
33 **The above appropriation for total operating expense for Substance Abuse Treatment**
34 **includes an amount of \$12,500 each year of the biennium for the employment of a drug**
35 **and alcohol abuse counselor for the Jefferson County Transitional Services, Inc.**
36 **The amount provided for these purposes may not be used for any other purpose.**

37			
38	QUALITY ASSURANCE/RESEARCH		
39	Total Operating Expense	812,860	812,860
40	PREVENTION		
41	Gamblers' Assistance Fund (IC 4-33-12-6)		
42	Total Operating Expense	2,858,528	2,858,528
43	Augmentation allowed.		
44	METHADONE DIVERSION CONTROL AND OVERSIGHT (MDCO) PROGRAM		
45	MDCO Fund (IC 12-23-18)		
46	Total Operating Expense	243,486	243,486
47	Augmentation allowed.		
48	DMHA YOUTH TOBACCO REDUCTION SUPPORT PROGRAM		
49	DMHA Youth Tobacco Reduction Support Program (IC 4-33-12-6)		

		<i>FY 2009-2010 Appropriation</i>	<i>FY 2010-2011 Appropriation</i>	<i>Biennial Appropriation</i>
1	Total Operating Expense	250,000	250,000	
2	Augmentation allowed.			
3	EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER			
4	Personal Services	496,318	473,948	
5	Other Operating Expense	123,252	123,252	
6	EVANSVILLE STATE HOSPITAL			
7	From the General Fund			
8		20,276,654	20,340,477	
9	From the Mental Health Fund (IC 12-24-14-4)			
10		677,943	678,778	
11	Augmentation allowed.			
12				
13	The amounts specified from the general fund and the mental health fund are for the			
14	following purposes:			
15				
16	Personal Services	15,636,749	15,701,407	
17	Other Operating Expense	5,317,848	5,317,848	
18				
19	LARUE CARTER MEMORIAL HOSPITAL			
20	From the General Fund			
21		22,483,147	22,534,726	
22	From the Mental Health Fund (IC 12-24-14-4)			
23		476,465	472,254	
24	Augmentation allowed.			
25				
26	The amounts specified from the general fund and the mental health fund are for the			
27	following purposes:			
28				
29	Personal Services	16,020,593	16,067,961	
30	Other Operating Expense	6,939,019	6,939,019	
31				
32	LOGANSPORT STATE HOSPITAL			
33	From the General Fund			
34		40,772,672	40,769,722	
35	From the Mental Health Fund (IC 12-24-14-4)			
36		1,378,232	1,378,232	
37	Augmentation allowed.			
38				
39	The amounts specified from the general fund and the mental health fund are for the			
40	following purposes:			
41				
42	Personal Services	32,407,597	32,404,647	
43	Other Operating Expense	9,743,307	9,743,307	
44				
45	MADISON STATE HOSPITAL			
46	From the General Fund			
47		16,403,876	16,402,626	
48	From the Mental Health Fund (IC 12-24-14-4)			
49		666,308	666,308	

1 **Augmentation allowed.**

2

3 **The amounts specified from the general fund and the mental health fund are for the**
 4 **following purposes:**

5

6 Personal Services	13,135,516	13,134,266
7 Other Operating Expense	3,934,668	3,934,668

8

9 **RICHMOND STATE HOSPITAL**

10 **From the General Fund**

11 37,112,498	37,096,244
-------------------------	------------

12 **From the Mental Health Fund (IC 12-24-14-4)**

13 650,335	650,335
----------------------	---------

14 **Augmentation allowed.**

15

16 **The amounts specified from the general fund and the mental health fund are for the**
 17 **following purposes:**

18

19 Personal Services	29,512,684	29,496,430
20 Other Operating Expense	8,250,149	8,250,149

21

22 **PATIENT PAYROLL**

23 Total Operating Expense	285,785	285,785
-----------------------------------	---------	---------

24

25 **The federal share of revenue accruing to the state mental health institutions under**
 26 **IC 12-15, based on the applicable Federal Medical Assistance Percentage (FMAP),**
 27 **shall be deposited in the mental health fund established by IC 12-24-14-1, and the**
 28 **remainder shall be deposited in the general fund.**

29

30 **In addition to the above appropriations, each institution may qualify for an additional**
 31 **appropriation, or allotment, subject to approval of the governor and the budget agency,**
 32 **from the mental health fund of up to twenty percent (20%), but not to exceed \$50,000**
 33 **in each fiscal year, of the amount by which actual net collections exceed an amount**
 34 **specified in writing by the division of mental health and addiction before July 1**
 35 **of each year beginning July 1, 2009.**

36

37 **DIVISION OF FAMILY RESOURCES ADMINISTRATION**

38 Personal Services	6,061,903	6,061,903
39 Other Operating Expense	1,963,063	1,963,063

40 **COMMISSION ON THE SOCIAL STATUS OF BLACK MALES**

41 Total Operating Expense	173,179	173,179
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42 **CHILD CARE LICENSING FUND**

43 **Division of Family Resources Child Care Fund (IC 12-17.2-2-3)**

44 Total Operating Expense	100,000	100,000
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45 **Augmentation allowed.**

46 **ELECTRONIC BENEFIT TRANSFER PROGRAM**

47 Total Operating Expense	2,529,915	2,529,915
-----------------------------------	-----------	-----------

48

49 **The foregoing appropriations for the division of family resources Title IV-D of**

1 the federal Social Security Act are made under, and not in addition to, IC 31-25-4-28.

2
3 **STATE WELFARE - COUNTY ADMINISTRATION**

4 Total Operating Expense 56,464,688 56,464,688

5 **INDIANA CLIENT ELIGIBILITY SYSTEM (ICES)**

6 Total Operating Expense 7,402,387 7,402,387

7 **IMPACT PROGRAM**

8 Total Operating Expense 689,001 689,001

9 **TEMPORARY ASSISTANCE TO NEEDY FAMILIES (TANF)**

10 Total Operating Expense 31,776,757 31,776,757

11 **IMPACT - TANF**

12 Total Operating Expense 1,880,252 1,880,252

13 **CHILD CARE & DEVELOPMENT FUND**

14 Total Operating Expense 34,418,255 34,418,255

15
16 The foregoing appropriations for information systems/technology, education and training,
17 temporary assistance to needy families (TANF), and child care services are for the
18 purpose of enabling the division of family resources to carry out all services as
19 provided in IC 12-14. In addition to the above appropriations, all money received from the
20 federal government and paid into the state treasury as a grant or allowance is
21 appropriated and shall be expended by the division of family resources for the
22 respective purposes for which such money was allocated and paid to the state.

23
24 **BURIAL EXPENSES**

25 Total Operating Expense 1,607,219 1,607,219

26 **DOMESTIC VIOLENCE PREVENTION AND TREATMENT**

27 **General Fund**

28 Total Operating Expense 1,734,014 1,734,014

29 **Domestic Violence Prevention and Treatment Fund (IC 12-18-4)**

30 Total Operating Expense 1,115,590 1,115,590

31 Augmentation allowed.

32 **SCHOOL AGE CHILD CARE PROJECT FUND**

33 Total Operating Expense 955,780 955,780

34
35 **DIVISION OF AGING ADMINISTRATION**

36 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

37 Personal Services 594,659 594,659

38 Other Operating Expense 852,751 852,751

39
40 The above appropriations for the division of aging administration are for administrative
41 expenses. Any federal fund reimbursements received for such purposes are to be deposited
42 in the general fund.

43
44 **ROOM AND BOARD ASSISTANCE (R-CAP)**

45 Total Operating Expense 13,477,844 13,477,844

46 **C.H.O.I.C.E. IN-HOME SERVICES**

47 Total Operating Expense 48,765,643 48,765,643

48
49 The foregoing appropriations for C.H.O.I.C.E. In-Home Services include intragovernmental

1 transfers to provide the nonfederal share of the Medicaid aged and disabled waiver.
 2 The intragovernmental transfers for use in the Medicaid aged and disabled waiver
 3 may not exceed in the state fiscal year beginning July 1, 2009, and ending June
 4 30, 2010, \$12,900,000. After July 1, 2009, and before August 1, 2010, the office
 5 of the secretary (as defined in IC 12-7-2-135) shall submit a report to the legislative
 6 council in an electronic format under IC 5-14-6 and the governor in each July, October,
 7 January, and April specifying the number of persons on the waiting list for C.H.O.I.C.E.
 8 In-Home Services at the end of the month preceding the date of the report, a schedule
 9 indicating the length of time persons have been on the waiting list, a description
 10 of the conditions or problems that contribute to the waiting list, the plan in the
 11 next six (6) months after the end of the reporting period to reduce the waiting list,
 12 and any other information that is necessary or appropriate to interpret the information
 13 provided in the report.

14
 15 The division of aging shall conduct an annual evaluation of the cost effectiveness
 16 of providing home care. Before January of each year, the division shall submit a
 17 report to the budget committee, the budget agency, and the legislative council that
 18 covers all aspects of the division's evaluation and such other information pertaining
 19 thereto as may be requested by the budget committee, the budget agency, or the legislative
 20 council, including the following:

- 21 (1) the number and demographic characteristics of the recipients of home care during
- 22 the preceding fiscal year;
- 23 (2) the total cost and per recipient cost of providing home care services during
- 24 the preceding fiscal year;
- 25 (3) the number of recipients of home care services who would have been placed in
- 26 long term care facilities had they not received home care services; and
- 27 (4) the total cost savings during the preceding fiscal year realized by the state
- 28 due to recipients of home care services (including Medicaid) being diverted from
- 29 long term care facilities.

30
 31 The division shall obtain from providers of services data on their costs and expenditures
 32 regarding implementation of the program and report the findings to the budget committee,
 33 the budget agency, and the legislative council. The report to the legislative council
 34 must be in an electronic format under IC 5-14-6.

35
 36 The foregoing appropriations for C.H.O.I.C.E. In-Home Services do not revert to the
 37 state general fund or any other fund at the close of any state fiscal year but remain
 38 available for the purposes of C.H.O.I.C.E. In-Home Services in subsequent state fiscal
 39 years.

41	OLDER HOOSIERS ACT		
42	Total Operating Expense	1,573,446	1,573,446
43	ADULT PROTECTIVE SERVICES		
44	Total Operating Expense	1,956,528	1,956,528
45	ADULT GUARDIANSHIP SERVICES		
46	Total Operating Expense	477,135	477,135
47	TITLE V EMPLOYMENT GRANT (OLDER WORKERS)		
48	Total Operating Expense	229,034	229,034
49	MEDICAID WAIVER		

	<i>FY 2009-2010 Appropriation</i>	<i>FY 2010-2011 Appropriation</i>	<i>Biennial Appropriation</i>
1	Total Operating Expense	322,275	322,275
2	OBRA/PASSARR		
3	Total Operating Expense	91,108	91,108
4	TITLE III ADMINISTRATION GRANT		
5	Total Operating Expense	252,163	252,163
6	OMBUDSMAN		
7	Total Operating Expense	310,124	310,124
8			
9	DIVISION OF DISABILITY AND REHABILITATIVE SERVICES ADMINISTRATION		
10	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
11	Total Operating Expense	360,764	360,764
12			
13	VOCATIONAL REHABILITATION SERVICES		
14	Personal Services	3,525,457	3,525,457
15	Other Operating Expense	12,348,257	12,348,257
16	AID TO INDEPENDENT LIVING		
17	Total Operating Expense	46,927	46,927
18			
19	INDIANAPOLIS RESOURCE CENTER FOR INDEPENDENT LIVING		
20	Total Operating Expense	244,399	244,399
21	SOUTHERN INDIANA CENTER FOR INDEPENDENT LIVING		
22	Total Operating Expense	244,399	244,399
23	ATTIC, INCORPORATED		
24	Total Operating Expense	244,399	244,399
25	LEAGUE FOR THE BLIND AND DISABLED		
26	Total Operating Expense	244,399	244,399
27	FUTURE CHOICES, INC.		
28	Total Operating Expense	440,800	440,800
29	THE WABASH INDEPENDENT LIVING AND LEARNING CENTER, INC.		
30	Total Operating Expense	440,800	440,800
31	INDEPENDENT LIVING CENTER OF EASTERN INDIANA		
32	Total Operating Expense	440,800	440,800

34 Notwithstanding any other law, the budget agency, the state board of finance, or
35 the governor may not transfer or use any of the above appropriations to a particular
36 purpose or facility other than the above stated purpose or facility. The office (as
37 defined in IC 12-7-2-135) shall act as the paymaster for the above appropriations.
38

39 The above appropriations for the Indianapolis Resource Center for Independent Living;
40 Southern Indiana Center for Independent Living; Attic, Incorporated; League for the
41 Blind and Disabled; Future Choices, Inc.; The Wabash Independent Living and Learning
42 Center, Inc.; and Independent Living Center of Eastern Indiana constitute the total
43 funding available for these centers. If any of the above appropriations for the Indianapolis
44 Resource Center for Independent Living; Southern Indiana Center for Independent Living;
45 Attic, Incorporated; League for the Blind and Disabled; Future Choices, Inc.; The
46 Wabash Independent Living and Learning Center, Inc.; or Independent Living Center
47 of Eastern Indiana are used to match federal funds for these centers, the amount
48 of these federal funds distributed to a center shall offset the amount that must
49 be appropriated from the state general fund.

1			
2	OFFICE OF DEAF AND HEARING IMPAIRED		
3	Personal Services	185,104	185,104
4	Other Operating Expense	131,670	131,670
5	BLIND VENDING OPERATIONS		
6	Total Operating Expense	129,905	129,905
7	DEVELOPMENTAL DISABILITY RESIDENTIAL FACILITIES COUNCIL		
8	Personal Services	2,970	2,970
9	Other Operating Expense	12,038	12,038
10	OFFICE OF SERVICES FOR THE BLIND AND VISUALLY IMPAIRED		
11	Personal Services	56,751	56,751
12	Other Operating Expense	24,985	24,985
13	EMPLOYEE TRAINING		
14	Total Operating Expense	6,112	6,112
15	BUREAU OF QUALITY IMPROVEMENT SERVICES - BQIS		
16	Total Operating Expense	3,936,983	3,936,983
17	DAY SERVICES - DEVELOPMENTALLY DISABLED		
18	Other Operating Expense	11,759,384	11,759,384
19	DIAGNOSIS AND EVALUATION		
20	Other Operating Expense	400,125	400,125
21	FEDERAL EARLY INTERVENTION		
22	Total Operating Expense	6,149,513	6,149,513
23	SUPPORTED EMPLOYMENT		
24	Other Operating Expense	3,880,000	3,880,000
25	EPILEPSY PROGRAM		
26	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
27	Other Operating Expense	463,758	463,758
28	CAREGIVER SUPPORT		
29	Other Operating Expense	809,500	809,500
30	BDDS OPERATING		
31	General Fund		
32	Total Operating Expense	5,286,709	5,286,709
33	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
34	Total Operating Expense	1,869,887	1,869,887
35	Augmentation allowed.		
36	OASIS - OBJECTIVE ASSISTANCE SYSTEM FROM INDEPENDENT SERVICES		
37	Total Operating Expense	5,529,000	5,529,000
38	CRISIS MANAGEMENT		
39	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
40	Total Operating Expense	4,136,080	4,136,080
41	Augmentation allowed.		
42	OUTREACH - STATE OPERATING SERVICES		
43	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
44	Total Operating Expense	2,232,973	2,232,973
45	Augmentation allowed.		
46	RESIDENTIAL SERVICES FOR DEVELOPMENTALLY DISABLED PERSONS		
47	General Fund		
48	Total Operating Expense	93,996,290	93,996,290
49	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		

1 **Total Operating Expense** **15,229,000** **15,229,000**

2
3 **The above appropriations for client services include the intragovernmental transfers**
4 **necessary to provide the nonfederal share of reimbursement under the Medicaid program**
5 **for day services provided to residents of group homes and nursing facilities.**

6
7 **In the development of new community residential settings for persons with developmental**
8 **disabilities, the division of disability and rehabilitative services must give priority**
9 **to the appropriate placement of such persons who are eligible for Medicaid and currently**
10 **residing in intermediate care or skilled nursing facilities and, to the extent permitted**
11 **by law, such persons who reside with aged parents or guardians or families in crisis.**

12
13 **FOR THE DEPARTMENT OF CHILD SERVICES**

14 **DEPARTMENT OF CHILD SERVICES - ADMINISTRATION**

15 **Personal Services** **89,445,563** **89,445,563**
16 **Other Operating Expense** **20,582,245** **20,582,245**

17
18 **DEPARTMENT OF CHILD SERVICES - STATE ADMINISTRATION**

19 **Personal Services** **14,689,383** **14,689,383**
20 **Other Operating Expense** **3,636,219** **3,636,219**

21 **CHILD WELFARE SERVICES STATE GRANTS**

22 **General Fund**

23 **Total Operating Expense** **7,500,000** **7,500,000**

24 **Excise and Financial Institution Taxes**

25 **Total Operating Expense** **6,275,000** **6,275,000**

26 **Augmentation allowed.**

27 **TITLE IV-D OF THE FEDERAL SOCIAL SECURITY ACT (STATE MATCH)**

28 **Total Operating Expense** **5,598,019** **5,598,019**

29
30 **The foregoing appropriations for the department of child services Title IV-D of**
31 **the federal Social Security Act are made under, and not in addition to, IC 31-25-4-28.**

32
33 **FAMILY AND CHILDREN FUND**

34 **General Fund**

35 **Total Operating Expense** **463,660,000** **463,660,000**

36 **Family and Children Reimbursement (IC 31-40-1-3)**

37 **Total Operating Expense** **8,782,173** **8,782,173**

38 **Augmentation allowed.**

39
40 **Augmentation allowed from the state general fund in an amount not to exceed fifteen**
41 **million dollars (\$15,000,000) for the purposes of paying any amount of the total operating**
42 **expenses of the Family and Children Fund that exceeds the foregoing appropriation,**
43 **including any deficit in federal funds that the Department of Child Services anticipated**
44 **would be available for the purposes of the Family and Children Fund.**

45
46 **YOUTH SERVICE BUREAU**

47 **Total Operating Expense** **1,528,000** **1,528,000**

48 **PROJECT SAFEPLACE**

49 **Total Operating Expense** **230,000** **230,000**

		<i>FY 2009-2010 Appropriation</i>	<i>FY 2010-2011 Appropriation</i>	<i>Biennial Appropriation</i>
1	HEALTHY FAMILIES INDIANA			
2	Total Operating Expense	6,826,935	6,826,935	
3	CHILD WELFARE TRAINING			
4	Total Operating Expense	1,729,473	1,729,473	
5	SPECIAL NEEDS ADOPTION II			
6	Personal Services	243,060	243,060	
7	Other Operating Expense	456,540	456,540	
8	ADOPTION ASSISTANCE			
9	Total Operating Expense	14,307,971	14,307,971	
10	NON-RECURRING ADOPTION ASSISTANCE			
11	Total Operating Expense	921,500	921,500	
12	INDIANA SUPPORT ENFORCEMENT TRACKING (ISETS)			
13	Total Operating Expense	4,804,602	4,804,602	
14	CHILD PROTECTION AUTOMATION PROJECT (ICWIS)			
15	Total Operating Expense	4,224,334	4,224,334	
16				
17	SOCIAL SERVICES BLOCK GRANT (SSBG)			
18	Total Operating Expense	4,012,083	4,012,083	

19
20 **The funds appropriated above to the social services block grant are allocated in**
21 **the following manner during the biennium:**

22			
23	Division of Disability and Rehabilitative Services		
24	343,481	343,481	
25	Division of Family Resources		
26	1,100,000	1,100,000	
27	Division of Aging		
28	687,396	687,396	
29	Department of Child Services		
30	289,352	289,352	
31	Department of Health		
32	296,504	296,504	
33	Department of Correction		
34	1,295,350	1,295,350	

35
36 **B. PUBLIC HEALTH**

37			
38	FOR THE STATE DEPARTMENT OF HEALTH		
39	Personal Services	21,315,999	21,315,999
40	Other Operating Expense	7,885,840	7,885,840

41
42 **All receipts to the state department of health from licenses or permit fees shall be deposited**
43 **in the state general fund. Augmentation allowed in amounts not to exceed revenue from**
44 **penalties or fees collected by the state department of health.**

45
46 **The above appropriations for the state department of health include funds to establish**
47 **a medical adverse events reporting system by making a grant to or an agreement with**
48 **an appropriate agency.**

49

1	AREA HEALTH EDUCATION CENTERS		
2	Total Operating Expense	1,387,500	1,387,500
3	CANCER REGISTRY		
4	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
5	Total Operating Expense	610,647	610,647
6	MINORITY HEALTH INITIATIVE		
7	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
8	Total Operating Expense	3,500,000	3,500,000

9

10 **The foregoing appropriations shall be allocated to the Indiana Minority Health Coalition**

11 **to work with the state department on the implementation of IC 16-46-11.**

12	SICKLE CELL		
13	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
14	Total Operating Expense	250,000	250,000
15	AID TO COUNTY TUBERCULOSIS HOSPITALS		
16	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
17	Total Operating Expense	96,883	96,883

18

19

20 **These funds shall be used for eligible expenses according to IC 16-21-7-3 for tuberculosis**

21 **patients for whom there are no other sources of reimbursement, including patient**

22 **resources, health insurance, medical assistance payments, and hospital care for the**

23 **indigent.**

24	MEDICARE-MEDICAID CERTIFICATION		
25	Total Operating Expense	6,269,426	6,269,426

26

27

28 **Personal services augmentation allowed in amounts not to exceed revenue from health**

29 **facilities license fees or from health care providers (as defined in IC 16-18-2-163) fee**

30 **increases or those adopted by the Executive Board of the Indiana State Department of**

31 **health pursuant to IC 16-19-3.**

32	AIDS EDUCATION		
33	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
34	Personal Services	286,161	286,161
35	Other Operating Expense	381,084	381,084
36	HIV/AIDS SERVICES		
37	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
38	Total Operating Expense	2,162,254	2,162,254
39	TEST FOR DRUG AFFLICTED BABIES		
40	Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)		
41	Total Operating Expense	58,121	58,121

42

43

44 **The above appropriations for drug afflicted babies shall be used for the following purposes:**

- 45
- 46 **(1) All newborn infants shall be tested for the presence of a controlled substance**
- 47 **in the infant's meconium if they meet the criteria established by the state department**
- 48 **of health. These criteria will, at a minimum, include all newborns, if at birth:**
- 49 **(A) the infant's weight is less than two thousand five hundred (2,500) grams;**

- 1 **(B) the infant's head is smaller than the third percentile for the infant's gestational age; and**
2 **(C) there is no medical explanation for the conditions described in clauses (A) and (B).**
3 **(2) If a meconium test determines the presence of a controlled substance in the infant's**
4 **meconium, the infant may be declared a child in need of services as provided in**
5 **IC 31-34-1-10 through IC 31-34-1-13. However, the child's mother may not be prosecuted**
6 **in connection with the results of the test.**
7 **(3) The state department of health shall provide forms on which the results of a**
8 **meconium test performed on an infant under subdivision (1) must be reported to the**
9 **state department of health by physicians and hospitals.**
10 **(4) The state department of health shall, at least semi-annually:**
11 **(A) ascertain the extent of testing under this chapter; and**
12 **(B) report its findings under subdivision (1) to:**
13 **(i) all hospitals;**
14 **(ii) physicians who specialize in obstetrics and gynecology or work with infants**
15 **and young children; and**
16 **(iii) any other group interested in child welfare that requests a copy of the report**
17 **from the state department of health.**
18 **(5) The state department of health shall designate at least one (1) laboratory to**
19 **perform the meconium test required under subdivisions (1) through (8). The designated**
20 **laboratories shall perform a meconium test on each infant described in subdivision (1)**
21 **to detect the presence of a controlled substance.**
22 **(6) Subdivisions (1) through (7) do not prevent other facilities from conducting**
23 **tests on infants to detect the presence of a controlled substance.**
24 **(7) Each hospital and physician shall:**
25 **(A) take or cause to be taken a meconium sample from every infant born under the**
26 **hospital's and physician's care who meets the description under subdivision (1); and**
27 **(B) transport or cause to be transported each meconium sample described in clause (A)**
28 **to a laboratory designated under subdivision (5) to test for the presence of a controlled**
29 **substance as required under subdivisions (1) through (7).**
30 **(8) The state department of health shall establish guidelines to carry out this**
31 **program, including guidance to physicians, medical schools, and birthing centers**
32 **as to the following:**
33 **(A) Proper and timely sample collection and transportation under subdivision (7)**
34 **of this appropriation.**
35 **(B) Quality testing procedures at the laboratories designated under subdivision (5)**
36 **of this appropriation.**
37 **(C) Uniform reporting procedures.**
38 **(D) Appropriate diagnosis and management of affected newborns and counseling and**
39 **support programs for newborns' families.**
40 **(9) A medically appropriate discharge of an infant may not be delayed due to the**
41 **results of the test described in subdivision (1) or due to the pendency of the results**
42 **of the test described in subdivision (1).**

43
44 **STATE CHRONIC DISEASES**

45 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

46 Personal Services	120,459	120,459
47 Other Operating Expense	1,457,968	1,457,968

48
49 **At least \$82,560 of the above appropriations shall be for grants to community groups**

1 and organizations as provided in IC 16-46-7-8.

2
3 **WOMEN, INFANTS, AND CHILDREN SUPPLEMENT**

4 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

5 **Total Operating Expense 190,000 190,000**

6
7 **MATERNAL AND CHILD HEALTH SUPPLEMENT**

8 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

9 **Total Operating Expense 190,000 190,000**

10
11 **CANCER EDUCATION AND DIAGNOSIS - BREAST CANCER**

12 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

13 **Total Operating Expense 86,490 86,490**

14 **CANCER EDUCATION AND DIAGNOSIS - PROSTATE CANCER**

15 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

16 **Total Operating Expense 93,000 93,000**

17 **ADOPTION HISTORY**

18 **Adoption History Fund (IC 31-19-18-6)**

19 **Total Operating Expense 215,543 215,543**

20 **Augmentation allowed.**

21 **CHILDREN WITH SPECIAL HEALTH CARE NEEDS**

22 **Total Operating Expense 13,862,070 13,862,070**

23 **NEWBORN SCREENING PROGRAM**

24 **Newborn Screening Fund (IC 16-41-17-11)**

25 **Personal Services 366,971 366,971**

26 **Other Operating Expense 2,294,672 2,294,672**

27 **Augmentation allowed.**

28 **RADON GAS TRUST FUND**

29 **Radon Gas Trust Fund (IC 16-41-38-8)**

30 **Total Operating Expense 11,458 11,458**

31 **Augmentation allowed.**

32 **BIRTH PROBLEMS REGISTRY**

33 **Birth Problems Registry Fund (IC 16-38-4-17)**

34 **Personal Services 62,071 62,071**

35 **Other Operating Expense 62,389 62,389**

36 **Augmentation allowed.**

37 **MOTOR FUEL INSPECTION PROGRAM**

38 **Motor Fuel Inspection Fund (IC 16-44-3-10)**

39 **Total Operating Expense 174,464 174,464**

40 **Augmentation allowed.**

41 **PROJECT RESPECT**

42 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

43 **Total Operating Expense 537,904 537,904**

44 **DONATED DENTAL SERVICES**

45 **Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)**

46 **Total Operating Expense 42,932 42,932**

47
48 **The above appropriation shall be used by the Indiana foundation for dentistry for**
49 **the handicapped.**

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OFFICE OF WOMEN'S HEALTH

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	121,248	121,248
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SPINAL CORD AND BRAIN INJURY

Spinal Cord and Brain Injury Fund (IC 16-41-42.2-3)

Total Operating Expense	1,175,770	1,175,770
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INDIANA CHECK-UP PLAN - IMMUNIZATIONS

Indiana Check-Up Plan Trust Fund (IC 12-15-44.2-17)

Total Operating Expense	11,000,000	11,000,000
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WEIGHTS AND MEASURES FUND

Weights and Measures Fund (IC 16-19-5-4)

Total Operating Expense	22,824	22,824
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Augmentation allowed.

MINORITY EPIDEMIOLOGY

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	697,500	697,500
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COMMUNITY HEALTH CENTERS

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	20,000,000	25,000,000
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Of the above appropriation for community health centers, \$15,000,000 may be used for capital projects.

PRENATAL SUBSTANCE USE & PREVENTION

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	150,000	150,000
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LOCAL HEALTH MAINTENANCE FUND

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	3,860,000	3,860,000
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Augmentation allowed.

The amount appropriated from the tobacco master settlement agreement fund is in lieu of the appropriation provided for this purpose in IC 6-7-1-30.5 or any other law. Of the above appropriations for the local health maintenance fund, \$60,000 each year shall be used to provide additional funding to adjust funding through the formula in IC 16-46-10 to reflect population increases in various counties. Money appropriated to the local health maintenance fund must be allocated under the following schedule each year to each local board of health whose application for funding is approved by the state department of health:

COUNTY POPULATION	AMOUNT OF GRANT
over 499,999	94,112
100,000 - 499,999	72,672
50,000 - 99,999	48,859
under 50,000	33,139

LOCAL HEALTH DEPARTMENT ACCOUNT

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	3,000,000	3,000,000
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The foregoing appropriations for the local health department account are statutory distributions pursuant to IC 4-12-7.

INDIANA HEALTH INFORMATICS CORPORATION

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	300,000	300,000
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SOLDIERS' AND SAILORS' CHILDREN'S HOME

Personal Services	8,463,872	1
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Other Operating Expense	1,229,925	1
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FOR THE TOBACCO USE PREVENTION AND CESSATION BOARD

TOBACCO USE PREVENTION AND CESSATION PROGRAM

Tobacco Master Settlement Agreement Fund (IC 4-12-1-14.3)

Total Operating Expense	14,500,000	14,500,000
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A minimum of 75% of the above appropriations shall be used for grants to local agencies and other entities with programs designed to reduce smoking.

FOR THE INDIANA SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED

Personal Services	10,525,311	10,524,650
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Other Operating Expense	1,028,728	1,029,396
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FOR THE INDIANA SCHOOL FOR THE DEAF

Personal Services	16,817,364	16,822,021
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Other Operating Expense	1,959,367	1,959,367
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HEARING AIDS

Total Operating Expense	3,000,000	3,000,000
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The foregoing appropriations for hearing aids shall be used to provide funds to school corporations for payment for hearing aids for hearing impaired students of the school corporation.

C. VETERANS' AFFAIRS

FOR THE INDIANA DEPARTMENT OF VETERANS' AFFAIRS

Personal Services	538,944	538,944
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Other Operating Expense	100,108	100,108
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At least \$20,000 from the above appropriations for the Indiana department of veterans' affairs other operating expense shall be used to maintain the department's Internet website page for returning veterans.

DISABLED AMERICAN VETERANS OF WORLD WARS

Total Operating Expense	40,000	40,000
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AMERICAN VETERANS OF WORLD WAR II, KOREA, AND VIETNAM

Total Operating Expense	30,000	30,000
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VETERANS OF FOREIGN WARS

		<i>FY 2009-2010 Appropriation</i>	<i>FY 2010-2011 Appropriation</i>	<i>Biennial Appropriation</i>
1	Total Operating Expense	30,000	30,000	
2	VIETNAM VETERANS OF AMERICA			
3	Total Operating Expense			20,000
4	MILITARY FAMILY RELIEF FUND			
5	Military Family Relief Fund (IC 10-17-12-8)			
6	Total Operating Expense	450,000	450,000	
7				
8	INDIANA VETERANS' HOME			
9	From the General Fund			
10	12,815,594	12,815,594		
11	From the Veterans' Home Comfort-Welfare Fund (IC 10-17-9-7(c))			
12	9,381,362	9,381,362		
13	Augmentation allowed from the Veterans' Home comfort-welfare fund in amounts not			
14	to exceed revenue collected for Medicaid and Medicare reimbursement.			
15				
16	The amounts specified from the General Fund and the Comfort-Welfare Fund are for the			
17	following purposes:			
18				
19	Personal Services	16,956,676	16,956,676	
20	Other Operating Expense	5,240,280	5,240,280	
21				
22	COMFORT AND WELFARE PROGRAM			
23	Comfort-Welfare Fund (IC 10-17-9-7(c))			
24	Total Operating Expense	10,127,221	10,127,221	
25	Augmentation allowed.			
26				
27	SECTION 9. [EFFECTIVE JULY 1, 2009]			
28				
29	EDUCATION			
30				
31	A. HIGHER EDUCATION			
32				
33	FOR INDIANA UNIVERSITY			
34	BLOOMINGTON CAMPUS			
35	From the General Fund			
36	200,180,174	200,180,174		
37	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))			
38	2,022,022	2,022,022		
39	The amounts specified from the General Fund and the American Recovery and Reinvestment			
40	Act are for the following purposes:			
41	Total Operating Expense	202,202,196	202,202,196	
42				
43	From the General Fund			
44	26,901,091	40,317,272		
45	Fee Replacement	26,901,091	40,317,272	
46				
47	FOR INDIANA UNIVERSITY REGIONAL CAMPUSES			
48	EAST			
49	From the General Fund			

1	8,238,916	8,238,916	
2	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
3	83,221	83,221	
4	The amounts specified from the General Fund and the American Recovery and Reinvestment		
5	Act are for the following purposes:		
6	Total Operating Expense	8,322,137	8,322,137
7			
8	From the General Fund		
9	1,896,844	1,400,591	
10	Fee Replacement	1,896,844	1,400,591
11			
12	KOKOMO		
13	From the General Fund		
14	10,709,280	10,709,280	
15	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
16	108,175	108,175	
17	The amounts specified from the General Fund and the American Recovery and Reinvestment		
18	Act are for the following purposes:		
19	Total Operating Expense	10,817,455	10,817,455
20			
21	From the General Fund		
22	2,103,973	1,553,532	
23	Fee Replacement	2,103,973	1,553,532
24			
25	NORTHWEST		
26	From the General Fund		
27	17,880,683	17,880,683	
28	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
29	180,613	180,613	
30	The amounts specified from the General Fund and the American Recovery and Reinvestment		
31	Act are for the following purposes:		
32	Total Operating Expense	18,061,296	18,061,296
33			
34	From the General Fund		
35	3,899,173	2,879,072	
36	Fee Replacement	3,899,173	2,879,072
37			
38	SOUTH BEND		
39	From the General Fund		
40	23,003,647	23,003,647	
41	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
42	232,360	232,360	
43	From the ARRA State Fiscal Stabilization Fund (Section 14002(b))		
44	24,416	24,416	
45	The amounts specified from the General Fund and the American Recovery and Reinvestment		
46	Act are for the following purposes:		
47	Total Operating Expense	23,260,423	23,260,423
48			
49	From the General Fund		

1		5,658,917	6,437,774	
2	Fee Replacement		5,658,917	6,437,774
3				
4	SOUTHEAST			
5	From the General Fund			
6		20,640,314	20,640,314	
7	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))			
8		208,488	208,488	
9	From the ARRA State Fiscal Stabilization Fund (Section 14002(b))			
10		136,025	265,227	
11	The amounts specified from the General Fund and the American Recovery and Reinvestment			
12	Act are for the following purposes:			
13	Total Operating Expense		20,984,827	21,114,029
14				
15	From the General Fund			
16		5,048,022	3,811,038	
17	Fee Replacement		5,048,022	3,811,038
18				
19	TOTAL APPROPRIATION - INDIANA UNIVERSITY REGIONAL CAMPUSES			
20		100,053,067	97,657,347	
21				
22	FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY			
23	AT INDIANAPOLIS (IUPUI)			
24	HEALTH DIVISIONS			
25	From the General Fund			
26		111,113,964	111,113,964	
27	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))			
28		1,122,363	1,122,363	
29	The amounts specified from the General Fund and the American Recovery and Reinvestment			
30	Act are for the following purposes:			
31	Total Operating Expense		112,236,327	112,236,327
32				
33	From the General Fund			
34		4,189,020	2,821,231	
35	Fee Replacement		4,189,020	2,821,231
36				
37	FOR INDIANA UNIVERSITY SCHOOL OF MEDICINE ON			
38	THE CAMPUS OF THE UNIVERSITY OF SOUTHERN INDIANA			
39	From the General Fund			
40		1,594,256	1,594,256	
41	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))			
42		16,105	16,105	
43	The amounts specified from the General Fund and the American Recovery and Reinvestment			
44	Act are for the following purpose:			
45	Total Operating Expense		1,610,361	1,610,361
46				
47	THE CAMPUS OF INDIANA UNIVERSITY-PURDUE UNIVERSITY FORT WAYNE			
48	From the General Fund			
49		1,466,616	1,466,616	

1	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
2	14,814	14,814	
3	The amounts specified from the General Fund and the American Recovery and Reinvestment		
4	Act are for the following purpose:		
5	Total Operating Expense	1,481,430	1,481,430
6			
7	THE CAMPUS OF INDIANA UNIVERSITY-NORTHWEST		
8	From the General Fund		
9	2,083,528	2,083,528	
10	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
11	21,046	21,046	
12	The amounts specified from the General Fund and the American Recovery and Reinvestment		
13	Act are for the following purpose:		
14	Total Operating Expense	2,104,574	2,104,574
15			
16	THE CAMPUS OF PURDUE UNIVERSITY		
17	From the General Fund		
18	1,859,843	1,859,843	
19	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
20	18,786	18,786	
21	The amounts specified from the General Fund and the American Recovery and Reinvestment		
22	Act are for the following purpose:		
23	Total Operating Expense	1,878,629	1,878,629
24			
25	THE CAMPUS OF BALL STATE UNIVERSITY		
26	From the General Fund		
27	1,672,302	1,672,302	
28	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
29	16,892	16,892	
30	The amounts specified from the General Fund and the American Recovery and Reinvestment		
31	Act are for the following purpose:		
32	Total Operating Expense	1,689,194	1,689,194
33			
34	THE CAMPUS OF THE UNIVERSITY OF NOTRE DAME		
35	From the General Fund		
36	1,550,860	1,550,860	
37	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
38	15,665	15,665	
39	The amounts specified from the General Fund and the American Recovery and Reinvestment		
40	Act are for the following purpose:		
41	Total Operating Expense	1,566,525	1,566,525
42			
43	THE CAMPUS OF INDIANA STATE UNIVERSITY		
44	From the General Fund		
45	1,848,960	1,848,960	
46	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
47	18,676	18,676	
48	The amounts specified from the General Fund and the American Recovery and Reinvestment		
49	Act are for the following purpose:		

1 **Total Operating Expense** **1,867,636** **1,867,636**

2

3 **The Indiana University School of Medicine - Indianapolis shall submit to the Indiana**
4 **commission for higher education before May 15 of each year an accountability report**
5 **containing data on the number of medical school graduates who entered primary care**
6 **physician residencies in Indiana from the school's most recent graduating class.**

7

8 **FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY AT INDIANAPOLIS (IUPUI)**

9

10 **GENERAL ACADEMIC DIVISIONS**

11

12 **From the General Fund**
13 **82,478,446 82,478,446**

14

15 **From the ARRA State Fiscal Stabilization Fund (Section 14002(a))**

16

17 **833,116 833,116**

18

19 **From the ARRA State Fiscal Stabilization Fund (Section 14002(b))**

20

21 **119,954 119,954**

22

23 **The amounts specified from the General Fund and the American Recovery and Reinvestment**
24 **Act are for the following purposes:**

25

26 **Total Operating Expense** **83,431,516** **83,431,516**

27

28 **From the General Fund**

29

30 **20,004,544 13,472,705**

31

32 **Fee Replacement** **20,004,544** **13,472,705**

33

34 **TOTAL APPROPRIATIONS - IUPUI**

35

36 **232,059,756 224,160,128**

37

38 **Transfers of allocations between campuses to correct for errors in allocation among**
39 **the campuses of Indiana University can be made by the institution with the approval**
40 **of the commission for higher education and the budget agency. Indiana University**
41 **shall maintain current operations at all statewide medical education sites.**

42

43 **FOR INDIANA UNIVERSITY**

44

45 **OPTOMETRY EDUCATION**

46

47 **Total Operating Expense** **29,000** **1,500**

48

49 **ABILENE NETWORK OPERATIONS CENTER**

50

51 **From the General Fund**
52 **858,615 858,615**

53

54 **From the ARRA State Fiscal Stabilization Fund (Section 14002(a))**

55

56 **8,673 8,673**

57

58 **The amounts specified from the General Fund and the American Recovery and Reinvestment**
59 **Act are for the following purpose:**

60

61 **Total Operating Expense** **867,288** **867,288**

62

63 **SPINAL CORD AND HEAD INJURY RESEARCH CENTER**

64

65 **Spinal Cord and Brain Injury Fund (IC 16-41-42.3-3)**

66

67 **Total Operating Expense** **546,073** **546,073**

68

69 **STATE DEPARTMENT OF TOXICOLOGY**

1 **Total Operating Expense** **2,463,380** **2,463,380**

2

3 **INSTITUTE FOR THE STUDY OF DEVELOPMENTAL DISABILITIES**

4 **From the General Fund**

5 **2,554,860** **2,554,860**

6 **From the ARRA State Fiscal Stabilization Fund (Section 14002(a))**

7 **25,807** **25,807**

8 **The amounts specified from the General Fund and the American Recovery and Reinvestment**
9 **Act are for the following purpose:**

10 **Total Operating Expense** **2,580,667** **2,580,667**

11

12 **GEOLOGICAL SURVEY**

13 **From the General Fund**

14 **3,199,188** **3,199,188**

15 **From the ARRA State Fiscal Stabilization Fund (Section 14002(a))**

16 **32,316** **32,316**

17 **The amounts specified from the General Fund and the American Recovery and Reinvestment**
18 **Act are for the following purpose:**

19 **Total Operating Expense** **3,231,504** **3,231,504**

20

21 **LOCAL GOVERNMENT ADVISORY COMMISSION**

22 **From the General Fund**

23 **58,310** **58,310**

24 **From the ARRA State Fiscal Stabilization Fund (Section 14002(a))**

25 **589** **589**

26 **The amounts specified from the General Fund and the American Recovery and Reinvestment**
27 **Act are for the following purpose:**

28 **Total Operating Expense** **58,899** **58,899**

29

30 **I-LIGHT NETWORK OPERATIONS**

31 **From the General Fund**

32 **2,000,000** **2,000,000**

33 **From the ARRA State Fiscal Stabilization Fund (Section 14002(a))**

34 **2,000,000** **2,000,000**

35 **The amounts specified from the General Fund and the American Recovery and Reinvestment**
36 **Act are for the following purpose:**

37 **Total Operating Expense** **4,000,000** **4,000,000**

38

39 **The sums herein appropriated to the Indiana Higher Education Telecommunications System**
40 **(IHETS) are in addition to all income of IHETS from all permanent fees and endowments**
41 **and from all land grants, fees, earnings, and receipts, including gifts, grants,**
42 **bequests, and devises, and receipts from any miscellaneous sales from whatever source**
43 **derived.**

44

45 **All such income and all such fees, earnings, and receipts on hand June 30, 2009,**
46 **and all such income and fees, earnings, and receipts accruing thereafter are hereby**
47 **appropriated to the directors of IHETS and may be expended for any necessary expenses**
48 **of IHETS. However, such income, fees, earnings, and receipts may be used for land**
49 **and structures only if approved by the governor and the budget agency.**

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The foregoing appropriations to IHETS include the employers' share of Social Security payments for IHETS employees under the public employees' retirement fund, or the Indiana state teachers' retirement fund. The funds appropriated also include funding for the employers' share of payments to the public employees' retirement fund and to the Indiana state teachers' retirement fund at a rate to be established by the retirement funds for both fiscal years for IHETS employees covered by these retirement plans.

The directors of IHETS are hereby authorized to accept federal grants, subject to IC 4-12-1.

FOR PURDUE UNIVERSITY

WEST LAFAYETTE

From the General Fund

259,413,399 259,413,399

From the ARRA State Fiscal Stabilization Fund (Section 14002(a))

2,620,338 2,620,338

The amounts specified from the General Fund and the American Recovery and Reinvestment Act are for the following purposes:

Total Operating Expense	262,033,737	262,033,737
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From the General Fund

26,722,911 26,777,731

Fee Replacement	26,722,911	26,777,731
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FOR PURDUE UNIVERSITY - REGIONAL CAMPUSES

CALUMET

From the General Fund

27,930,577 27,930,577

From the ARRA State Fiscal Stabilization Fund (Section 14002(a))

282,127 282,127

From the ARRA State Fiscal Stabilization Fund (Section 14002(b))

209,264 346,305

The amounts specified from the General Fund and the American Recovery and Reinvestment Act are for the following purposes:

Total Operating Expense	28,421,968	28,559,009
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From the General Fund

1,491,261 1,692,654

Fee Replacement	1,491,261	1,692,654
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NORTH CENTRAL

From the General Fund

11,850,126 11,850,126

From the ARRA State Fiscal Stabilization Fund (Section 14002(a))

119,698 119,698

From the ARRA State Fiscal Stabilization Fund (Section 14002(b))

410,997 697,412

1 The amounts specified from the General Fund and the American Recovery and Reinvestment
 2 Act are for the following purposes:

3 Total Operating Expense	12,380,821	12,667,236
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4
 5 From the General Fund

6 Fee Replacement	1 83,679	1 83,679
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8
 9 TOTAL APPROPRIATION - PURDUE UNIVERSITY REGIONAL CAMPUSES

10 42,294,051	43,002,578
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11
 12 FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY
 13 AT FORT WAYNE (IPFW)

14 From the General Fund

15 38,065,207	38,065,207
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16 From the ARRA State Fiscal Stabilization Fund (Section 14002(a))

17 384,498	384,498
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18 From the ARRA State Fiscal Stabilization Fund (Section 14002(b))

19 591,056	1,153,467
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20 The amounts specified from the General Fund and the American Recovery and Reinvestment
 21 Act are for the following purposes:

22 Total Operating Expense	39,040,761	39,603,172
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23
 24 From the General Fund

25 5,995,241	5,980,642
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26 Fee Replacement	5,995,241	5,980,642
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27
 28 Transfers of allocations between campuses to correct for errors in allocation among
 29 the campuses of Purdue University can be made by the institution with the approval
 30 of the commission for higher education and the budget agency.

31
 32 FOR PURDUE UNIVERSITY
 33 ANIMAL DISEASE DIAGNOSTIC LABORATORY SYSTEM

34 From the General Fund

35 3,557,509	3,557,509
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36 From the ARRA State Fiscal Stabilization Fund (Section 14002(a))

37 35,935	35,935
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38 The amounts specified from the General Fund and the American Recovery and Reinvestment
 39 Act are for the following purpose:

40 Total Operating Expense	3,593,444	3,593,444
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41
 42 The above appropriations shall be used to fund the animal disease diagnostic laboratory
 43 system (ADDL), which consists of the main ADDL at West Lafayette, the bangs disease
 44 testing service at West Lafayette, and the southern branch of ADDL Southern Indiana
 45 Purdue Agricultural Center (SIPAC) in Dubois County. The above appropriations are
 46 in addition to any user charges that may be established and collected under IC 21-46-3-5.
 47 Notwithstanding IC 21-46-3-4, the trustees of Purdue University may approve reasonable
 48 charges for testing for pseudorabies.
 49

1	STATEWIDE TECHNOLOGY		
2	From the General Fund		
3	6,634,999	6,634,999	
4	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
5	67,021	67,021	
6	The amounts specified from the General Fund and the American Recovery and Reinvestment		
7	Act are for the following purpose:		
8	Total Operating Expense	6,702,020	6,702,020
9			
10	COUNTY AGRICULTURAL EXTENSION EDUCATORS		
11	From the General Fund		
12	7,460,686	7,460,686	
13	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
14	75,361	75,361	
15	The amounts specified from the General Fund and the American Recovery and Reinvestment		
16	Act are for the following purpose:		
17	Total Operating Expense	7,536,047	7,536,047
18			
19	AGRICULTURAL RESEARCH AND EXTENSION - CROSSROADS		
20	From the General Fund		
21	7,465,178	7,465,178	
22	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
23	75,406	75,406	
24	The amounts specified from the General Fund and the American Recovery and Reinvestment		
25	Act are for the following purpose:		
26	Total Operating Expense	7,540,584	7,540,584
27			
28	CENTER FOR PARALYSIS RESEARCH		
29	From the General Fund		
30	538,887	538,887	
31	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
32	5,444	5,444	
33	The amounts specified from the General Fund and the American Recovery and Reinvestment		
34	Act are for the following purpose:		
35	Total Operating Expense	544,331	544,331
36			
37	UNIVERSITY-BASED BUSINESS ASSISTANCE		
38	From the General Fund		
39	1,948,071	1,948,071	
40	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
41	19,678	19,678	
42	The amounts specified from the General Fund and the American Recovery and Reinvestment		
43	Act are for the following purpose:		
44	Total Operating Expense	1,967,749	1,967,749
45			
46	FOR INDIANA STATE UNIVERSITY		
47	From the General Fund		
48	76,142,019	76,142,019	
49	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		

1	769,112	769,112	
2	From the ARRA State Fiscal Stabilization Fund (Section 14002(b))		
3	0	703,611	
4	The amounts specified from the General Fund and the American Recovery and Reinvestment		
5	Act are for the following purposes:		
6	Total Operating Expense	76,911,131	77,614,742
7			
8	From the General Fund		
9	8,231,452	9,455,023	
10	Fee Replacement	8,231,452	9,455,023
11			
12	NURSING PROGRAM		
13	From the General Fund		
14	247,500	247,500	
15	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
16	2,500	2,500	
17	The amounts specified from the General Fund and the American Recovery and Reinvestment		
18	Act are for the following purposes:		
19	Total Operating Expense	250,000	250,000
20			
21	FOR UNIVERSITY OF SOUTHERN INDIANA		
22	From the General Fund		
23	39,983,554	39,983,554	
24	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
25	403,875	403,875	
26	From the ARRA State Fiscal Stabilization Fund (Section 14002(b))		
27	578,861	802,094	
28	The amounts specified from the General Fund and the American Recovery and Reinvestment		
29	Act are for the following purposes:		
30	Total Operating Expense	40,966,290	41,189,523
31			
32	From the General Fund		
33	11,920,469	11,119,519	
34	Fee Replacement	11,920,469	11,119,519
35			
36	HISTORIC NEW HARMONY		
37	From the General Fund		
38	570,723	570,723	
39	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
40	5,765	5,765	
41	The amounts specified from the General Fund and the American Recovery and Reinvestment		
42	Act are for the following purpose:		
43	Total Operating Expense	576,488	576,488
44			
45	FOR BALL STATE UNIVERSITY		
46	From the General Fund		
47	129,077,431	129,077,431	
48	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
49	1,303,813	1,303,813	

1	From the ARRA State Fiscal Stabilization Fund (Section 14002(b))		
2	1,658,682	1,658,682	
3	The amounts specified from the General Fund and the American Recovery and Reinvestment		
4	Act are for the following purposes:		
5	Total Operating Expense	132,039,926	132,039,926
6			
7	From the General Fund		
8	11,543,674	14,296,955	
9	Fee Replacement	11,543,674	14,296,955
10			
11	ENTREPRENEURIAL COLLEGE		
12	From the General Fund		
13	990,000	990,000	
14	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
15	10,000	10,000	
16	From the ARRA State Fiscal Stabilization Fund (Section 14002(b))		
17	1,000,000	1,000,000	
18	The amounts specified from the General Fund and the American Recovery and Reinvestment		
19	Act are for the following purpose:		
20	Total Operating Expense	2,000,000	2,000,000
21			
22	ACADEMY FOR SCIENCE, MATHEMATICS, AND HUMANITIES		
23	From the General Fund		
24	4,407,399	4,407,399	
25	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
26	44,514	44,514	
27	The amounts specified from the General Fund and the American Recovery and Reinvestment		
28	Act are for the following purpose:		
29	Total Operating Expense	4,451,913	4,451,913
30			
31	FOR VINCENNES UNIVERSITY		
32	From the General Fund		
33	38,577,469	38,577,469	
34	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		
35	389,672	389,672	
36	From the ARRA State Fiscal Stabilization Fund (Section 14002(b))		
37	350,102	717,313	
38	The amounts specified from the General Fund and the American Recovery and Reinvestment		
39	Act are for the following purposes:		
40	Total Operating Expense	39,317,243	39,684,454
41			
42	From the General Fund		
43	5,275,650	5,952,097	
44	Fee Replacement	5,275,650	5,952,097
45			
46	FOR IVY TECH COMMUNITY COLLEGE		
47	From the General Fund		
48	165,790,902	160,790,902	
49	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))		

1		1,624,151	1,624,151	
2	From the ARRA State Fiscal Stabilization Fund (Section 14002(b))			
3		7,996,186	15,977,929	
4	The amounts specified from the General Fund and the American Recovery and Reinvestment			
5	Act are for the following purposes:			
6	Total Operating Expense		175,411,239	178,392,982
7				
8	From the General Fund			
9		26,656,511	28,602,954	
10	Fee Replacement		26,656,511	28,602,954

11	VALPO NURSING PARTNERSHIP			
12	From the General Fund			
13		103,624	103,624	
14				
15	From the ARRA State Fiscal Stabilization Fund (Section 14002(a))			
16		1,047	1,047	

17	The amounts specified from the General Fund and the American Recovery and Reinvestment			
18	Act are for the following purpose:			
19	Total Operating Expense		104,671	104,671
20				

21	FT. WAYNE PUBLIC SAFETY TRAINING CENTER			
22	From the General Fund			
23	Total Operating Expense		1,000,000	1,000,000
24				

25 **The above appropriations do not include funds for the course development grant program.**

26

27 **The sums herein appropriated to Indiana University, Purdue University, Indiana State**

28 **University, University of Southern Indiana, Ball State University, Vincennes University,**

29 **and Ivy Tech Community College are in addition to all income of said institutions,**

30 **respectively, from all permanent fees and endowments and from all land grants, fees,**

31 **earnings, and receipts, including gifts, grants, bequests, and devises, and receipts**

32 **from any miscellaneous sales from whatever source derived.**

33

34 **All such income and all such fees, earnings, and receipts on hand June 30, 2009,**

35 **and all such income and fees, earnings, and receipts accruing thereafter are hereby**

36 **appropriated to the boards of trustees or directors of the aforementioned institutions**

37 **and may be expended for any necessary expenses of the respective institutions,**

38 **including university hospitals, schools of medicine, nurses' training schools, schools**

39 **of dentistry, and agricultural extension and experimental stations. However, such**

40 **income, fees, earnings, and receipts may be used for land and structures only if**

41 **approved by the governor and the budget agency.**

42

43 **The foregoing appropriations to Indiana University, Purdue University, Indiana State**

44 **University, University of Southern Indiana, Ball State University, Vincennes University,**

45 **and Ivy Tech Community College, include the employers' share of Social Security**

46 **payments for university employees under the public employees' retirement fund, or**

47 **institutions covered by the Indiana state teachers' retirement fund. The funds appropriated**

48 **also include funding for the employers' share of payments to the public employees'**

49 **retirement fund and to the Indiana state teachers' retirement fund at a rate to be**

1 established by the retirement funds for both fiscal years for each institution's employees
2 covered by these retirement plans.

3
4 The treasurers of Indiana University, Purdue University, Indiana State University,
5 University of Southern Indiana, Ball State University, Vincennes University, and
6 Ivy Tech Community College shall, at the end of each three (3) month period, prepare
7 and file with the auditor of state a financial statement that shall show in total
8 all revenues received from any source, together with a consolidated statement of
9 disbursements for the same period. The budget director shall establish the requirements
10 for the form and substance of the reports.

11
12 The reports of the treasurer also shall contain in such form and in such detail as
13 the governor and the budget agency may specify, complete information concerning receipts
14 from all sources, together with any contracts, agreements, or arrangements with any
15 federal agency, private foundation, corporation, or other entity from which such
16 receipts accrue.

17
18 All such treasurers' reports are matters of public record and shall include without
19 limitation a record of the purposes of any and all gifts and trusts with the sole
20 exception of the names of those donors who request to remain anonymous.

21
22 Notwithstanding IC 4-10-11, the auditor of state shall draw warrants to the treasurers
23 of Indiana University, Purdue University, Indiana State University, University of
24 Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community
25 College on the basis of vouchers stating the total amount claimed against each fund
26 or account, or both, but not to exceed the legally made appropriations.

27
28 Notwithstanding IC 4-12-1-14, for universities and colleges supported in whole or
29 in part by state funds, grant applications and lists of applications need only be
30 submitted upon request to the budget agency for review and approval or disapproval
31 and, unless disapproved by the budget agency, federal grant funds may be requested
32 and spent without approval by the budget agency. Each institution shall retain the
33 applications for a reasonable period of time and submit a list of all grant applications,
34 at least monthly, to the commission for higher education for informational purposes.

35
36 For all university special appropriations, an itemized list of intended expenditures,
37 in such form as the governor and the budget agency may specify, shall be submitted
38 to support the allotment request. All budget requests for university special appropriations
39 shall be furnished in a like manner and as a part of the operating budgets of the
40 state universities.

41
42 The trustees of Indiana University, the trustees of Purdue University, the trustees
43 of Indiana State University, the trustees of University of Southern Indiana, the
44 trustees of Ball State University, the trustees of Vincennes University, and the trustees
45 of Ivy Tech Community College are hereby authorized to accept federal grants, subject
46 to IC 4-12-1.

47
48 Fee replacement funds are to be distributed as requested by each institution, on
49 payment due dates, subject to available appropriations.

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**FOR THE MEDICAL EDUCATION BOARD
FAMILY PRACTICE RESIDENCY FUND**

Total Operating Expense	2,340,683	2,340,683
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Of the foregoing appropriations for the medical education board-family practice residency fund, \$1,000,000 each year shall be used for grants for the purpose of improving family practice residency programs serving medically underserved areas.

**FOR THE STATE BUDGET AGENCY
MEDICAL EDUCATION CENTER EXPANSION**

From the ARRA State Fiscal Stabilization Fund (Section 14002(b))		
Total Operating Expense	5,000,000	5,000,000

The above appropriations for medical education center expansion are intended to help increase medical school class size by 30% on a statewide basis. The funds shall be used to help increase enrollment for years 1 and 2 and to provide clinical instruction for years 3 and 4. The funds shall be distributed to the nine existing medical education centers in proportion to the increase in enrollment for each center. The budget agency shall release the funds after a plan is submitted and favorably reviewed by the budget committee.

TECHNICAL ASSISTANCE AND ADVANCED MANUFACTURING

From the ARRA State Fiscal Stabilization Fund (Section 14002(b))		
Total Operating Expense	3,750,000	3,750,000

The above appropriation for technical assistance and advanced manufacturing is intended to be used to expand post graduate pharmacy residency training and post graduate biomedical engineering specialization and for a technical assistance program for cost containment through the healthcare technology assistance program at Purdue University. Funds shall be released after favorable review by the budget committee.

CORE RESEARCH

From the ARRA State Fiscal Stabilization Fund (Section 14002(b))		
Total Operating Expense	11,250,000	11,250,000

The above appropriations for core research are intended to fund facilities, equipment, researchers, and related expenses at Purdue University and Indiana University to conduct basic research in the core life sciences that are aligned with Indiana's major bioscience employment sectors. Those sectors include pharmaceutical, biotech, medical devices and equipment, orthopedics, and agricultural feedstock and chemicals. Funds shall be released after favorable review by the budget committee. Purdue University and Indiana University shall report to the budget committee on the status of the program one (1) year after the funds are released.

FOR THE COMMISSION FOR HIGHER EDUCATION

Total Operating Expense	1,538,266	1,538,266
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STATEWIDE TRANSFER WEB SITE

	<i>FY 2009-2010 Appropriation</i>	<i>FY 2010-2011 Appropriation</i>	<i>Biennial Appropriation</i>
1	Total Operating Expense	644,293	644,293
2			
3	LEARN MORE INDIANA		
4	Total Operating Expense	1	1
5			
6	FOR THE DEPARTMENT OF ADMINISTRATION		
7	ANIMAL DISEASE DIAGNOSTIC LABORATORY LEASE RENTAL		
8	Total Operating Expense	1,045,098	1,046,630
9			
10	ANIMAL DISEASE DIAGNOSTIC LABORATORY BSL-3 LEASE RENTAL		
11	Total Operating Expense	1	2,600,000
12			
13	COLUMBUS LEARNING CENTER LEASE PAYMENT		
14	Total Operating Expense	4,988,000	4,934,000
15			
16	FOR THE STATE BUDGET AGENCY		
17	GIGAPOP PROJECT		
18	Total Operating Expense	771,951	771,951
19			
20	SOUTH CENTRAL EDUCATIONAL ALLIANCE - BEDFORD SERVICE AREA		
21	Total Operating Expense	403,172	403,172
22			
23	SOUTHEAST INDIANA EDUCATION SERVICES		
24	Total Operating Expense	709,130	709,130
25			
26	The above appropriation for southeast Indiana education services may be expended		
27	with the approval of the budget agency after review by the commission for higher		
28	education.		
29			
30	DEGREE LINK		
31	Total Operating Expense	552,294	552,294
32			
33	The above appropriations shall be used for the delivery of Indiana State University		
34	baccalaureate degree programs at Ivy Tech Community College and Vincennes University		
35	locations through Degree Link. Distributions shall be made upon the recommendation		
36	of the Indiana commission for higher education and with approval by the budget agency		
37	after review by the budget committee.		
38			
39	WORKFORCE CENTERS		
40	Total Operating Expense	887,973	887,973
41			
42	MIDWEST HIGHER EDUCATION COMMISSION		
43	Total Operating Expense	95,000	95,000
44			
45	FOR THE STATE STUDENT ASSISTANCE COMMISSION		
46	Total Operating Expense	1,073,337	1,073,337
47	FREEDOM OF CHOICE GRANTS		
48	General Fund		
49	Total Operating Expense	47,583,031	47,583,031

1	ARRA State Fiscal Stabilization Fund (Section 14002(b))		
2	Total Operating Expense	7,823,465	7,823,465

3
4 **HIGHER EDUCATION AWARD PROGRAM**

5	General Fund		
6	Total Operating Expense	139,515,254	139,515,254

7	ARRA State Fiscal Stabilization Fund (Section 14002(b))		
8	Total Operating Expense	25,719,861	25,719,861

9
10 **NURSING SCHOLARSHIP PROGRAM**

11	Total Operating Expense	418,389	418,389
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12 **HOOSIER SCHOLAR PROGRAM**

13	Total Operating Expense	404,500	404,500
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14

15 **For the higher education awards and freedom of choice grants made for the 2009-2011**
16 **biennium, the following guidelines shall be used, notwithstanding current administrative**
17 **rule or practice:**

18 **(1) Financial Need: For purposes of these awards, financial need shall be limited**
19 **to actual undergraduate tuition and fees for the prior academic year as established**
20 **by the commission.**

21 **(2) Maximum Base Award: The maximum award shall not exceed the lesser of:**

22 **(A) eighty percent (80%) of actual prior academic year undergraduate tuition and**
23 **fees; or**

24 **(B) eighty percent (80%) of the sum of the highest prior academic year undergraduate**
25 **tuition and fees at any public institution of higher education and the lowest appropriation**
26 **per full-time equivalent (FTE) undergraduate student at any public institution of**
27 **higher education.**

28 **(3) Minimum Award: No actual award shall be less than \$200.**

29 **(4) Award Size: A student's maximum award shall be reduced one (1) time:**

30 **(A) for dependent students, by the expected contribution from parents based upon**
31 **information submitted on the financial aid application form; and**

32 **(B) for independent students, by the expected contribution derived from information**
33 **submitted on the financial aid application form.**

34 **(5) Award Adjustment: The maximum base award may be adjusted by the commission, for**
35 **any eligible recipient who fulfills college preparation requirements defined by the**
36 **commission.**

37 **(6) Adjustment:**

38 **(A) If the dollar amounts of eligible awards exceed appropriations and program reserves,**
39 **all awards may be adjusted by the commission by reducing the maximum award under**
40 **subdivision (2)(A) or (2)(B).**

41 **(B) If appropriations and program reserves are sufficient and the maximum awards**
42 **are not at the levels described in subdivision (2)(A) and (2)(B), all awards may**
43 **be adjusted by the commission by proportionally increasing the awards to the maximum**
44 **award under that subdivision so that parity between those maxima is maintained but**
45 **not exceeded.**

46

47 **For the Hoosier scholar program for the 2009-2011 biennium, each award shall not**
48 **exceed five hundred dollars (\$500) and shall be made available for one (1) year only.**

49 **Receipt of this award shall not reduce any other award received under any state funded**

1 student assistance program.

2
3 **STATUTORY FEE REMISSION**

4 Total Operating Expense	20,557,932	20,557,932
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5
6 **PART-TIME STUDENT GRANT DISTRIBUTION**

7 Total Operating Expense	5,462,100	5,462,100
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8
9 **Priority for awards made from the above appropriation shall be given first to eligible**
10 **students meeting TANF income eligibility guidelines as determined by the family and**
11 **social services administration and second to eligible students who received awards**
12 **from the part-time grant fund during the school year associated with the biennial budget**
13 **year. Funds remaining shall be distributed according to procedures established by the**
14 **commission. The maximum grant that an applicant may receive for a particular academic**
15 **term shall be established by the commission but shall in no case be greater than a grant**
16 **for which an applicant would be eligible under IC 21-12-3 if the applicant were a**
17 **full-time student. The commission shall collect and report to the family and social**
18 **services administration (FSSA) all data required for FSSA to meet the data collection**
19 **and reporting requirements in 45 CFR Part 265.**

20
21 **The family and social services administration, division of family resources, shall**
22 **apply all qualifying expenditures for the part-time grant program toward Indiana's**
23 **maintenance of effort under the federal Temporary Assistance for Needy Families (TANF)**
24 **program (45 CFR 260 et seq.).**

25
26 **CONTRACT FOR INSTRUCTIONAL OPPORTUNITIES IN SOUTHEASTERN INDIANA**

27 Total Operating Expense	458,253	458,253
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28 **MINORITY TEACHER SCHOLARSHIP FUND**

29 Total Operating Expense	415,919	415,919
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30 **COLLEGE WORK STUDY PROGRAM**

31 Total Operating Expense	837,719	837,719
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32 **21ST CENTURY ADMINISTRATION**

33 Total Operating Expense	2,102,648	2,102,648
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34 **21ST CENTURY SCHOLAR AWARDS**

35 Total Operating Expense	30,658,675	30,658,675
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36 **Augmentation for 21st Century Scholar Awards allowed from the general fund.**

37
38 **The commission shall collect and report to the family and social services administration**
39 **(FSSA) all data required for FSSA to meet the data collection and reporting requirements**
40 **in 45 CFR 265.**

41
42 **Family and social services administration, division of family resources, shall apply**
43 **all qualifying expenditures for the 21st century scholars program toward Indiana's**
44 **maintenance of effort under the federal Temporary Assistance for Needy Families (TANF)**
45 **program (45 CFR 260 et seq.)**

46
47 **NATIONAL GUARD SCHOLARSHIP**

48 Total Operating Expense	2,874,264	2,874,264
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49

1 **The above appropriations for national guard scholarship and any program reserves**
 2 **existing on June 30, 2009, shall be the total allowable state expenditure for the**
 3 **program in the 2009-2011 biennium. If the dollar amounts of eligible awards exceed**
 4 **appropriations and program reserves, the state student assistance commission shall**
 5 **develop a plan to ensure that the total dollar amount does not exceed the above appropriations**
 6 **and any program reserves.**

7
8 **INSURANCE EDUCATION SCHOLARSHIPS**

9 **Insurance Education Scholarship Fund (IC 21-12-9-5)**

10 **Total Operating Expense** **100,000** **100,000**

11 **Augmentation allowed.**

12
13 **The foregoing appropriations for higher education and the student assistance commission**
 14 **that are made from money received under the federal American Recovery and Reinvestment**
 15 **Act of 2009 (ARRA) are intended to be one (1) time appropriations.**

16
17 **B. ELEMENTARY AND SECONDARY EDUCATION**

18
19 **FOR THE DEPARTMENT OF EDUCATION**

20 **STATE BOARD OF EDUCATION**

21 **Total Operating Expense** **50,000** **50,000**

22
23 **The foregoing appropriation for the Indiana state board of education is for state**
 24 **board administrative expenses.**

25
26 **SUPERINTENDENT'S OFFICE**

27 **Personal Services** **1,201,402** **1,201,402**

28 **Other Operating Expense** **1,473,322** **1,473,322**

29
30 **COMER SCHOOL DEVELOPMENT FUND (IC 20-20-37)**

31 **Total Operating Expense** **1,000,000**

32
33 **The budget agency shall transfer \$1,000,000 to the Comer School development fund**
 34 **from the state general fund before August 1, 2009, for the purposes of the Comer**
 35 **School development fund.**

36
37 **Release of funds must be approved by the budget agency after budget committee review**
 38 **before money may be allotted from the above appropriation to the Comer School Development**
 39 **Fund.**

40
41 **RESEARCH AND DEVELOPMENT PROGRAMS**

42 **Personal Services** **86,959** **86,959**

43 **Other Operating Expense** **300,390** **300,390**

44
45 **Of the foregoing appropriations for Research and Development Programs, up to \$148,000**
 46 **is dedicated for the Center for Evaluation and Education Policy.**

47
48 **RILEY HOSPITAL**

49 **Total Operating Expense** **27,900** **27,900**

1	BEST BUDDIES		
2	Total Operating Expense	250,000	250,000
3	ADMINISTRATION AND FINANCIAL MANAGEMENT		
4	Personal Services	2,144,538	2,144,538
5	Other Operating Expense	420,270	420,270
6	MOTORCYCLE OPERATOR SAFETY EDUCATION FUND		
7	Safety Education Fund (IC 20-30-13-11)		
8	Personal Services	132,397	132,397
9	Other Operating Expense	892,177	892,177

10
11 **The foregoing appropriations for the motorcycle operator safety education fund are**
12 **from the motorcycle operator safety education fund created by IC 20-30-13-11.**
13

14	SCHOOL TRAFFIC SAFETY		
15	Motor Vehicle Highway Account (IC 8-14-1)		
16	Personal Services	242,989	242,989
17	Other Operating Expense	30,405	30,405
18	Augmentation allowed.		
19	EDUCATION LICENSE PLATE FEES		
20	Education License Plate Fees Fund (IC 9-18-31)		
21	Total Operating Expense	141,200	141,200
22	CENTER FOR SCHOOL ASSESSMENT		
23	Personal Services	311,004	311,004
24	Other Operating Expense	706,025	706,025
25	ACCREDITATION SYSTEM		
26	Personal Services	471,732	471,732
27	Other Operating Expense	489,547	489,547
28	SPECIAL EDUCATION (S-5)		
29	Total Operating Expense	24,750,000	24,750,000

30
31 **The foregoing appropriations for special education are made under IC 20-35-6-2.**
32

33	CENTER FOR COMMUNITY RELATIONS AND SPECIAL POPULATIONS		
34	Personal Services	234,580	234,580
35	Other Operating Expense	78,988	78,988
36	SPECIAL EDUCATION EXCISE		
37	Alcoholic Beverage Excise Tax Funds (IC 20-35-4-4)		
38	Personal Services	344,351	344,351
39	Augmentation allowed.		
40	CAREER AND TECHNICAL EDUCATION		
41	Personal Services	1,319,338	1,319,338
42	Other Operating Expense	40,532	40,532
43	ADVANCED PLACEMENT PROGRAM		
44	Other Operating Expense	953,284	953,284

45
46 **The above appropriations for the Advanced Placement Program are to provide funding**
47 **for students of accredited public and nonpublic schools.**
48

49 **PSAT PROGRAM**

1	Other Operating Expense	717,449	717,449
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2

3 **The above appropriations for the PSAT program are to provide funding for students**
 4 **of accredited public and nonpublic schools.**

5

6 **CENTER FOR SCHOOL IMPROVEMENT AND PERFORMANCE**

7	Personal Services	1,701,447	1,701,447
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8	Other Operating Expense	978,089	978,089
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9 **PRINCIPAL LEADERSHIP ACADEMY**

10	Personal Services	320,632	320,632
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11	Other Operating Expense	142,204	142,204
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12 **EDUCATION SERVICE CENTERS**

13	Total Operating Expense	2,321,287	2,321,287
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14

15 **No appropriation made for an education service center shall be distributed to the**
 16 **administering school corporation of the center unless each participating school corporation**
 17 **of the center contracts to pay to the center at least three dollars (\$3) per student**
 18 **for fiscal year 2009-2010 based on the school corporation's ADM count as reported**
 19 **for school aid distribution in the fall of 2008. Before notification of education**
 20 **service centers of the formula and components of the formula for distributing funds**
 21 **for education service centers, review and approval of the formula and components**
 22 **must be made by the budget agency.**

23

24 **TRANSFER TUITION (STATE EMPLOYEES' CHILDREN AND ELIGIBLE**
 25 **CHILDREN IN MENTAL HEALTH FACILITIES)**

26	Total Operating Expense	50,000	50,000
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27

28 **The foregoing appropriations for transfer tuition (state employees' children and**
 29 **eligible children in mental health facilities) are made under IC 20-26-11-8 and**
 30 **IC 20-26-11-10.**

31

32 **TEACHERS' SOCIAL SECURITY AND RETIREMENT DISTRIBUTION**

33	Total Operating Expense	2,403,792	2,403,792
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34

35 **The foregoing appropriation shall be distributed by the department of education**
 36 **on a monthly basis and in approximately equal payments to special education cooperatives,**
 37 **area career and technical education schools, and other governmental entities that**
 38 **received state teachers' Social Security distributions for certified education personnel**
 39 **(excluding the certified education personnel funded through federal grants) during**
 40 **the fiscal year beginning July 1, 1992, and ending June 30, 1993, and for the units**
 41 **under the Indiana state teacher's retirement fund, the amount they received during**
 42 **the 2002-2003 state fiscal year for teachers' retirement. If the total amount to**
 43 **be distributed is greater than the total appropriation, the department of education**
 44 **shall reduce each entity's distribution proportionately.**

45

46 **DISTRIBUTION FOR TUITION SUPPORT**

47 **General Fund**

48	Total Operating Expense	6,430,750,000	6,440,850,000
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49

1 **The foregoing appropriations for distribution for tuition support are to be distributed**
2 **for tuition support, special education programs, career and technical education programs,**
3 **honors grants, and the primetime program in accordance with a statute enacted**
4 **for this purpose during the 2009 session of the general assembly.**

5
6 **If the above appropriations for distribution for tuition support are more than are**
7 **required under this SECTION, any excess shall revert to the general fund.**

8
9 **The above appropriations for tuition support shall be made each calendar year under**
10 **a schedule set by the budget agency and approved by the governor. However, the schedule**
11 **shall provide for at least twelve (12) payments, that one (1) payment shall be made**
12 **at least every forty (40) days, and the aggregate of the payments in each calendar**
13 **year shall equal the amount required under the statute enacted for the purpose referred**
14 **to above.**

15
16 **The above appropriation for tuition support shall be distributed to guarantee a minimum**
17 **of \$2,750 per child enrolled in special education preschool programs from state sources**
18 **for this purpose. It is the intent of the 2009 general assembly that the above appropriation**
19 **for Special Education Preschool is the total allowable expenditure for the program.**
20 **Therefore, if the expected disbursements are anticipated to exceed the total appropriation**
21 **for that state fiscal year, then the department of education shall reduce the distributions**
22 **proportionately.**

23
24 **Virtual charter school" means any entity that provides for the delivery of more than**
25 **fifty percent (50%) of instruction to students through virtual distance learning,**
26 **online technologies, or computer based instruction. A virtual charter school is not**
27 **entitled to any funding from the state of Indiana during the biennium and is not**
28 **entitled to a distribution of property taxes. This paragraph expires June 30, 2010.**

29
30 **DISTRIBUTION FOR FISCAL STABILIZATION FUND GRANTS (IC 20-43-12)**

31 **ARRA State Fiscal Stabilization Fund (Section 14002(a))**

32 Total Operating Expense	122,720,000	367,780,000
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33
34 **The above appropriations for fiscal stabilization fund grants are intended to be one-time**
35 **grants to school corporations in addition to distributions for tuition support as**
36 **provided in IC 20-43-2-4(b). The calendar year 2011 amount is to be distributed in**
37 **the first six months of calendar year 2011.**

38
39 **LEVY REPLACEMENT GRANTS**

40 **From the ARRA State Fiscal Stabilization Fund (Section 14002(a))**

41 Restore Reductions from Circuit Breaker	195,320,000
42 Augmentation Allowed	

43
44 **The foregoing appropriations are to restore the level of funding for levy replacement**
45 **grants for the school fiscal year beginning January 1, 2009, and ending December**
46 **31, 2009, and the school fiscal year beginning January 1, 2010, and ending December**
47 **31, 2010. The foregoing appropriation does not expire. The budget agency may adjust**
48 **the one and five-tenths percent (1.5%) threshold and the calculation in IC 20-20-36.2-5,**
49 **as added in HEA 1198-2009, and as amended by this act, based on the actual amount**

1 **of funds available under the federal American Recovery and Reinvestment Act of 2009**
2 **for appropriation under this SECTION for levy replacement grants. The calendar year**
3 **2011 amount is to be distributed in the first six months of calendar year 2011. Levy**
4 **replacement grants are intended to be one-time distributions for the FY 2009-2011**
5 **biennium.**

6
7 **NEW FACILITY ADJUSTMENT DISTRIBUTIONS (IC 20-43-11.5)**
8 **Other Operating Expense 10,000,000 10,000,000**

9
10 **DISTRIBUTION FOR SUMMER SCHOOL**
11 **Other Operating Expense 18,360,000 18,360,000**

12
13 **It is the intent of the 2009 general assembly that the above appropriations for summer**
14 **school shall be the total allowable state expenditure for such program. Therefore,**
15 **if the expected disbursements are anticipated to exceed the total appropriation for**
16 **that state fiscal year, then the department of education shall reduce the distributions**
17 **proportionately.**

18
19 **EARLY INTERVENTION PROGRAM AND READING DIAGNOSTIC ASSESSMENT**
20 **Total Operating Expense 4,720,000 4,720,000**

21
22 **The above appropriation for the early intervention program may be used for grants**
23 **to local school corporations for grant proposals for early intervention programs.**

24
25 **The foregoing appropriation may be used by the department for the reading diagnostic**
26 **assessment and subsequent remedial programs or activities. The reading diagnostic**
27 **assessment program, as approved by the board, is to be made available on a voluntary**
28 **basis to all Indiana public and nonpublic school first and second grade students**
29 **upon the approval of the governing body of school corporations. The board shall determine**
30 **how the funds will be distributed for the assessment and related remediation. The**
31 **department or its representative shall provide progress reports on the assessment**
32 **as requested by the board and the education roundtable.**

33
34 **ADULT EDUCATION DISTRIBUTION**
35 **Total Operating Expense 15,000,000 15,000,000**

36
37 **It is the intent of the 2009 general assembly that the above appropriations for adult**
38 **education are the total allowable state expenditure for such program. Therefore,**
39 **if the expected disbursements are anticipated to exceed the total appropriation for**
40 **a state fiscal year, the department of education shall reduce the distributions proportionately.**

41
42 **NATIONAL SCHOOL LUNCH PROGRAM**
43 **Total Operating Expense 5,400,000 5,400,000**

44 **MARION COUNTY DESEGREGATION COURT ORDER**
45 **Total Operating Expense 18,200,000 18,200,000**

46
47 **The foregoing appropriations for court ordered desegregation costs are made pursuant**
48 **to order No. IP 68-C-225-S of the United States District Court for the Southern District**
49 **of Indiana. If the sums herein appropriated are insufficient to enable the state**

1 to meet its obligations, then there are hereby appropriated from the state general
2 fund such further sums as may be necessary for such purpose.

3

4 **TEXTBOOK REIMBURSEMENT**

5 Total Operating Expense	45,000,000	45,000,000
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6

7 Before a school corporation or an accredited nonpublic school may receive a distribution
8 under the textbook reimbursement program, the school corporation or accredited nonpublic
9 school shall provide to the department the requirements established in IC 20-33-5-2.

10 The department shall provide to the family and social services administration (FSSA)
11 all data required for FSSA to meet the data collection reporting requirement in 45
12 CFR 265. Family and social services administration, division of family resources,
13 shall apply all qualifying expenditures for the textbook reimbursement program toward
14 Indiana's maintenance of effort under the federal Temporary Assistance to Needy Families
15 (TANF) program (45 CFR 260 et seq.).

16

17 The foregoing appropriations for textbook reimbursement include the appropriation of the
18 common school fund interest balance. The remainder of the above appropriations are
19 provided from the state general fund.

20

21 **FULL-DAY KINDERGARTEN**

22 Total Operating Expense	59,500,000	59,500,000
-----------------------------------	------------	------------

23

24 The above appropriations for full day kindergarten are available to school corporations
25 and charter schools that apply to the department of education for funding of full
26 day kindergarten. The amount available to a school corporation or charter school
27 that participates in the program during the 2008-09 school year equals the amount
28 appropriated divided by the total number of eligible pupils (as defined in IC 20-43-1-11)
29 enrolled in full day kindergarten in all participating school corporations and charter
30 schools in the current year, and then multiplied by the total number of eligible
31 pupils (as defined in IC 20-43-1-11) enrolled in full day kindergarten in the school
32 corporation or charter school in the current year, as determined on the initial count.

33 The amount available to a school corporation or charter school that did not participate
34 in the program during the 2008-09 school year equals the difference in the amount
35 appropriated and the total amount distributed to schools that participated in the
36 program during the 2008-09 school year divided by the total number of eligible pupils
37 (as defined in IC 20-43-1-11) enrolled in full day kindergarten in all participating
38 school corporations and charter schools in the current year, and then multiplied
39 by the total number of eligible pupils (as defined in IC 20-43-1-11) enrolled in
40 full day kindergarten in the school corporation or charter school in the current
41 year, as determined on the initial count. However, a school corporation or charter
42 school may not receive more than \$1,132 dollars per student for full day kindergarten.
43 A school corporation or charter school that is awarded a grant must provide to the
44 department of education a financial report stating how the funds were spent. Any
45 unspent funds at the end of the biennium must be returned to the state by the school
46 corporation or charter school.

47

48 To provide full day kindergarten programs, a school corporation or charter school
49 that determines there is inadequate space to offer a program in the school corporation's

1 or charter school's existing facilities may offer the program in any suitable space
 2 located within the geographic boundaries of the school corporation or, in the case
 3 of a charter school, a location that is in the general vicinity of the charter school's
 4 existing facilities. A full day kindergarten program offered by a school corporation
 5 or charter school must meet the academic standards and other requirements of IC 20.

6
 7 A school corporation or charter school that receives a grant must meet the academic standards
 8 and other requirements of IC 20.

9
 10 In awarding grants from the above appropriations, the department of education may
 11 not refuse to make a grant to a school corporation or reduce the award that would
 12 otherwise be made to the school corporation because the school corporation used federal
 13 grants or loans, including Title I grants, to fund part or all of the school corporation's
 14 full day kindergarten program in a school year before the school year in which the
 15 grant will be given or because the school corporation intends to use federal grants
 16 or loans, including Title I grants, to fund part of the school corporation's full
 17 day kindergarten program in a school year in which the grant will be given.

18
 19 The state board and department shall provide support to school corporations and charter
 20 schools in the development and implementation of child centered and learning focused
 21 programs using the following methods:

- 22 (1) Targeting professional development funds to provide teachers in kindergarten
- 23 through grade 3 education in:
 - 24 (A) scientifically proven methods of teaching reading;
 - 25 (B) the use of data to guide instruction; and
 - 26 (C) the use of age appropriate literacy and mathematics assessments.
- 27 (2) Making uniform, predictively valid, observational assessments that:
 - 28 (A) provide frequent information concerning the student's progress to the student's
 - 29 teacher; and
 - 30 (B) measure the student's progress in literacy;
- 31 available to teachers in kindergarten through grade 3. Teachers shall monitor students
- 32 participating in a program, and the school corporation or charter school shall report
- 33 the results of the assessments to the parents of a child completing an assessment
- 34 and to the department.
- 35 (3) Undertaking a longitudinal study of students in programs in Indiana to determine
- 36 the achievement levels of the students in kindergarten and later grades.

37
 38 **REMEDIATION**

39 Total Operating Expense	41,000,000	41,000,000
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40
 41 Prior to notification of local school corporations of the formula and components
 42 of the formula for distributing funds for remediation, review and approval of the
 43 formula and components shall be made by the budget agency.

44
 45 The above appropriation for remediation shall be used by school corporations
 46 to provide remediation programs for students who attend public and nonpublic schools.
 47 For purposes of tuition support, these students are not to be counted in the average
 48 daily membership.
 49

1 **One million dollars (\$1,000,000) shall be used for the biennium from the above**
2 **appropriations for remediation for ACT/SAT test preparation.**

3

4 **GRADUATION EXAM REMEDIATION**

5 Other Operating Expense	4,958,910	4,958,910
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6

7 **Prior to notification of local school corporations of the formula and components**
8 **of the formula for distributing funds for graduation exam remediation, review and**
9 **approval of the formula and components shall be made by the budget agency.**

10

11 **NON-ENGLISH SPEAKING PROGRAM**

12 Other Operating Expense	8,000,000	8,000,000
-----------------------------------	-----------	-----------

13

14 **The above appropriation for the Non-English Speaking Program is for pupils who**
15 **have a primary language other than English and limited English proficiency, as determined**
16 **by using a standard proficiency examination that has been approved by the department**
17 **of education.**

18

19 **The grant amount is two hundred dollars (\$200) per pupil. It is the intent of the**
20 **2009 general assembly that the above appropriation for the Non-English Speaking**
21 **Program is the total allowable state expenditure for the program. If the expected**
22 **distributions are anticipated to exceed the total appropriations for the state fiscal**
23 **year, the department of education shall reduce each school corporation's distribution**
24 **proportionately.**

25

26 **GIFTED AND TALENTED EDUCATION PROGRAM**

27 Personal Services	211,348	211,348
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28 Other Operating Expense	12,788,801	12,788,801
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29

30 **DISTRIBUTION FOR ADULT VOCATIONAL EDUCATION**

31 Total Operating Expense	250,000	250,000
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32

33 **The distribution for adult career and technical education programs shall be made**
34 **in accordance with the state plan for vocational education.**

35

36 **PRIMETIME**

37 Personal Services	172,566	172,566
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38 Other Operating Expense	34,467	34,467
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39

40 **DRUG FREE SCHOOLS**

41 Personal Services	52,361	52,361
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42 Other Operating Expense	20,093	20,093
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43

44 **PROFESSIONAL DEVELOPMENT DISTRIBUTION**

45 Other Operating Expense	13,812,500	13,812,500
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46

47 **The foregoing appropriation for professional development distributions includes schools**
48 **defined under IC 20-31-2-8.**

49

49 **ALTERNATIVE SCHOOLS**

49 Total Operating Expense	6,380,319	6,380,319
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**EDUCATIONAL TECHNOLOGY PROGRAM AND FUND
(INCLUDING 4R'S TECHNOLOGY GRANT PROGRAM)**

Total Operating Expense	2,109,036	2,109,036
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Of the foregoing appropriations for Educational Technology Program and Fund, \$825,000 shall be allocated to the buddy system in the state fiscal year. The remaining amounts shall be allocated for technology programs and resources for kindergarten through twelfth grade.

TECHNOLOGY PLAN GRANT PROGRAM (IC 20-20-13)

Total Operating Expense	2,500,000	2,500,000
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Notwithstanding IC 20-20-13-17, the department of education may adjust the grant amount to reflect available funding.

PROFESSIONAL STANDARDS DIVISION

General Fund

Personal Services	1,054,199	1,054,199
Other Operating Expense	1,762,303	1,762,303

Professional Standards Board Licensing Fund

Total Operating Expense	1,500,000	1,500,000
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Augmentation allowed.

The above appropriations for the Professional Standards Division do not include funds to pay stipends for mentor teachers.

SCHOOL BUSINESS OFFICIALS ACADEMY

Total Operating Expense	150,000	150,000
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The department shall make the foregoing appropriation for School Business Officials Academy available to the Indiana Association of School Business Officials to assist in the creation of an academy designed to strengthen the management and leadership skills of practicing Indiana school business officials.

LEVY REPLACEMENT GRANT (IC 20-20-36.2)

Other Operating Expense	81,000,000	81,000,000
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C. INTERNET BACKBONE

FOR THE INDIANA HIGHER EDUCATION TELECOMMUNICATIONS SYSTEM (IHETS)

Total Operating Expense	5,000,000	5,000,000
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The sums herein appropriated to the Indiana Higher Education Telecommunications System (IHETS) are in addition to all income of IHETS from all permanent fees and endowments and from all land grants, fees, earnings, and receipts, including gifts, grants, bequests, and devises, and receipts from any miscellaneous sales from whatever source derived.

1 **All such income and all such fees, earnings, and receipts on hand June 30, 2009,**
2 **and all such income and fees, earnings, and receipts accruing thereafter are hereby**
3 **appropriated to the directors of IHETS and may be expended for any necessary expenses**
4 **of IHETS. However, such income, fees, earnings, and receipts may be used for land**
5 **and structures only if approved by the governor and the budget agency.**

6
7 **The foregoing appropriations to IHETS include the employers' share of Social Security**
8 **payments for IHETS employees under the public employees' retirement fund, or the**
9 **Indiana state teachers' retirement fund. The funds appropriated also include funding**
10 **for the employers' share of payments to the public employees' retirement fund and**
11 **to the Indiana state teachers' retirement fund at a rate to be established by the**
12 **retirement funds for both fiscal years for IHETS employees covered by these retirement**
13 **plans.**

14
15 **The directors of IHETS are hereby authorized to accept federal grants, subject to**
16 **IC 4-12-1.**

17
18 **PUBLIC TELEVISION DISTRIBUTION**

19 Total Operating Expense	3,220,000	3,220,000
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20
21 **These appropriations are for grants for public television. The Indiana Public Broadcasting**
22 **Stations, Inc. shall submit a distribution plan for the eight Indiana public education**
23 **television stations that shall be approved by the budget agency after review by the**
24 **budget committee. The above appropriation includes the costs of transmission for**
25 **the "GED-on-TV" program. Of the above appropriations, \$250,000 each year shall be**
26 **distributed equally among the eight radio stations.**

27
28 **FOR THE INDIANA STATE TEACHERS' RETIREMENT FUND**
29 **POSTRETIREMENT PENSION INCREASES**

30 Other Operating Expense	58,190,084	60,517,687
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31
32 **The appropriations for postretirement pension increases are made for those benefits**
33 **and adjustments provided in IC 5-10.4 and IC 5-10.2-5.**

34
35 **TEACHERS' RETIREMENT FUND DISTRIBUTION**

36 Other Operating Expense	629,116,164	654,280,810
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37 **Augmentation allowed.**

38
39 **If the amount actually required under the pre-1996 account of the teachers' retirement**
40 **fund for actual benefits for the Post Retirement Pension Increases that are funded**
41 **on a "pay as you go" basis plus the base benefits under the pre-1996 account of the**
42 **teachers' retirement fund is:**

- 43 **(1) greater than the above appropriations for a year, after notice to the**
44 **governor and the budget agency of the deficiency, the above appropriation for**
45 **the year shall be augmented from the general fund. Any augmentation shall**
46 **be included in the required pension stabilization calculation under IC 5-10.4; or**
47 **(2) less than the above appropriations for a year, the excess shall be retained**
48 **in the general fund. The portion of the benefit funded by the annuity account**
49 **and the actuarially funded Post Retirement Pension Increases shall not be part**

1 of this calculation.

2
3 **D. OTHER EDUCATION**

4
5 **FOR THE EDUCATION EMPLOYMENT RELATIONS BOARD**

6 Personal Services	587,688	587,688
7 Other Operating Expense	52,720	52,720

8
9 **FOR THE STATE LIBRARY**

10 Personal Services	2,589,615	2,589,615
11 Other Operating Expense	850,689	850,689

12 **STATEWIDE LIBRARY SERVICES**

13 Total Operating Expense	1,593,503	1,593,503
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14
15 The foregoing appropriations for statewide library services will be used to provide services
16 to libraries across the state. These services may include, but will not be limited to, programs
17 including Wheels, I*Ask, and professional development. The state library shall identify
18 statewide library services that are to be provided by a vendor. Those services identified
19 by the library shall be procured through a competitive process using one or more requests
20 for proposals covering the service.

21
22 **LIBRARY SERVICES FOR THE BLIND - ELECTRONIC NEWSLINES**

23 Other Operating Expense	36,400	36,400
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24 **ACADEMY OF SCIENCE**

25 Total Operating Expense	8,811	8,811
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26
27 **FOR THE ARTS COMMISSION**

28 Personal Services	373,720	373,720
29 Other Operating Expense	3,309,003	3,309,003

30
31 The foregoing appropriation to the arts commission includes \$625,000 each year to
32 provide grants under IC 4-23-2.5 to:

33 (1) the arts organizations that have most recently qualified for general operating
34 support as major arts organizations as determined by the arts commission;

35 and

36 (2) the significant regional organizations that have most recently qualified for
37 general operating support as mid-major arts organizations, as determined by the
38 arts commission and its regional re-granting partners.

39
40 **FOR THE HISTORICAL BUREAU**

41 Personal Services	361,055	361,055
42 Other Operating Expense	10,479	10,479

43 **HISTORICAL MARKER PROGRAM**

44 Total Operating Expense		25,444
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45
46 **FOR THE COMMISSION ON PROPRIETARY EDUCATION**

47 Personal Services	299,783	299,783
48 Other Operating Expense	22,040	22,040

49

1 SECTION 10. [EFFECTIVE JULY 1, 2009]

2
3 DISTRIBUTIONS

4
5 FOR THE AUDITOR OF STATE

6 HEA 1001 (2008) HOMESTEAD CREDITS

7 Total Operating Expense	110,000,000	40,000,000
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8
9 The above appropriations are for additional homestead credits for property taxes
10 paid in 2009 and 2010.

11
12 GAMING TAX

13 Total Operating Expense	139,753,902	139,753,902
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14
15 SECTION 11. [EFFECTIVE JULY 1, 2009]

16
17 The following allocations of federal funds are available for vocational and technical
18 education under the Carl D. Perkins Vocational and Technical Education Act of 1998
19 (20 U.S.C. 2301 et seq. for Vocational and Technical Education) (20 U.S.C. 2371
20 for Tech Prep Education). These funds shall be received by the department of workforce
21 development, commission on vocational and technical education, and shall be allocated
22 by the budget agency after consultation with the commission on vocational and technical
23 education, the department of education, the commission for higher education, and
24 the department of correction. Funds shall be allocated to these agencies in accordance
25 with the allocations specified below:

26
27 STATE PROGRAMS AND LEADERSHIP

28 2,557,290	2,557,290
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29 SECONDARY VOCATIONAL PROGRAMS

30 14,318,661	14,318,661
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31 POSTSECONDARY VOCATIONAL PROGRAMS

32 8,202,039	8,202,039
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33 TECHNOLOGY - PREPARATION EDUCATION

34 2,463,650	2,463,650
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35
36 SECTION 12. [EFFECTIVE JULY 1, 2009]

37
38 In accordance with IC 22-4.1-13, the budget agency, with the advice of the commission
39 on vocational and technical education and the budget committee, may augment or reduce
40 an allocation of federal funds made under SECTION 11 of this act.

41
42 SECTION 13. [EFFECTIVE JULY 1, 2009]

43
44 Utility bills for the month of June, travel claims covering the period June 16 to
45 June 30, payroll for the period of the last half of June, any interdepartmental bills
46 for supplies or services for the month of June, and any other miscellaneous expenses
47 incurred during the period June 16 to June 30 shall be charged to the appropriation
48 for the succeeding year. No interdepartmental bill shall be recorded as a refund
49 of expenditure to any current year allotment account for supplies or services rendered

1 or delivered at any time during the preceding June period.

2
3 **SECTION 14. [EFFECTIVE JULY 1, 2009]**

4
5 **The budget agency, under IC 4-10-11, IC 4-12-1-13, and IC 4-13-1, in cooperation**
6 **with the Indiana department of administration, may fix the amount of reimbursement**
7 **for traveling expenses (other than transportation) for travel within the limits of**
8 **Indiana. This amount may not exceed actual lodging and miscellaneous expenses incurred.**
9 **A person in travel status, as defined by the state travel policies and procedures**
10 **established by the Indiana department of administration and the budget agency, is**
11 **entitled to a meal allowance not to exceed during any twenty-four (24) hour period**
12 **the standard meal allowances established by the federal Internal Revenue Service.**

13
14 **All appropriations provided by this act or any other statute, for traveling and hotel**
15 **expenses for any department, officer, agent, employee, person, trustee, or commissioner,**
16 **are to be used only for travel within the state of Indiana, unless those expenses**
17 **are incurred in traveling outside the state of Indiana on trips that previously have**
18 **received approval as required by the state travel policies and procedures established**
19 **by the Indiana department of administration and the budget agency. With the required**
20 **approval, a reimbursement for out-of-state travel expenses may be granted in an amount**
21 **not to exceed actual lodging and miscellaneous expenses incurred. A person in travel**
22 **status is entitled to a meal allowance not to exceed during any twenty-four (24)**
23 **hour period the standard meal allowances established by the federal Internal Revenue**
24 **Service for properly approved travel within the continental United States and a minimum**
25 **of \$50 during any twenty-four (24) hour period for properly approved travel outside**
26 **the continental United States. However, while traveling in Japan, the minimum meal**
27 **allowance shall not be less than \$90 for any twenty-four (24) hour period. While**
28 **traveling in Korea and Taiwan, the minimum meal allowance shall not be less than**
29 **\$85 for any twenty-four (24) hour period. While traveling in Singapore, China, Great**
30 **Britain, Germany, the Netherlands, and France, the minimum meal allowance shall not**
31 **be less than \$65 for any twenty-four (24) hour period.**

32
33 **In the case of the state supported institutions of postsecondary education, approval**
34 **for out-of-state travel may be given by the chief executive officer of the institution,**
35 **or the chief executive officer's authorized designee, for the chief executive officer's**
36 **respective personnel.**

37
38 **Before reimbursing overnight travel expenses, the auditor of state shall require**
39 **documentation as prescribed in the state travel policies and procedures established**
40 **by the Indiana department of administration and the budget agency. No appropriation**
41 **from any fund may be construed as authorizing the payment of any sum in excess of**
42 **the standard mileage rates for personally owned transportation equipment established**
43 **by the federal Internal Revenue Service when used in the discharge of state business.**
44 **The Indiana department of administration and the budget agency may adopt policies**
45 **and procedures relative to the reimbursement of travel and moving expenses of new**
46 **state employees and the reimbursement of travel expenses of prospective employees**
47 **who are invited to interview with the state.**

48
49 **SECTION 15. [EFFECTIVE JULY 1, 2009]**

1
2 **Notwithstanding IC 4-10-11-2.1, the salary per diem of members of boards, commissions,**
3 **and councils who are entitled to a salary per diem is \$50 per day. However, members**
4 **of boards, commissions, or councils who receive an annual or a monthly salary paid**
5 **by the state are not entitled to the salary per diem provided in IC 4-10-11-2.1.**

6
7 **SECTION 16. [EFFECTIVE JULY 1, 2009]**
8

9 **No payment for personal services shall be made by the auditor of state unless the**
10 **payment has been approved by the budget agency or the designee of the budget agency.**

11
12 **SECTION 17. [EFFECTIVE JULY 1, 2009]**
13

14 **No warrant for operating expenses, capital outlay, or fixed charges shall be issued**
15 **to any department or an institution unless the receipts of the department or institution**
16 **have been deposited into the state treasury for the month. However, if a department**
17 **or an institution has more than \$10,000 in daily receipts, the receipts shall be**
18 **deposited into the state treasury daily.**

19
20 **SECTION 18. [EFFECTIVE JULY 1, 2009]**
21

22 **In case of loss by fire or any other cause involving any state institution or department,**
23 **the proceeds derived from the settlement of any claim for the loss shall be deposited**
24 **in the state treasury, and the amount deposited is hereby reappropriated to the institution**
25 **or department for the purpose of replacing the loss. If it is determined that the**
26 **loss shall not be replaced, any funds received from the settlement of a claim shall**
27 **be deposited into the state general fund.**

28
29 **SECTION 19. [EFFECTIVE JULY 1, 2009]**
30

31 **If an agency has computer equipment in excess of the needs of that agency, then the**
32 **excess computer equipment may be sold under the provisions of surplus property sales,**
33 **and the proceeds of the sale or sales shall be deposited in the state treasury. The**
34 **amount so deposited is hereby reappropriated to that agency for other operating expenses**
35 **of the then current year, if approved by the director of the budget agency.**

36
37 **SECTION 20. [EFFECTIVE JULY 1, 2009]**
38

39 **If any state penal or benevolent institution other than the Indiana state prison,**
40 **Pendleton correctional facility, or Putnamville correctional facility shall, in the**
41 **operation of its farms, produce products or commodities in excess of the needs of**
42 **the institution, the surplus may be sold through the division of industries and farms,**
43 **the director of the supply division of the Indiana department of administration,**
44 **or both. The proceeds of any such sale or sales shall be deposited in the state treasury.**
45 **The amount deposited is hereby reappropriated to the institution for expenses of**
46 **the then current year if approved by the director of the budget agency. The exchange**
47 **between state penal and benevolent institutions of livestock for breeding purposes**
48 **only is hereby authorized at valuations agreed upon between the superintendents or**
49 **wardens of the institutions. Capital outlay expenditures may be made from the institutional**

1 industries and farms revolving fund if approved by the budget agency and the governor.

2
3 SECTION 21. [EFFECTIVE JULY 1, 2009]

4
5 This act does not authorize any rehabilitation and repairs to any state buildings,
6 nor does it allow that any obligations be incurred for lands and structures, without
7 the prior approval of the budget director or the director's designee. This SECTION
8 does not apply to contracts for the state universities supported in whole or in part
9 by state funds.

10
11 SECTION 22. [EFFECTIVE JULY 1, 2009]

12
13 If an agency has an annual appropriation fixed by law, and if the agency also receives
14 an appropriation in this act for the same function or program, the appropriation
15 in this act supersedes any other appropriations and is the total appropriation for
16 the agency for that program or function.

17
18 SECTION 23. [EFFECTIVE JULY 1, 2009]

19
20 The balance of any appropriation or funds heretofore placed or remaining to the credit
21 of any division of the state of Indiana, and any appropriation or funds provided
22 in this act placed to the credit of any division of the state of Indiana, the powers,
23 duties, and functions whereof are assigned and transferred to any department for
24 salaries, maintenance, operation, construction, or other expenses in the exercise
25 of such powers, duties, and functions, shall be transferred to the credit of the
26 department to which such assignment and transfer is made, and the same shall be available
27 for the objects and purposes for which appropriated originally.

28
29 SECTION 24. [EFFECTIVE JULY 1, 2009]

30
31 The director of the division of procurement of the Indiana department of administration,
32 or any other person or agency authorized to make purchases of equipment, shall not
33 honor any requisition for the purchase of an automobile that is to be paid for from
34 any appropriation made by this act or any other act, unless the following facts are
35 shown to the satisfaction of the commissioner of the Indiana department of administration
36 or the commissioner's designee:

37 (1) In the case of an elected state officer, it shall be shown that the duties of
38 the office require driving about the state of Indiana in the performance of official
39 duty.

40 (2) In the case of department or commission heads, it shall be shown that the statutory
41 duties imposed in the discharge of the office require traveling a greater distance
42 than one thousand (1,000) miles each month or that they are subject to official duty
43 call at all times.

44 (3) In the case of employees, it shall be shown that the major portion of the duties
45 assigned to the employee require travel on state business in excess of one thousand
46 (1,000) miles each month, or that the vehicle is identified by the agency as an integral
47 part of the job assignment.

48
49 In computing the number of miles required to be driven by a department head or an

1 employee, the distance between the individual's home and office or designated official
2 station is not to be considered as a part of the total. Department heads shall annually
3 submit justification for the continued assignment of each vehicle in their department,
4 which shall be reviewed by the commissioner of the Indiana department of administration,
5 or the commissioner's designee. There shall be an insignia permanently affixed on
6 each side of all state owned cars, designating the cars as being state owned. However,
7 this requirement does not apply to state owned cars driven by elected state officials
8 or to cases where the commissioner of the Indiana department of administration or
9 the commissioner's designee determines that affixing insignia on state owned cars
10 would hinder or handicap the persons driving the cars in the performance of their
11 official duties.

12
13 **SECTION 25. [EFFECTIVE JULY 1, 2009]**

14
15 When budget agency approval or review is required under this act, the budget agency
16 may refer to the budget committee any budgetary or fiscal matter for an advisory
17 recommendation. The budget committee may hold hearings and take any actions authorized
18 by IC 4-12-1-11, and may make an advisory recommendation to the budget agency.

19
20 **SECTION 26. [EFFECTIVE JULY 1, 2009]**

21
22 The governor of the state of Indiana is solely authorized to accept on behalf of
23 the state any and all federal funds available to the state of Indiana. Federal funds
24 received under this SECTION are appropriated for purposes specified by the federal
25 government, subject to allotment by the budget agency. The provisions of this SECTION
26 and all other SECTIONS concerning the acceptance, disbursement, review, and approval
27 of any grant, loan, or gift made by the federal government or any other source to
28 the state or its agencies and political subdivisions shall apply, notwithstanding
29 any other law.

30
31 **SECTION 27. [EFFECTIVE JULY 1, 2009]**

32
33 Federal funds received as revenue by a state agency or department are not available
34 to the agency or department for expenditure until allotment has been made by the
35 budget agency under IC 4-12-1-12(d).

36
37 **SECTION 28. [EFFECTIVE JULY 1, 2009]**

38
39 A contract or an agreement for personal services or other services may not be entered
40 into by any agency or department of state government without the approval of the
41 budget agency or the designee of the budget director.

42
43 **SECTION 29. [EFFECTIVE JULY 1, 2009]**

44
45 Except in those cases where a specific appropriation has been made to cover the payments
46 for any of the following, the auditor of state shall transfer, from the personal
47 services appropriations for each of the various agencies and departments, necessary
48 payments for Social Security, public employees' retirement, health insurance, life
49 insurance, and any other similar payments directed by the budget agency.

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SECTION 30. [EFFECTIVE JULY 1, 2009]

Subject to SECTION 25 of this act as it relates to the budget committee, the budget agency with the approval of the governor may withhold allotments of any or all appropriations contained in this act for the 2009-2011 biennium, if it is considered necessary to do so in order to prevent a deficit financial situation.

SECTION 31. [EFFECTIVE JULY 1, 2009]

CONSTRUCTION

For the 2009-2011 biennium, the following amounts, from the funds listed as follows, are hereby appropriated to provide for the construction, reconstruction, rehabilitation, repair, purchase, rental, and sale of state properties, capital lease rentals, and the purchase and sale of land, including equipment for such properties and other projects as specified.

State General Fund - Lease Rentals	328,620,484
State General Fund - Construction	104,834,276
State Police Building Commission Fund (IC 9-29-1-4)	3,200,000
Law Enforcement Academy Building Fund (IC 5-2-1-13(a))	330,727
Cigarette Tax Fund (IC 6-7-1-29.1)	3,600,000
Veterans' Home Building Fund (IC 10-17-9-7)	5,449,777
Postwar Construction Fund (IC 7.1-4-8-1)	34,411,484
Regional Health Care Construction Account (IC 4-12-8.5)	21,489,259
Build Indiana Fund (IC 4-30-17)	14,000,000
State Highway Fund (IC 8-23-9-54)	25,000,000
American Recovery and Reinvestment Act	63,570,098
TOTAL	604,506,105

The allocations provided under this SECTION are made from the state general fund, unless specifically authorized from other designated funds by this act. The budget agency, with the approval of the governor, in approving the allocation of funds pursuant to this SECTION, shall consider, as funds are available, allocations for the following specific uses, purposes, and projects:

1	A. GENERAL GOVERNMENT	
2		
3	FOR THE SENATE	
4	Remodeling	260,000
5		
6	FOR THE STATE BUDGET AGENCY	
7	Health and Safety Contingency Fund	5,000,000
8	Aviation Technology Center	2,471,771
9	Airport Facilities Lease	45,301,441
10	Stadium Lease Rental	82,000,000
11		
12	DEPARTMENT OF ADMINISTRATION - PROJECTS	
13	Preventive Maintenance	7,841,835
14	Repair and Rehabilitation	5,335,000
15	DEPARTMENT OF ADMINISTRATION - LEASES	
16	General Fund	
17	Lease - Government Center North	27,872,783
18	Lease - Government Center South	34,073,925
19	Lease - State Museum	14,579,033
20	Lease - McCarty Street Warehouse	1,509,375
21	Lease - Parking Garages	10,428,265
22	Lease - Toxicology Lab	10,593,099
23	Lease - Wabash Valley Correctional	36,517,566
24	Lease - Miami Correctional	29,364,180
25	Lease - Pendleton Juvenile Correctional	10,217,237
26	Lease - New Castle Correctional	23,691,809
27	Postwar Construction Fund (IC 7.1-4-8-1)	
28	Lease - Rockville Correctional	10,783,470
29	Lease - Miami Correctional	1,500,000
30	Lease - Wabash Valley Correctional	1,500,000
31	Regional Health Care Construction Account (IC 4-12-8.5)	
32	Lease - Evansville State Hospital	5,462,562
33	Lease - Southeast Regional Treatment	10,358,654
34	Lease - Logansport State Hospital	5,668,043
35		
36	B. PUBLIC SAFETY	
37		
38	(1) LAW ENFORCEMENT	
39		
40	INDIANA STATE POLICE	
41	State Police Building Commission Fund (IC 9-29-1-4)	
42	Preventive Maintenance	1,015,000
43	Repair and Rehabilitation	2,185,000
44	LAW ENFORCEMENT TRAINING BOARD	
45	Law Enforcement Academy Building Fund (IC 5-2-1-13(a))	
46	Preventive Maintenance	330,727
47	ADJUTANT GENERAL	
48	Preventive Maintenance	250,000
49	Land Acquisition	4,000,000

1		
2	(2) CORRECTIONS	
3		
4	DEPARTMENT OF CORRECTION - PROJECTS	
5	Preventive Maintenance	76,828
6	CORRECTIONAL UNITS	
7	Preventive Maintenance	1,438,770
8	STATE PRISON	
9	Preventive Maintenance	954,492
10	Postwar Construction Fund (IC 7.1-4-8-1)	
11	Repair and Rehabilitation	2,298,000
12	PENDLETON CORRECTIONAL FACILITY	
13	Preventive Maintenance	1,257,064
14	Postwar Construction Fund (IC 7.1-4-8-1)	
15	Repair and Rehabilitation	3,465,000
16	WOMEN'S PRISON	
17	Preventive Maintenance	538,832
18	Postwar Construction Fund (IC 7.1-4-8-1)	
19	Repair and Rehabilitation	291,000
20	NEW CASTLE CORRECTIONAL FACILITY	
21	Preventive Maintenance	350,388
22	Postwar Construction Fund (IC 7.1-4-8-1)	
23	Repair and Rehabilitation	365,000
24	PUTNAMVILLE CORRECTIONAL FACILITY	
25	Preventive Maintenance	864,822
26	Postwar Construction Fund (IC 7.1-4-8-1)	
27	Construct New Fire Station	250,000
28	Repair and Rehabilitation	1,570,000
29	PLAINFIELD EDUCATION RE-ENTRY FACILITY	
30	Preventive Maintenance	322,804
31	Postwar Construction Fund (IC 7.1-4-8-1)	
32	Repair and Rehabilitation	740,000
33	INDIANAPOLIS JUVENILE CORRECTIONAL FACILITY	
34	Preventive Maintenance	395,510
35	Postwar Construction Fund (IC 7.1-4-8-1)	
36	Repair and Rehabilitation	212,500
37	BRANCHVILLE CORRECTIONAL FACILITY	
38	Preventive Maintenance	272,932
39	WESTVILLE CORRECTIONAL FACILITY	
40	Preventive Maintenance	806,330
41	Postwar Construction Fund (IC 7.1-4-8-1)	
42	Repair and Rehabilitation	2,300,000
43	ROCKVILLE CORRECTIONAL FACILITY	
44	Preventive Maintenance	357,296
45	PLAINFIELD CORRECTIONAL FACILITY	
46	Preventive Maintenance	663,704
47	Postwar Construction Fund (IC 7.1-4-8-1)	
48	Repair and Rehabilitation	1,054,000
49	RECEPTION-DIAGNOSTIC CENTER	

	<i>FY 2009-2010 Appropriation</i>	<i>FY 2010-2011 Appropriation</i>	<i>Biennial Appropriation</i>
1	Preventive Maintenance		214,464
2	Postwar Construction Fund (IC 7.1-4-8-1)		
3	Repair and Rehabilitation		692,000
4	CORRECTIONAL INDUSTRIAL FACILITY		
5	Preventive Maintenance		584,172
6	Postwar Construction Fund (IC 7.1-4-8-1)		
7	Repair and Rehabilitation		1,853,000
8	WABASH VALLEY CORRECTIONAL FACILITY		
9	Preventive Maintenance		608,820
10	Postwar Construction Fund (IC 7.1-4-8-1)		
11	Repair and Rehabilitation		160,000
12	CHAIN O' LAKES CORRECTIONAL FACILITY		
13	Preventive Maintenance		76,828
14	Postwar Construction Fund (IC 7.1-4-8-1)		
15	Construct New Maintenance Building		180,000
16	Construct New Dormitory		320,000
17	MADISON CORRECTIONAL FACILITY		
18	Postwar Construction Fund (IC 7.1-4-8-1)		
19	Repair and Rehabilitation		90,000
20	MIAMI CORRECTIONAL FACILITY		
21	Preventive Maintenance		664,560
22	CAMP SUMMIT CORRECTIONAL FACILITY		
23	Postwar Construction Fund (IC 7.1-4-8-1)		
24	Repair and Rehabilitation		470,000
25	PENDLETON JUVENILE CORRECTIONAL FACILITY		
26	Preventive Maintenance		228,738
27			
28	C. CONSERVATION AND ENVIRONMENT		
29			
30	DEPARTMENT OF NATURAL RESOURCES - GENERAL ADMINISTRATION		
31	Preventive Maintenance		150,000
32	Repair and Rehabilitation		1,000,000
33	FISH AND WILDLIFE		
34	Preventive Maintenance		2,000,000
35	Repair and Rehabilitation		3,650,000
36	FORESTRY		
37	Preventive Maintenance		2,000,000
38	Repair and Rehabilitation		4,000,000
39	MUSEUMS AND HISTORIC SITES		
40	Preventive Maintenance		475,000
41	Historic Sites Exhibits		650,000
42	Repair and Rehabilitation		2,720,000
43	NATURE PRESERVES		
44	Preventive Maintenance		230,000
45	Repair and Rehabilitation		1,268,542
46	OUTDOOR RECREATION		
47	Preventive Maintenance		50,000
48	Outdoor Rec. SCORP		40,000
49	Repair and Rehabilitation		473,645

1	STATE PARKS AND RESERVOIR MANAGEMENT	
2	Preventive Maintenance	2,900,000
3	Repair and Rehabilitation	21,563,689
4	State Parks Bond Payments	917,028
5	Falls of the Ohio Lease	364,000
6	Cigarette Tax Fund (IC 6-7-1-29.1)	
7	Preventive Maintenance	3,600,000
8	DIVISION OF WATER	
9	Preventive Maintenance	125,000
10	Div. of Water Flood Plain Mapping	400,000
11	Repair and Rehabilitation	2,425,000
12	ENFORCEMENT	
13	Preventive Maintenance	250,000
14	STATE MUSEUM	
15	Preventive Maintenance	762,500
16	ENTOMOLOGY	
17	Repair and Rehabilitation	1,000,000
18	WAR MEMORIALS COMMISSION	
19	Preventive Maintenance	1,234,000
20	IWM Fire Suppression/Material abate	300,000
21	Indiana War Memorial ADA Access	250,000
22	Repair and Rehabilitation	692,000
23	LITTLE CALUMET RIVER BASIN COMMISSION	
24	Build Indiana Fund (IC 4-30-17)	
25	Repair and Rehabilitation	14,000,000
26	KANKAKEE RIVER BASIN COMMISSION	
27	ARRA State Fiscal Stabilization Fund (Section 14002(b))	
28	Repair and Rehabilitation	1,500,000
29		
30	D. TRANSPORTATION	
31		
32	DEPARTMENT OF TRANSPORTATION	
33	State Highway Fund (IC 8-23-9-54)	
34	Buildings and Grounds	25,000,000
35		
36	The above appropriations for highway buildings and grounds may be used for land acquisition,	
37	site development, construction and equipping of new highway facilities and for maintenance,	
38	repair, and rehabilitation of existing state highway facilities after review by the	
39	budget committee.	
40		
41	AIRPORT DEVELOPMENT	
42	Airport Development	2,400,000
43		
44	The foregoing allocation for the Indiana department of transportation is for airport	
45	development and shall be used for the purpose of assisting local airport authorities and	
46	local units of governments in matching available federal funds under the airport	
47	improvement program and for matching federal grants for airport planning and for the	
48	other airport studies. Matching grants of aid shall be made in accordance with the	
49	approved annual capital improvements program of the Indiana department of	

1 transportation and with the approval of the governor and the budget agency.

2
3 **E. FAMILY AND SOCIAL SERVICES, HEALTH, AND VETERANS' AFFAIRS**

4
5 **(1) FAMILY AND SOCIAL SERVICES ADMINISTRATION**

6
7 **EVANSVILLE PSYCHIATRIC CHILDREN'S CENTER**

8 Preventive Maintenance 45,000

9 Repair and Rehabilitation 287,660

10 **EVANSVILLE STATE HOSPITAL**

11 Preventive Maintenance 500,000

12 Repair and Rehabilitation 360,000

13 **MADISON STATE HOSPITAL**

14 Preventive Maintenance 971,409

15 Repair and Rehabilitation 956,800

16 **LOGANSPOUT STATE HOSPITAL**

17 Preventive Maintenance 963,144

18 Repair and Rehabilitation 4,486,700

19 **RICHMOND STATE HOSPITAL**

20 Preventive Maintenance 1,210,724

21 Repair and Rehabilitation 2,403,700

22 **LARUE CARTER MEMORIAL HOSPITAL**

23 Preventive Maintenance 3,863,118

24

25 **(2) PUBLIC HEALTH**

26

27 **SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED**

28 Preventive Maintenance 565,714

29 Postwar Construction Fund (IC 7.1-4-8-1)

30 Repair and Rehabilitation 2,288,013

31 **SCHOOL FOR THE DEAF**

32 Preventive Maintenance 565,714

33 Postwar Construction Fund (IC 7.1-4-8-1)

34 Repair and Rehabilitation 2,029,501

35

36 **(3) VETERANS' AFFAIRS**

37

38 **INDIANA VETERANS' HOME**

39 Veterans' Home Building Fund (IC 10-17-9-7)

40 Preventive Maintenance 1,500,000

41 Repair and Rehabilitation 3,949,777

42

43 **F. EDUCATION**

44

45 **HIGHER EDUCATION**

46

47 **INDIANA UNIVERSITY - TOTAL SYSTEM**

48 ARRA State Fiscal Stabilization Fund (Section 14002(a))

49 General Repair and Rehab 25,202,564

1	PURDUE UNIVERSITY - TOTAL SYSTEM	
2	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
3	General Repair and Rehab	19,777,318
4	INDIANA STATE UNIVERSITY	
5	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
6	General Repair and Rehab	4,681,980
7	UNIVERSITY OF SOUTHERN INDIANA	
8	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
9	General Repair and Rehab	1,121,926
10	BALL STATE UNIVERSITY	
11	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
12	General Repair and Rehab	6,726,300
13	VINCENNES UNIVERSITY	
14	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
15	General Repair and Rehab	2,272,968
16	IVY TECH COMMUNITY COLLEGE	
17	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
18	General Repair and Rehab	2,287,042

19

20 **SECTION 32. [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]**

21

22 **A. MEDICAID**

23

24 **The appropriation from the state general fund for the period beginning July 1, 2008,**

25 **and ending June 30, 2009, as set forth in P.L. 234-2007, SECTION 8, Part A, that**

26 **was made to the budget agency for Medicaid current obligations total operating**

27 **expense in the amount of one billion six hundred seventeen million three hundred**

28 **sixty-seven thousand five hundred dollars (\$1,617,367,500) is canceled.**

29

30 **For the period beginning July 1, 2008, and ending June 30, 2009, one billion three**

31 **hundred thirteen million three hundred sixty-seven thousand five hundred dollars**

32 **(\$1,313,367,500) is appropriated to the budget agency from the state general**

33 **fund for Medicaid current obligations total operating expense. Augmentation of this**

34 **appropriation is allowed.**

35

36 **B. HIGHER EDUCATION OPERATING**

37

38 **The following appropriations from the state general fund for higher education**

39 **that are set forth in P.L. 234-2007, SECTIONS 6 and 9, for the state fiscal year**

40 **beginning July 1, 2008, and ending June 30, 2009, or for the biennium, are canceled:**

41

42 **FOR INDIANA UNIVERSITY, BLOOMINGTON CAMPUS**

43 **Total Operating Expense 202,202,196**

44

45 **FOR INDIANA UNIVERSITY, REGIONAL CAMPUSES**

46 **EAST**

47 **Total Operating Expense 8,322,137**

48 **KOKOMO**

49 **Total Operating Expense 10,817,455**

1	NORTHWEST		
2	Total Operating Expense	18,061,296	
3	SOUTH BEND		
4	Total Operating Expense	23,236,007	
5	SOUTHEAST		
6	Total Operating Expense	20,848,802	
7			
8	FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY INDIANAPOLIS		
9	HEALTH DIVISIONS		
10	Total Operating Expense	112,236,327	
11			
12	FOR INDIANA UNIVERSITY SCHOOL OF MEDICINE		
13	THE CAMPUS OF THE UNIVERSITY OF SOUTHERN INDIANA		
14	Total Operating Expense	1,610,361	
15	THE CAMPUS OF INDIANA UNIVERSITY-PURDUE UNIVERSITY FORT WAYNE		
16	Total Operating Expense	1,481,430	
17	THE CAMPUS OF INDIANA UNIVERSITY NORTHWEST		
18	Total Operating Expense	2,104,574	
19	THE CAMPUS OF PURDUE UNIVERSITY		
20	Total Operating Expense	1,878,629	
21	THE CAMPUS OF BALL STATE UNIVERSITY		
22	Total Operating Expense	1,689,194	
23	THE CAMPUS OF THE UNIVERSITY OF NOTRE DAME		
24	Total Operating Expense	1,566,525	
25	THE CAMPUS OF INDIANA STATE UNIVERSITY		
26	Total Operating Expense	1,867,636	
27			
28	FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY AT INDIANAPOLIS		
29	GENERAL ACADEMIC DIVISIONS		
30	Total Operating Expense	83,311,562	
31			
32	FOR INDIANA UNIVERSITY		
33	ABILENE NETWORK OPERATIONS CENTER		
34	Total Operating Expense	867,288	
35	SPINAL CORD AND HEAD INJURY RESEARCH CENTER		
36	Total Operating Expense	546,073	
37	INSTITUTE FOR THE STUDY OF DEVELOPMENTAL DISABILITIES		
38	Total Operating Expense	2,580,667	
39	GEOLOGICAL SURVEY		
40	Total Operating Expense	3,231,504	
41	LOCAL GOVERNMENT ADVISORY COMMISSION		
42	Total Operating Expense	58,899	
43			
44	FOR PURDUE UNIVERSITY, WEST LAFAYETTE		
45	Total Operating Expense	262,033,737	
46			
47	FOR PURDUE UNIVERSITY - REGIONAL CAMPUSES		
48	CALUMET		
49	Total Operating Expense	28,212,704	

1	NORTH CENTRAL		
2	Total Operating Expense	11,969,824	
3			
4	FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY, AT FORT WAYNE		
5	Total Operating Expense	38,449,705	
6			
7	FOR PURDUE UNIVERSITY		
8	ANIMAL DISEASE DIAGNOSTIC LABORATORY SYSTEM		
9	Total Operating Expense	3,593,444	
10	STATEWIDE TECHNOLOGY		
11	Total Operating Expense	6,702,020	
12	COUNTY AGRICULTURAL EXTENSION EDUCATORS		
13	Total Operating Expense	7,536,047	
14	AGRICULTURAL RESEARCH AND EXTENSION - CROSSROADS		
15	Total Operating Expense	7,540,584	
16	CENTER FOR PARALYSIS RESEARCH		
17	Total Operating Expense	544,331	
18	UNIVERSITY-BASED BUSINESS ASSISTANCE		
19	Total Operating Expense	1,967,749	
20			
21	FOR INDIANA STATE UNIVERSITY		
22	Total Operating Expense	76,911,131	
23	Nursing Program	250,000	
24			
25	FOR UNIVERSITY OF SOUTHERN INDIANA		
26	Total Operating Expense	40,387,429	
27	HISTORIC NEW HARMONY		
28	Total Operating Expense	576,488	
29			
30	FOR BALL STATE UNIVERSITY		
31	Total Operating Expense	130,381,244	
32	ENTREPRENEURIAL COLLEGE		
33	Total Operating Expense	1,000,000	
34	ACADEMY FOR SCIENCE, MATHEMATICS, AND HUMANITIES		
35	Total Operating Expense	4,451,913	
36			
37	FOR VINCENNES UNIVERSITY		
38	Total Operating Expense	38,967,141	
39			
40	FOR IVY TECH COMMUNITY COLLEGE		
41	Total Operating Expense	162,415,053	
42			
43	VALPO NURSING PARTNERSHIP		
44	Total Operating Expense	104,671	
45			
46	FOR THE INDIANA HIGHER EDUCATION TELECOMMUNICATIONS SYSTEM (IHETS)		
47	Total Operating Expense	4,972,024	
48			
49	For the state fiscal year beginning July 1, 2008, and ending June 30, 2009, the following		

1 amounts are appropriated for higher education total operating expenses from the state
 2 general fund and from money received for higher education under Division A, Title
 3 XIV of the federal American Recovery and Reinvestment Act of 2009 (referred to as
 4 ARRA" in this SECTION):

5

6 **FOR INDIANA UNIVERSITY, BLOOMINGTON CAMPUS**

7	General Fund	200,180,174
8	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
9		2,022,022
10	Total Operating Expense	202,202,196

11

12 **FOR INDIANA UNIVERSITY REGIONAL CAMPUSES**

13 **EAST**

14	General Fund	8,238,916
15	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
16		83,221
17	Total Operating Expense	8,322,137

18 **KOKOMO**

19	General Fund	10,709,280
20	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
21		108,175
22	Total Operating Expense	10,817,455

23 **NORTHWEST**

24	General Fund	17,880,683
25	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
26		180,613
27	Total Operating Expense	18,061,296

28 **SOUTH BEND**

29	General Fund	23,003,647
30	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
31		232,360
32	Total Operating Expense	23,236,007

33 **SOUTHEAST**

34	General Fund	20,640,314
35	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
36		208,488
37	Total Operating Expense	20,848,802

38 **FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY INDIANAPOLIS (IUPUI)**

39 **HEALTH DIVISIONS**

40	General Fund	111,113,964
41	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
42		1,122,363
43	Total Operating Expense	112,236,327

44

45 **FOR INDIANA UNIVERSITY SCHOOL OF MEDICINE**

46 **THE CAMPUS OF THE UNIVERSITY OF SOUTHERN INDIANA**

47	General Fund	1,594,256
48	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
49		16,105

1	Total Operating Expense	1,610,361
2	THE CAMPUS OF INDIANA UNIVERSITY-PURDUE UNIVERSITY FORT WAYNE	
3	General Fund	1,466,616
4	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
5		14,814
6	Total Operating Expense	1,481,430
7	THE CAMPUS OF INDIANA UNIVERSITY NORTHWEST	
8	General Fund	2,083,528
9	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
10		21,046
11	Total Operating Expense	2,104,574
12	THE CAMPUS OF PURDUE UNIVERSITY	
13	General Fund	1,859,843
14	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
15		18,786
16	Total Operating Expense	1,878,629
17	THE CAMPUS OF BALL STATE UNIVERSITY	
18	General Fund	1,672,302
19	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
20		16,892
21	Total Operating Expense	1,689,194
22	THE CAMPUS OF THE UNIVERSITY OF NOTRE DAME	
23	General Fund	1,550,860
24	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
25		15,665
26	Total Operating Expense	1,566,525
27	THE CAMPUS OF INDIANA STATE UNIVERSITY	
28	General Fund	1,848,960
29	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
30		18,676
31	Total Operating Expense	1,867,636
32		
33	FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY AT INDIANAPOLIS (IUPUI),	
34	GENERAL ACADEMIC DIVISIONS	
35	General Fund	82,478,446
36	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
37		833,116
38	Total Operating Expense	83,311,562
39		
40	FOR INDIANA UNIVERSITY	
41	ABILENE NETWORK OPERATIONS CENTER	
42	General Fund	858,615
43	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
44		8,673
45	Total Operating Expense	867,288
46	SPINAL CORD AND HEAD INJURY RESEARCH CENTER	
47	General Fund	540,612
48	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
49		5,461

1	Total Operating Expense	546,073
2	INSTITUTE FOR THE STUDY OF DEVELOPMENTAL DISABILITIES	
3	General Fund	2,554,860
4	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
5		25,807
6	Total Operating Expense	2,580,667
7	GEOLOGICAL SURVEY	
8	General Fund	3,199,188
9	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
10		32,316
11	Total Operating Expense	3,231,504
12	LOCAL GOVERNMENT ADVISORY COMMISSION	
13	General Fund	58,310
14	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
15		589
16	Total Operating Expense	58,899
17		
18	FOR PURDUE UNIVERSITY, WEST LAFAYETTE	
19	General Fund	259,413,399
20	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
21		2,620,338
22	Total Operating Expense	262,033,737
23		
24	FOR PURDUE UNIVERSITY - REGIONAL CAMPUSES	
25	CALUMET	
26	General Fund	27,930,577
27	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
28		282,127
29	Total Operating Expense	28,212,704
30	NORTH CENTRAL	
31	General Fund	11,850,126
32	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
33		119,698
34	Total Operating Expense	11,969,824
35		
36	FOR INDIANA UNIVERSITY - PURDUE UNIVERSITY, AT FORT WAYNE (IPFW)	
37	General Fund	38,065,207
38	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
39		384,498
40	Total Operating Expense	38,449,705
41		
42	FOR PURDUE UNIVERSITY	
43	ANIMAL DISEASE DIAGNOSTIC LABORATORY SYSTEM	
44	General Fund	3,557,509
45	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
46		35,935
47	Total Operating Expense	3,593,444
48	STATEWIDE TECHNOLOGY	
49	General Fund	6,634,999

1	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
2		67,021
3	Total Operating Expense	6,702,020
4	COUNTY AGRICULTURAL EXTENSION EDUCATORS	
5	General Fund	7,460,686
6	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
7		75,361
8	Total Operating Expense	7,536,047
9	AGRICULTURAL RESEARCH AND EXTENSION - CROSSROADS	
10	General Fund	7,465,178
11	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
12		75,406
13	Total Operating Expense	7,540,584
14	CENTER FOR PARALYSIS RESEARCH	
15	General Fund	538,887
16	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
17		5,444
18	Total Operating Expense	544,331
19	UNIVERSITY-BASED BUSINESS ASSISTANCE	
20	General Fund	1,948,071
21	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
22		19,678
23	Total Operating Expense	1,967,749
24		
25	FOR INDIANA STATE UNIVERSITY	
26	General Fund	76,142,019
27	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
28		769,112
29	Total Operating Expense	76,911,131
30	ISU NURSING PROGRAM	
31	General Fund	247,500
32	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
33		2,500
34	Total Operating Expense	250,000
35		
36	FOR UNIVERSITY OF SOUTHERN INDIANA	
37	General Fund	39,983,554
38	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
39		403,875
40	Total Operating Expense	40,387,429
41	HISTORIC NEW HARMONY	
42	General Fund	570,723
43	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
44		5,765
45	Total Operating Expense	576,488
46		
47	FOR BALL STATE UNIVERSITY	
48	General Fund	129,077,431
49	ARRA State Fiscal Stabilization Fund (Section 14002(a))	

1		1,303,813
2	Total Operating Expense	130,381,244
3	ENTREPRENEURIAL COLLEGE	
4	General Fund	990,000
5	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
6		10,000
7	Total Operating Expense	1,000,000
8	ACADEMY FOR SCIENCE, MATHEMATICS, AND HUMANITIES	
9	General Fund	4,407,399
10	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
11		44,514
12	Total Operating Expense	4,451,913
13		
14	FOR VINCENNES UNIVERSITY	
15	General Fund	38,577,469
16	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
17		389,672
18	Total Operating Expense	38,967,141
19		
20	FOR IVY TECH COMMUNITY COLLEGE	
21	General Fund	160,790,902
22	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
23		1,624,151
24	Total Operating Expense	162,415,053
25	VALPO NURSING PARTNERSHIP	
26	General Fund	103,624
27	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
28		1,047
29	Total Operating Expense	104,671
30		
31	FOR THE INDIANA HIGHER EDUCATION TELECOMMUNICATIONS SYSTEM (IHETS)	
32	General Fund	2,972,024
33	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
34		2,000,000
35	Total Operating Expense	4,972,024

36

37 **The foregoing appropriations for higher education total operating expense that are**

38 **made from money received under the federal American Recovery and Reinvestment Act**

39 **of 2009 (ARRA) are intended to be one (1) time appropriations. The foregoing appropriations**

40 **to Indiana University, Purdue University, Indiana State University, University of**

41 **Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community**

42 **College, include the employers' share of Social Security payments for university**

43 **employees under the public employees' retirement fund, or institutions covered by**

44 **the Indiana state teachers' retirement fund. The funds appropriated also include**

45 **funding for the employers' share of payments to the public employees' retirement**

46 **fund and to the Indiana state teachers' retirement fund at a rate to be established**

47 **by the retirement funds for both fiscal years for each institution employees covered**

48 **by these retirement plans.**

49

1 **The treasurers of Indiana University, Purdue University, Indiana State University,**
2 **University of Southern Indiana, Ball State University, Vincennes University, and**
3 **Ivy Tech Community College shall, at the end of June 2009, prepare and file with**
4 **the auditor of state a financial statement that shall show in total all revenues**
5 **received from any source, together with a consolidated statement of disbursements**
6 **for the same period. The budget director shall establish the requirements for the**
7 **form and substance of the reports.**

8
9 **The reports of the treasurer also shall contain in such form and in such detail as**
10 **the governor and the budget agency may specify, complete information concerning receipts**
11 **from all sources, together with any contracts, agreements, or arrangements with any**
12 **federal agency, private foundation, corporation, or other entity from which such**
13 **receipts accrue.**

14
15 **All such treasurers' reports are matters of public record and shall include without**
16 **limitation a record of the purposes of any and all gifts and trusts with the sole**
17 **exception of the names of those donors who request to remain anonymous.**

18
19 **Notwithstanding IC 4-10-11, the auditor of state shall draw warrants to the treasurers**
20 **of Indiana University, Purdue University, Indiana State University, University of**
21 **Southern Indiana, Ball State University, Vincennes University, and Ivy Tech Community**
22 **College on the basis of vouchers stating the total amount claimed against each fund**
23 **or account, or both, but not to exceed the legally made appropriations.**

24
25 **Notwithstanding IC 4-12-1-14, for universities and colleges supported in whole or**
26 **in part by state funds, grant applications and lists of applications need only be**
27 **submitted upon request to the budget agency for review and approval or disapproval**
28 **and, unless disapproved by the budget agency, federal grant funds may be requested**
29 **and spent without approval by the budget agency. Each institution shall retain the**
30 **applications for a reasonable period of time and submit a list of all grant applications,**
31 **at least monthly, to the commission for higher education for informational purposes.**

32
33 **For all university special appropriations, an itemized list of intended expenditures,**
34 **in such form as the governor and the budget agency may specify, shall be submitted**
35 **to support the allotment request. All budget requests for university special appropriations**
36 **shall be furnished in a like manner and as a part of the operating budgets of the**
37 **state universities.**

38
39 **The trustees of Indiana University, the trustees of Purdue University, the trustees**
40 **of Indiana State University, the trustees of University of Southern Indiana, the**
41 **trustees of Ball State University, the trustees of Vincennes University, and the trustees**
42 **of Ivy Tech Community College are hereby authorized to accept federal grants, subject**
43 **to IC 4-12-1.**

44
45 **C. ELEMENTARY AND SECONDARY EDUCATION**

46
47 **The following appropriations from the state general fund, as set forth in SECTION**
48 **854 of HEA 1001-2008, are cancelled for elementary and secondary education for the**
49 **school fiscal year beginning January 1, 2009, and ending December 31, 2009, and for**

1 distributions beginning January 1, 2009, and ending June 30, 2009:

2
3 **FOR THE DEPARTMENT OF EDUCATION AND STATE BOARD OF EDUCATION**
4 **DISTRIBUTION FOR TUITION SUPPORT - General Fund**

5 **Total Operating Expense 5,234,950,000**

6
7 **To restore the level of support for elementary and secondary education funding for**
8 **the school fiscal year beginning January 1, 2009, and ending December 31, 2009, and**
9 **for distributions beginning January 1, 2009, and ending June 30, 2009, the following**
10 **amounts are appropriated for total operating expenses from the state general fund**
11 **for the state fiscal year beginning July 1, 2008, and ending June 30, 2009, and from**
12 **money received for elementary and secondary education under Division A, Title XIV**
13 **of the federal American Recovery and Reinvestment Act of 2009:**

14
15 **FOR THE DEPARTMENT OF EDUCATION AND STATE BOARD OF EDUCATION**
16 **DISTRIBUTION FOR TUITION SUPPORT**

17 **General Fund 5,111,800,000**

18
19 **DISTRIBUTION FOR STATE FISCAL STABILIZATION FUND GRANTS (IC 20-43-12)**
20 **ARRA State Fiscal Stabilization Fund (Section 14002(a))**

21 **77,500,000**

22
23 **The above appropriation for fiscal stabilization fund grants are intended to be one-time**
24 **grants to school corporations in addition to tuition support.**

25
26 **If money is not available to the state for distribution from the federal American**
27 **Recovery and Reinvestment Act of 2009 at the time distributions are normally made**
28 **to school corporations, the distribution to a school corporation shall not be reduced**
29 **and shall be made from the state general fund as determined by the state budget agency,**
30 **which shall be reimbursed with money from the federal American Recovery and Reinvestment**
31 **Act of 2009 once the money becomes available to the state.**

32
33 **Notwithstanding P.L.146-2008, the appropriations in P.L.146-2008, SECTION 857 for:**

- 34 **(1) the state fiscal year beginning July 1, 2008, and ending June 30, 2009;**
35 **(2) the state fiscal year beginning July 1, 2009, and ending June 30, 2010; and**
36 **(3) the state fiscal year beginning July 1, 2010, and ending June 30, 2011;**
37 **to the department of education to make distributions under IC 20-20-36, are canceled.**

38
39 **To restore the level of funding for levy replacement grants pursuant to IC 20-20-36.2**
40 **for the school fiscal year beginning January 1, 2009, and ending December 31, 2009,**
41 **there is appropriated from money received for elementary and secondary education**
42 **under Division A, Title XIV of the federal American Recovery and Reinvestment Act**
43 **of 2009, eleven million nine hundred sixty-five thousand dollars (\$11,965,000) for the state**
44 **fiscal year beginning July 1, 2008, and ending June 30, 2009, to the department of**
45 **education to make distributions to school corporations under IC 20-20-36.2, as added**
46 **by HEA 1198-2009, and as amended by this act. The budget agency may adjust the three**
47 **and fifty-four hundredths of one percent (3.54%) threshold in IC 20-20-36.2-5,**
48 **based upon the budget agency's determination of the actual amount of funds available**
49 **under the federal American Recovery and Reinvestment Act of 2009 for appropriation**

1 under this SECTION for levy replacement grants for the state fiscal year beginning
 2 July 1, 2008, and ending June 30, 2009. Levy replacement grants are intended to be
 3 one-time distributions for the FY 2009-2011 biennium.

4
 5 **D. CONSTRUCTION - HIGHER EDUCATION**

6
 7 The following appropriations from the state general fund for the biennium beginning
 8 July 1, 2007, and ending June 30, 2009, as set forth in P.L. 234-2007, SECTION 32,
 9 Part F, that were made for the general repair and rehabilitation of higher education
 10 properties are cancelled:

11	INDIANA UNIVERSITY - TOTAL SYSTEM	
12	General Repair and Rehab	25,202,564
13	PURDUE UNIVERSITY - TOTAL SYSTEM	
14	General Repair and Rehab	19,777,318
15	INDIANA STATE UNIVERSITY	
16	General Repair and Rehab	4,681,980
17	UNIVERSITY OF SOUTHERN INDIANA	
18	General Repair and Rehab	1,121,925
19	BALL STATE UNIVERSITY	
20	General Repair and Rehab	6,726,301
21	VINCENNES UNIVERSITY	
22	General Repair and Rehab	2,272,968
23	IVY TECH COMMUNITY COLLEGE	
24	General Repair and Rehab	2,287,041
25		

26
 27 For the biennium beginning July 1, 2007, and ending June 30, 2009, the following
 28 amounts are appropriated from the state general fund and from money received for
 29 higher education under Division A, Title XIV of the federal American Recovery and
 30 Reinvestment Act for the general repair and rehabilitation of higher education properties:

31	INDIANA UNIVERSITY - TOTAL SYSTEM	
32	General Fund	12,601,282
33	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
34	General Repair and Rehab	12,601,282
35	General Repair and Rehab	25,202,564
36	PURDUE UNIVERSITY - TOTAL SYSTEM	
37	General Fund	9,888,659
38	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
39	General Repair and Rehab	9,888,659
40	General Repair and Rehab	19,777,318
41	INDIANA STATE UNIVERSITY	
42	General Fund	2,340,990
43	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
44	General Repair and Rehab	2,340,990
45	General Repair and Rehab	4,681,980
46	UNIVERSITY OF SOUTHERN INDIANA	
47	General Fund	560,963
48	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
49		

1		560,962
2	General Repair and Rehab	1,121,925
3	BALL STATE UNIVERSITY	
4	General Fund	3,363,151
5	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
6		3,363,150
7	General Repair and Rehab	6,726,301
8	VINCENNES UNIVERSITY	
9	General Fund	1,136,484
10	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
11		1,136,484
12	General Repair and Rehab	2,272,968
13	IVY TECH COMMUNITY COLLEGE	
14	General Fund	1,143,521
15	ARRA State Fiscal Stabilization Fund (Section 14002(a))	
16		1,143,520
17	General Repair and Rehab	2,287,041

18

19 **SECTION 33. [EFFECTIVE JULY 1, 2009]**

20

21 **The budget agency may employ one (1) or more architects or engineers to inspect**
 22 **construction, rehabilitation, and repair projects covered by the appropriations in**
 23 **this act or previous acts.**

24

25 **SECTION 34. [EFFECTIVE JULY 1, 2009]**

26

27 **If any part of a construction or rehabilitation and repair appropriation made by**
 28 **this act or any previous acts has not been allotted or encumbered before the expiration**
 29 **of two (2) biennia, the budget agency may determine that the balance of the appropriation**
 30 **is not available for allotment. The appropriation may be terminated, and the balance**
 31 **may revert to the fund from which the original appropriation was made.**

32

33 **SECTION 35. [EFFECTIVE UPON PASSAGE]**

34

35 **The budget agency may retain balances in the mental health fund at the end of any**
 36 **fiscal year to ensure there are sufficient funds to meet the service needs of the**
 37 **developmentally disabled and the mentally ill in any year.**

38

39 **SECTION 36. [EFFECTIVE JULY 1, 2009]**

40

41 **If the budget director determines at any time during the biennium that the executive**
 42 **branch of state government cannot meet its statutory obligations due to insufficient**
 43 **funds in the general fund, then notwithstanding IC 4-10-18, the budget agency, with**
 44 **the approval of the governor and after review by the budget committee, may transfer**
 45 **from the counter-cyclical revenue and economic stabilization fund to the general**
 46 **fund any additional amount necessary to maintain a positive balance in the general**
 47 **fund.**

48 **SECTION 37. [EFFECTIVE JULY 1, 2009] (a) The trustees of the following institutions may issue**
 49 **and sell bonds under IC 21-34, subject to the approvals required by IC 21-33-3, for the following**

1 projects if the sum of principal costs of any bond issued, excluding amounts necessary to provide
 2 money for debt service reserves, credit enhancement, or other costs incidental to the issuance of the
 3 bonds, does not exceed the total authority listed below for that institution:

4	Ball State University	
5	Central Campus Rehabilitation	19,700,000
6	Purdue University	
7	Life Sciences Laboratory Renovations	10,000,000
8	Medical School Renovations	12,000,000
9	North Central Campus	
10	Student Services and Activities Complex	23,700,000
11	Indiana University	
12	Life Sciences Laboratory Renovations	10,000,000
13	Indiana University Purdue University at Indianapolis	
14	Life Sciences Laboratory Renovations	10,000,000
15	Ivy Tech Community College	
16	Anderson Campus	20,000,000
17	Warsaw Campus	10,100,000
18	Vincennes University	
19	Davis Hall	850,000

20 Of the above authorization for medical school renovations, a maximum of six million dollars
 21 (\$6,000,000) is eligible for fee replacement. The above projects are eligible for fee replacement after
 22 July 1, 2011.

23 (b) The trustees of the following institutions may issue and sell bonds under IC 21-34 for the
 24 following projects if the sum of principal costs of any bond issued, excluding amounts necessary to
 25 provide money for debt service reserves, credit enhancement, or other costs incidental to the
 26 issuance of the bonds, does not exceed the total authority listed below for that institution:

27	Indiana State University	
28	Federal Building	20,000,000
29	Indiana University	
30	Northwest Regional Campus	
31	Tamarack Hall	33,000,000
32	Ivy Tech Community College	
33	Gary Campus	20,000,000
34	University of Southern Indiana	
35	Teacher Theatre Replacement Project	15,000,000

36 The authorization above for Tamarack Hall Replacement shall be reduced by any funds that
 37 Indiana University receives for the replacement as insurance proceeds or from any other source.
 38 No further review by the budget committee or approval by the governor, the budget agency, or the
 39 commission for higher education is necessary to issue and sell bonds for this project. Except as
 40 provided by this subsection, the above projects are eligible for fee replacement after July 1, 2011.
 41 Only ten million dollars (\$10,000,000) of the Indiana State University Federal Building Project is
 42 eligible for fee replacement after July 1, 2011.

43 (c) The trustees of the following institutions may issue and sell bonds under IC 21-34, subject to
 44 the approvals required under IC 21-33-3, to provide funds for the acquisition, renovation,
 45 expansion, and improvements for the following projects (including all related and subordinate
 46 components of the following projects) and may undertake the project if the total costs financed by
 47 the bond issue, excluding any amount necessary to provide money for debt service reserves, credit
 48 enhancement, or other costs incidental to the issuance of the bonds, do not exceed the total authority
 49 listed below for that institution:

50 Purdue University

1	Lafayette Campus	
2	Student Fitness and Wellness Center	98,000,000
3	Indiana University Purdue University at Fort Wayne	
4	Parking Garage	16,800,000
5	Vincennes University	
6	P.E. Building	5,000,000

7 The foregoing projects are not eligible for fee replacement appropriations in any year.

8 SECTION 38. [EFFECTIVE UPON PASSAGE] The trustees of Vincennes University may issue
9 and sell bonds under IC 21-34 for the purpose of constructing, furnishing, and equipping a center
10 for advanced manufacturing and applied technology on the Jasper campus of Vincennes University,
11 if the sum of principal costs of any bonds issued, excluding amounts necessary to provide money
12 for debt service reserves, credit enhancement, or other costs incidental to the issuance of the bonds,
13 does not exceed eight million dollars (\$8,000,000). This authorization is a restatement of and is not
14 in addition to the authorization under P.L.234-2007, SECTION 175.

15 SECTION 39. [EFFECTIVE UPON PASSAGE] The trustees of Vincennes University are
16 authorized to acquire, construct, renovate, improve, and equip a multicultural center to be funded
17 from sources other than student fees or state funds or bonds payable from student fees or state
18 funds if the total cost of the project does not exceed five million dollars (\$5,000,000). This
19 authorization is a restatement of and is not in addition to the authorization under P.L.234-2007,
20 SECTION 177.

21 SECTION 40. [EFFECTIVE UPON PASSAGE] (a) The trustees of the following institutions may
22 issue and sell bonds under IC 21-34 for the following projects if the sum of principal costs of any
23 bond issued, excluding amounts necessary to provide money for debt service reserves, credit
24 enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total
25 authority listed below for that institution:

26	Indiana University South Bend - Arts Building	
27	Renovation	\$27,000,000
28	Indiana University Bloomington - Cyber	
29	Infrastructure Building	18,300,000
30	Indiana University, Purdue University at	
31	Indianapolis - Neurosciences Research Building	20,000,000
32	Indiana University Southeast Medical	
33	Education Center A & E	1,000,000
34	Indiana State University - Life Sciences/Chemistry	
35	Laboratory Renovations	14,800,000
36	Ball State University - Central Campus	
37	Academic Project, Phase I & Utilities	33,000,000
38	Ivy Tech-Fort Wayne Technology Center	
39	and Demolition Costs	26,700,000
40	Ivy Tech - Indianapolis Community College	
41	for the Fall Creek Expansion Project	69,370,000
42	Ivy Tech - Lamkin Center for Instructional	
43	Development and Leadership	1,000,000
44	Ivy Tech - Logansport	16,000,000
45	Ivy Tech - Sellersburg	20,000,000
46	Ivy Tech - Warsaw A & E	1,000,000
47	Ivy Tech - Muncie\Anderson A & E	4,800,000
48	Ivy Tech - Elkhart Phase I	20,000,000
49	Ivy Tech - Greencastle	8,000,000
50	Purdue University Calumet - Gyt Building A & E	2,400,000

1	Purdue University North Central -	
2	Student Services & Recreation Center A & E	1,000,000
3	University of Southern Indiana College of	
4	Business - General Classroom Building	29,900,000
5	Vincennes University - Health and Science	
6	Lab Rehabilitation	2,000,000
7	Indiana University, Purdue University at Fort Wayne	
8	Student Services and Library Complex	24,000,000

9 The budget committee shall meet to determine the total amount to be authorized for the Ivy Tech
10 - Indianapolis Community College Fall Creek Expansion Project before June 30, 2009. In making
11 the determination, the budget committee shall compare the estimated cost of \$15,000,000 for
12 improvement and expansion of student services, financial aid, and student gathering spaces, and
13 the estimated cost of \$38,200,000 for classrooms, teaching labs, study spaces, and support areas
14 with costs per square foot for comparable construction in Marion County. However, the amount
15 authorized for NMC renovation is \$12,400,000 and the amount authorized for the technical building
16 renovation is \$3,800,000.

17 (b) The trustees of the following institution may issue and sell bonds under IC 21-34 for the
18 following project if the sum of principal costs of any bond issued, excluding amounts necessary to
19 provide money for debt service reserves, credit enhancement, or other costs incidental to the
20 issuance of the bonds, does not exceed the total authority listed below for that institution:

21	Purdue University West Lafayette - Mechanical	
22	Engineering Addition	\$33,000,000

23 The foregoing project is not eligible for fee replacement appropriations.

24 (c) The trustees of the following institution may issue and sell bonds under IC 21-34 for the
25 following project if the sum of principal costs of any bond issued, excluding amounts necessary to
26 provide money for debt service reserves, credit enhancement, or other costs incidental to the
27 issuance of the bonds, does not exceed the total authority listed below for that institution:

28	Purdue University West Lafayette -	
29	Boiler No. 6	\$53,000,000

30 The institution shall invite bids as provided under IC 21-37-3-3. The bids shall be open to inspection
31 by the public.

32 (d) Except for an additional \$4,000,000 authorized for Ivy Tech - Elkhart Phase I, the
33 authorizations under this SECTION are a restatement of and are not in addition to the
34 authorizations under P.L.234-2007, SECTION 179.

35 SECTION 41. [EFFECTIVE UPON PASSAGE] (a) The trustees of the following institution may
36 issue and sell bonds under IC 21-34 for the following project if the sum of principal costs of any
37 bond issued, excluding amounts necessary to provide money for debt service reserves, credit
38 enhancement, or other costs incidental to the issuance of the bonds, does not exceed the total
39 authority listed below for that institution:

40	Purdue University West Lafayette -	
41	Animal Disease Diagnostic Laboratory (BSL-3)	\$30,000,000

42 (b) The Indiana department of administration, acting on behalf of the Indiana state board of
43 animal health, in recognition of the state board of animal health's statutory functions involving the
44 animal disease diagnostic laboratory, is hereby authorized and directed to enter into a lease
45 agreement, as lessee, with the trustees of Purdue University as lessor, covering animal disease
46 diagnostic laboratory (BSL-3).

47 (c) The authorizations under this SECTION are a restatement of and are not in addition to the
48 authorizations under P.L.234-2007, SECTION 180.

49 SECTION 42. [EFFECTIVE UPON PASSAGE] (a) Notwithstanding SECTION 244 of HEA
50 1001-2005, the trustees of Purdue University may issue and sell bonds under IC 21-34 for the

1 following project if the sum of principal costs of any bond issued, excluding amounts necessary to
2 provide money for debt service reserves, credit enhancement, or other costs incidental to the
3 issuance of the bonds, does not exceed the total authority listed below:

4 **Purdue University North Central Campus**
5 **Parking Garage No. 1** **\$8,000,000**

6 (b) The authorization under this SECTION is a restatement of and is not in addition to the
7 authorization under P.L.234-2007, SECTION 186.

8 SECTION 43. [EFFECTIVE JULY 1, 2009] There is appropriated to Ivy Tech Community College
9 from the state general fund for the biennium beginning July 1, 2009, and ending June 30, 2011,
10 three hundred fifty thousand dollars (\$350,000) for A&E Phase 2 for the Bloomington campus. The
11 appropriation under this SECTION is a restatement of and is not in addition to the appropriation
12 under P.L.234-2007, SECTION 32.

13 SECTION 44. [EFFECTIVE JULY 1, 2009] The general assembly finds that the state needs the
14 construction, equipping, renovation, refurbishing, and alteration of additional correctional facilities
15 for use by the department of correction. The general assembly finds that the state will have a
16 continuing need for use and occupancy of those correctional facilities. The correctional facilities
17 shall be provided as additions to two (2) existing correctional facilities. The general assembly
18 authorizes the Indiana finance authority to provide the correctional facilities under IC 4-13.5-1 and
19 IC 4-13.5-4, including the borrowing of money or the issuance and sale of bonds, or both, under
20 IC 4-13.5-4, subject to the approval of the budget agency after review by the budget committee, at
21 a cost of not more than forty-five million dollars (\$45,000,000).

22 SECTION 45. [EFFECTIVE JULY 1, 2009] (a) The general assembly finds that the state needs the
23 construction, equipping, renovation, refurbishing, or alteration of a building for the Indiana state
24 archives (as defined in IC 5-15-5.1-1).

25 (b) The general assembly finds that the state will have a continuing need for use and occupancy
26 of the building described in subsection (a).

27 (c) The general assembly authorizes the Indiana finance authority to provide the building
28 described in subsection (a) under IC 4-13.5-1 and IC 4-13.5-4. The building must be completed not
29 later than December 31, 2011.

30 (d) There is appropriated five hundred thousand dollars (\$500,000) to the Indiana finance
31 authority from the postwar construction fund to carry out architectural and engineering work for
32 the building described in subsection (a), beginning July 1, 2009, and ending June 30, 2010. Any
33 unencumbered amount remaining from this appropriation at the end of a state fiscal year remains
34 available in subsequent state fiscal years for the purposes for which it is appropriated.

35 SECTION 46. P.L.234-2007, SECTION 299 IS AMENDED TO READ AS FOLLOWS. [EFFECTIVE
36 JULY 1, 2007 (RETROACTIVE)]: (a) There is appropriated ten million dollars (\$10,000,000) from the
37 build Indiana fund under IC 4-30-17 to the Indiana finance authority to provide funding for the
38 construction or financing of public water supply systems serving Ripley, Decatur, and Jennings counties,
39 beginning July 1, 2007, and ending June 30, 2009.

40 (b) The purposes for which the appropriation described in subsection (a) may be used include use
41 of the appropriation by the Indiana finance authority to hire engineers, financial analysts and other experts
42 to investigate problems with the availability or quality of public water and develop proposed solutions.

43 (c) After review by the budget committee the Indiana finance authority may enter into agreements and
44 take any actions necessary to finance projects designed to improve the availability and delivery of water
45 to the public, including the distribution of one (1) or more grants to an entity providing water in any
46 combination of Ripley County, Decatur County, or Jennings County.

47 (d) The appropriation described in subsection (a) is not subject to transfer to any other fund or
48 to transfer, assignment, or reassignment for any other use or purpose by the state board of finance
49 notwithstanding IC 4-9.1-1-7 and IC 4-13-2-23 or by the budget agency notwithstanding
50 IC 4-12-1-12, or any other law. Notwithstanding IC 4-13-2-19, the money appropriated by this

1 SECTION does not revert to the state general fund, the build Indiana fund, or any other fund at
2 the close of any state fiscal year but remains available to the Indiana finance authority until the
3 purposes for which it was appropriated are fulfilled. If an action has been taken to transfer the
4 amount of the appropriation out of the build Indiana fund or revert the amount to the build Indiana
5 fund before passage of this act, the budget agency shall take the actions necessary to return the
6 money to the build Indiana fund and make the money available to carry out the purposes of this
7 appropriation.

8 SECTION 47. [EFFECTIVE UPON PASSAGE] The department of state revenue shall conduct a
9 study of the feasibility of changing the design and method for verifying, tracking, and tracing
10 cigarette stamps (as defined in IC 6-7-1-9), including issues related to the use of electronic cigarette
11 stamp readers, to incorporate the latest technical advances used by other states to reduce
12 counterfeiting and misuse of cigarette stamps. The study must at least:

- 13 (1) describe the changes that could be made;
- 14 (2) describe the sources where necessary products and services could be obtained, including
15 whether there is more than one (1) potential source for necessary products and services;
- 16 (3) described and estimate the capital and operating costs necessary to implement a new
17 system;
- 18 (4) estimate the likely effects on revenue collection and evaluate any other benefits that would
19 accrue from implementing a new system; and
- 20 (5) if beneficial to the state, estimate a schedule on which a conversion could be made and
21 describe any changes in statutory law that would be necessary to implement the changes.

22 The department shall pay for the study from unrestricted funds that are otherwise available to the
23 department of state revenue. The department of state revenue shall report the results of the study
24 to the legislative council in an electronic format under IC 5-14-6 before November 1, 2009.

25 SECTION 48. IC 4-4-11.5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE OCTOBER 1,
26 2008 (RETROACTIVE)]: Sec. 1. As used in this chapter, "bond" means any:

- 27 (1) bond or mortgage credit certificate for which it is necessary to procure volume under the volume
28 cap under Section 146 of the Internal Revenue Code; or
- 29 (2) bond or other obligation for which a special volume cap is authorized under a federal act.

30 SECTION 49. IC 4-4-11.5-13.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
31 READ AS FOLLOWS [EFFECTIVE OCTOBER 1, 2008 (RETROACTIVE)]: Sec. 13.5. As used in this
32 chapter, "special volume cap" means the maximum dollar amount of bonds that may be allocated
33 to the state under the authority of a federal act. The special volume cap is in addition to the volume
34 cap, as defined in section 14 of this chapter.

35 SECTION 50. IC 4-4-11.5-19.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
36 READ AS FOLLOWS [EFFECTIVE OCTOBER 1, 2008 (RETROACTIVE)]: Sec. 19.5. The IFA shall
37 determine the allocation of any special volume cap in accordance with the federal act authorizing
38 the special volume cap.

39 SECTION 51. IC 4-12-1-19 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ
40 AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 19. At least quarterly in April, July, November,
41 and January, the budget agency shall report to the legislative council in an electronic format under
42 IC 5-14-6 any:

- 43 (1) reversion, reassignment, or transfer of money or appropriations from any fund that has
44 a dedicated purpose to the state general fund that exceeds two hundred fifty thousand dollars
45 (\$250,000) and that occurred in the immediately preceding three (3) month period; and
- 46 (2) reversions, reassignments, or transfers of money or appropriations from any fund that has
47 a dedicated purpose to the state general fund that the budget agency, state board of finance,
48 office of management and budget, or any state agency proposes or reasonably believes will
49 occur in the month of the report or in the following five (5) months and will exceed, in the
50 aggregate, two hundred fifty thousand dollars (\$250,000).

1 **The report must include the name of the affected programs, accounts, and fund center numbers.**
2 **The budget agency shall establish and maintain a reporting system for all state agencies that is**
3 **sufficient to provide the information required by this section.**

4 SECTION 52. IC 4-30-16-3, AS AMENDED BY P.L.146-2008, SECTION 16, IS AMENDED TO
5 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) The commission shall transfer the
6 surplus revenue in the administrative trust fund as follows:

7 (1) Before the last business day of January, April, July, and October, the commission shall transfer
8 to the treasurer of state, for deposit in the Indiana state teachers' retirement fund (IC 5-10.4-2), seven
9 million five hundred thousand dollars (\$7,500,000). ~~Notwithstanding any other law, including any~~
10 ~~appropriations law resulting from a budget bill (as defined in IC 4-12-1-2);~~ **After June 30, 2010,**
11 **the money transferred under this subdivision shall be set aside in the pension stabilization fund (IC**
12 **5-10.4-2-5) to be used as a credit against the unfunded accrued liability of the pre-1996 account (as**
13 **defined in IC 5-10.4-1-12) of the Indiana state teachers' retirement fund. After June 30, 2010,** the
14 money transferred is in addition to the appropriation needed to pay benefits for the state fiscal year.

15 (2) Before the last business day of January, April, July, and October, the commission shall transfer
16 seven million five hundred thousand dollars (\$7,500,000) of the surplus revenue to the treasurer of
17 state for deposit in the pension relief fund (IC 5-10.3-11).

18 (3) The surplus revenue remaining in the fund on the last day of January, April, July, and October
19 after the transfers under subdivisions (1) and (2) shall be transferred by the commission to the
20 treasurer of state for deposit on that day in the build Indiana fund.

21 (b) The commission may make transfers to the treasurer of state more frequently than required by
22 subsection (a). However, the number of transfers does not affect the amount that is required to be
23 transferred for the purposes listed in subsection (a)(1) and (a)(2). Any amount transferred during the
24 month in excess of the amount required to be transferred for the purposes listed in subsection (a)(1) and
25 (a)(2) shall be transferred to the build Indiana fund.

26 SECTION 53. IC 4-31-3-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
27 PASSAGE]: Sec. 9. **Subject to section 14 of this chapter,** the commission may:

28 (1) adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to implement this
29 article, including rules that prescribe:

30 (A) the forms of wagering that are permitted;

31 (B) the number of races;

32 (C) the procedures for wagering;

33 (D) the wagering information to be provided to the public;

34 (E) fees for the issuance and renewal of:

35 (i) permits under IC 4-31-5;

36 (ii) satellite facility licenses under IC 4-31-5.5; and

37 (iii) licenses for racetrack personnel and racing participants under IC 4-31-6;

38 (F) investigative fees;

39 (G) fines and penalties; and

40 (H) any other regulation that the commission determines is in the public interest in the conduct
41 of recognized meetings and wagering on horse racing in Indiana;

42 (2) appoint employees in the manner provided by IC 4-15-2 and fix their compensation, subject to
43 the approval of the budget agency under IC 4-12-1-13;

44 (3) enter into contracts necessary to implement this article; and

45 (4) receive and consider recommendations from an advisory development committee established
46 under IC 4-31-11.

47 SECTION 54. IC 4-31-3-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ
48 AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 14. The commission may not do the following:**

49 **(1) Impose, charge, or collect by rule a fee that is not authorized by this article on any party**
50 **to a proposed transfer of an ownership interest in a permit issued under IC 4-31-5.**

1 **(2) Make the commission's approval of a proposed transfer of an ownership interest in a**
2 **permit issued under IC 4-31-5 contingent upon the payment of any amount that is not**
3 **authorized by this article.**

4 SECTION 55. IC 4-33-4-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
5 PASSAGE]: Sec. 21. (a) A licensed owner or any other person must apply for and receive the
6 commission's approval before:

7 (1) an owner's license is:

8 (A) transferred;

9 (B) sold; or

10 (C) purchased; or

11 (2) a voting trust agreement or other similar agreement is established with respect to the owner's
12 license.

13 **(b) Subject to section 24 of this chapter,** the commission shall adopt rules governing the procedure
14 a licensed owner or other person must follow to take an action under subsection (a). The rules must
15 specify that a person who obtains an ownership interest in a license must meet the criteria of this article
16 and any rules adopted by the commission. A licensed owner may transfer an owner's license only in
17 accordance with this article and rules adopted by the commission.

18 (c) A licensed owner or any other person may not:

19 (1) lease;

20 (2) hypothecate; or

21 (3) borrow or loan money against;

22 an owner's license.

23 (d) A transfer fee is imposed on a licensed owner who purchases or otherwise acquires a controlling
24 interest, as determined under the rules of the commission, in a second owner's license. The fee is equal
25 to two million dollars (\$2,000,000). The commission shall collect and deposit a fee imposed under this
26 subsection in the state general fund.

27 SECTION 56. IC 4-33-4-24 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ
28 AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 24. The commission may not do the following:**

29 **(1) Impose by rule a fee that is not authorized by this article on any party to a proposed**
30 **transfer of an ownership interest in a riverboat owner's license or an operating permit.**

31 **(2) Make the commission's approval of a proposed transfer of an ownership interest in a**
32 **riverboat owner's license or an operating permit contingent upon the payment of any amount**
33 **that is not authorized by this article.**

34 SECTION 57. IC 4-35-4-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ
35 AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 13. The commission may not do the following:**

36 **(1) Impose, charge, or collect by rule a fee that is not authorized by this article on any party**
37 **to a proposed transfer of an ownership interest in a license issued under IC 4-35-5.**

38 **(2) Make the commission's approval of a proposed transfer of an ownership interest in a**
39 **license issued under IC 4-35-5 contingent upon the payment of any amount that is not**
40 **authorized by this article.**

41 SECTION 58. IC 5-10.4-2-5, AS ADDED BY P.L.2-2006, SECTION 28, IS AMENDED TO READ
42 AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 5. (a) The pension stabilization fund is established.
43 The pension stabilization fund is a part of the pre-1996 account and shall be administered by the board
44 in accordance with the powers and duties granted to the board by IC 5-10.4-3-6, IC 5-10.4-3-8, and
45 IC 5-10.4-3-10 through IC 5-10.4-3-14.

46 (b) The following shall be deposited in the pension stabilization fund:

47 (1) Amounts allocated **before July 1, 2009**, to the pension stabilization fund under IC 4-30-16-3.

48 (2) A part of the employer reserve balance as determined by the budget director so that the employer
49 reserve is sufficient for the cash flow needs.

50 (3) Other amounts appropriated to the pension stabilization fund by the general assembly.

1 (c) Payments from the pension stabilization fund must equal the pre-1996 account liabilities for the
2 current fiscal year minus the prior year's state general fund payments for the pre-1996 account multiplied
3 by the pension stabilization percentage set forth in subsection (d).

4 (d) The pension stabilization percentage is one hundred ~~six~~ **four** percent (~~+06%~~ **(104%)**). The budget
5 agency, after review by the budget committee and with the approval of the governor, may change the
6 pension stabilization percentage so that the present value of future payments from the fund equal the
7 fund's balance plus the present value of future receipts to the fund, but the payments may not allow the
8 fund balance to be negative.

9 (e) Money in the pension stabilization fund at the end of a state fiscal year does not revert to the state
10 general fund.

11 **SECTION 59. IC 5-10-8-8.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ**
12 **AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8.5. (a) The state employee retiree health**
13 **benefit trust fund is established to provide funding for a retiree health benefit plan developed under**
14 **section 8.3 of this chapter.**

15 (b) **The trust fund shall be administered by the budget agency. The expenses of administering**
16 **the trust fund shall be paid from money in the trust fund. The trust fund consists of cigarette tax**
17 **revenues deposited in the fund under IC 6-7-1-28.1(7) and other appropriations, revenues, or**
18 **transfers to the trust fund under IC 4-12-1.**

19 (c) **The treasurer of state shall invest the money in the trust fund not currently needed to meet**
20 **the obligations of the trust fund in the same manner as other public money may be invested.**

21 (d) **The trust fund is considered a trust fund for purposes of IC 4-9.1-1-7. Money may not be**
22 **transferred, assigned, or otherwise removed from the trust fund by the state board of finance, the**
23 **budget agency, or any other state agency.**

24 (e) **The trust fund shall be established and administered in a manner that complies with Internal**
25 **Revenue Code requirements concerning health reimbursement arrangement (HRA) trusts.**
26 **Contributions by the state to the trust fund are irrevocable. All assets held in the trust fund must**
27 **be held for the exclusive benefit of participants of the retiree health benefit plan developed under**
28 **section 8.3 of this chapter and their beneficiaries. All assets in the trust fund:**

29 (1) **are dedicated exclusively to providing benefits to participants of the plan and their**
30 **beneficiaries according to the terms of the plan; and**

31 (2) **are exempt from levy, sale, garnishment, attachment, or other legal process.**

32 (f) **Money in the trust fund does not revert to the state general fund at the end of any state fiscal**
33 **year.**

34 (g) **The money in the trust fund is appropriated to the budget agency for providing the retiree**
35 **health benefit plan developed under section 8.3 of this chapter.**

36 **SECTION 60. IC 5-28-30-17, AS ADDED BY P.L.162-2007, SECTION 25, IS AMENDED TO**
37 **READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 17. (a) To further the purposes of this chapter,**
38 **and in addition to the corporation's other powers under this chapter, the corporation may, upon a written**
39 **finding as described in section 10 of this chapter, make direct loans from money in the guaranty fund to**
40 **or for the benefit of:**

41 (1) **any industrial development project, mining operation, or agricultural operation that involves the**
42 **processing of agricultural products; or**

43 (2) **a supplier, contractor, or subcontractor for an industrial development project for which:**

44 (A) **bankruptcy was declared with respect to the project before January 1, 2009;**

45 (B) **the estimated value of the project or operation before bankruptcy was declared was at**
46 **least five hundred million dollars (\$500,000,000); and**

47 (C) **the estimated number of employees upon completion the project or operation was**
48 **expected to be at least one thousand two hundred (1,200) persons;**

49 upon the terms and conditions that the corporation prescribes.

50 (b) **Loans made under this section are subject to the following conditions:**

1 (1) A new or additional loan may not be made if the loan would cause the then outstanding total
2 guarantee obligations with respect to all loans and leases guaranteed under this section and the other
3 provisions of this chapter to exceed eight (8) times the amount of money then in the guaranty fund,
4 or would cause the then outstanding total principal balance of all loans made under this section and
5 then owing to the corporation to exceed twenty percent (20%) of the amount of money then in the
6 guaranty fund.

7 (2) The principal amount of such a loan to or for the benefit of a project or operation may not exceed
8 one million dollars (\$1,000,000), less the then outstanding total guarantee obligations with respect
9 to any loans or leases guaranteed under this chapter to or for the benefit of that project or operation.

10 (3) With respect to any loan made under this section, a loan agreement with the corporation must
11 contain the following terms:

12 (A) A requirement that the loan proceeds be used for specified purposes consistent with and in
13 furtherance of the purposes of the corporation under this chapter.

14 (B) The term of the loan, which may not be later than twenty (20) years from the date of the loan.

15 (C) The repayment schedule.

16 (D) The interest rate or rates of the loan, which may include variations in the rate, but which may
17 not be less than the amount necessary to cover all expenses of the corporation in making the loan.

18 (E) Any other terms and provisions that the corporation requires.

19 (4) A loan agreement under this section may also contain a requirement that the loan be insured
20 directly or indirectly by a loan insurer or be guaranteed by a loan guarantor, and a requirement of
21 any other type or types of security or collateral that the corporation considers reasonable or
22 necessary.

23 (5) A loan made under this section may be sold by the corporation, and the corporation may permit
24 other lenders to participate in a loan made under this section, at the time or times and upon the terms
25 and conditions that the corporation considers reasonable or necessary. A loan sold or in which other
26 lenders participate may be guaranteed by the corporation, upon terms and conditions established by
27 the corporation.

28 SECTION 61. IC 6-1.1-17-5, AS AMENDED BY P.L.146-2008, SECTION 149, IS AMENDED TO
29 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The officers of political subdivisions
30 shall meet each year to fix the budget, tax rate, and tax levy of their respective subdivisions for the
31 ensuing budget year as follows:

32 (1) The board of school trustees of a school corporation that is located in a city having a population
33 of more than one hundred five thousand (105,000) but less than one hundred twenty thousand
34 (120,000), not later than:

35 (A) the time required in section 5.6(b) of this chapter; or

36 (B) for budget years beginning before July 1, ~~2010~~, **2011**, September 30 if a resolution adopted
37 under section 5.6(d) of this chapter is in effect.

38 (2) The proper officers of all other political subdivisions, not later than September 30.

39 (3) The governing body of each school corporation (including a school corporation described in
40 subdivision (1)), not later than the time required under section 5.6(b) of this chapter for budget years
41 beginning after June 30, ~~2010~~, **2011**.

42 Except in a consolidated city and county and in a second class city, the public hearing required by section
43 3 of this chapter must be completed at least ten (10) days before the proper officers of the political
44 subdivision meet to fix the budget, tax rate, and tax levy. In a consolidated city and county and in a second
45 class city, that public hearing, by any committee or by the entire fiscal body, may be held at any time after
46 introduction of the budget.

47 (b) Ten (10) or more taxpayers may object to a budget, tax rate, or tax levy of a political subdivision
48 fixed under subsection (a) by filing an objection petition with the proper officers of the political
49 subdivision not more than seven (7) days after the hearing. The objection petition must specifically
50 identify the provisions of the budget, tax rate, and tax levy to which the taxpayers object.

1 (c) If a petition is filed under subsection (b), the fiscal body of the political subdivision shall adopt with
2 its budget a finding concerning the objections in the petition and any testimony presented at the adoption
3 hearing.

4 (d) This subsection does not apply to a school corporation. Each year at least two (2) days before the
5 first meeting after September 20 of the county board of tax adjustment held under IC 6-1.1-29-4, a
6 political subdivision shall file with the county auditor:

7 (1) a statement of the tax rate and levy fixed by the political subdivision for the ensuing budget year;

8 (2) two (2) copies of the budget adopted by the political subdivision for the ensuing budget year; and

9 (3) two (2) copies of any findings adopted under subsection (c).

10 Each year the county auditor shall present these items to the county board of tax adjustment at the board's
11 first meeting under IC 6-1.1-29-4 after September 20 of that year.

12 (e) In a consolidated city and county and in a second class city, the clerk of the fiscal body shall,
13 notwithstanding subsection (d), file the adopted budget and tax ordinances with the county board of tax
14 adjustment within two (2) days after the ordinances are signed by the executive, or within two (2) days
15 after action is taken by the fiscal body to override a veto of the ordinances, whichever is later.

16 (f) If a fiscal body does not fix the budget, tax rate, and tax levy of the political subdivisions for the
17 ensuing budget year as required under this section, the most recent annual appropriations and annual tax
18 levy are continued for the ensuing budget year.

19 SECTION 62. IC 6-1.1-17-5.6, AS AMENDED BY P.L.146-2008, SECTION 150, IS AMENDED TO
20 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5.6. (a) For budget years beginning before
21 July 1, ~~2010~~, **2011**, this section applies only to a school corporation that is located in a city having a
22 population of more than one hundred five thousand (105,000) but less than one hundred twenty thousand
23 (120,000). For budget years beginning after June 30, ~~2010~~, **2011**, this section applies to all school
24 corporations. Beginning in ~~2010~~, **2011**, each school corporation shall adopt a budget under this section
25 that applies from July 1 of the year through June 30 of the following year. In the initial budget adopted
26 by a school corporation in ~~2010~~ **2011** under this section, the first six (6) months of that initial budget must
27 be consistent with the last six (6) months of the budget adopted by the school corporation for calendar
28 year ~~2010~~: **2011**.

29 (b) Before February 1 of each year, the officers of the school corporation shall meet to fix the budget
30 for the school corporation for the ensuing budget year, with notice given by the same officers. However,
31 if a resolution adopted under subsection (d) is in effect, the officers shall meet to fix the budget for the
32 ensuing budget year before September 30.

33 (c) Each year, at least two (2) days before the first meeting after September 20 of the county board of
34 tax adjustment held under IC 6-1.1-29-4, the school corporation shall file with the county auditor:

35 (1) a statement of the tax rate and tax levy fixed by the school corporation for the ensuing budget
36 year;

37 (2) two (2) copies of the budget adopted by the school corporation for the ensuing budget year; and

38 (3) any written notification from the department of local government finance under section 16(i) of
39 this chapter that specifies a proposed revision, reduction, or increase in the budget adopted by the
40 school corporation for the ensuing budget year.

41 Each year the county auditor shall present these items to the county board of tax adjustment at the board's
42 first meeting after September 20 of that year.

43 (d) This subsection does not apply to budget years after June 30, ~~2010~~: **2011**. The governing body of
44 the school corporation may adopt a resolution to cease using a school year budget year and return to using
45 a calendar year budget year. A resolution adopted under this subsection must be adopted after January
46 1 and before July 1. The school corporation's initial calendar year budget year following the adoption of
47 a resolution under this subsection begins on January 1 of the year following the year the resolution is
48 adopted. The first six (6) months of the initial calendar year budget for the school corporation must be
49 consistent with the last six (6) months of the final school year budget fixed by the department of local
50 government finance before the adoption of a resolution under this subsection. Notwithstanding any

1 resolution adopted under this subsection, beginning in ~~2010~~, **2011**, each school corporation shall adopt
2 a budget under this section that applies from July 1 of the year through June 30 of the following year.

3 (e) A resolution adopted under subsection (d) may be rescinded by a subsequent resolution adopted
4 by the governing body. If the governing body of the school corporation rescinds a resolution adopted
5 under subsection (d) and returns to a school year budget year, the school corporation's initial school year
6 budget year begins on July 1 following the adoption of the rescinding resolution and ends on June 30 of
7 the following year. The first six (6) months of the initial school year budget for the school corporation
8 must be consistent with the last six (6) months of the last calendar year budget fixed by the department
9 of local government finance before the adoption of a rescinding resolution under this subsection.

10 SECTION 63. IC 6-1.1-46 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ
11 AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]:

12 **Chapter 46. Circuit Breaker Replacement Grant**

13 **Sec. 1. This chapter applies to a taxing unit other than a school corporation.**

14 **Sec. 2. As used in this chapter, "circuit breaker replacement amount" refers to the amount**
15 **determined under section 9 of this chapter.**

16 **Sec. 3. As used in this chapter, "credit" refers to a credit granted under IC 6-1.1-20.6.**

17 **Sec. 4. As used in this chapter, "essential services" refers to the following:**

18 (1) **Public safety (as defined in IC 6-3.5-6-31).**

19 (2) **Collection, processing, and disposition of storm water, waste substances, and domestic or**
20 **sanitary sewage, and establishment, maintenance, and operation of sewage works (as defined**
21 **in IC 36-9-1-8).**

22 (3) **Establishment, maintenance, and operation of waterworks.**

23 (4) **Collection and disposal of trash, garbage, and solid waste (as defined in IC 36-9-30-2) and**
24 **the establishment, maintenance, and operation of facilities for the collection and disposal of**
25 **trash, garbage, and solid waste.**

26 **Sec. 5. As used in this chapter, "grant" refers to a grant distributed under this chapter from the**
27 **state to a taxing unit.**

28 **Sec. 6. If property taxes are first due and payable in a year as a result of property taxes imposed**
29 **for more than one (1) March 1 assessment date, the calculations under sections 8 and 8 of this**
30 **chapter shall be made separately for property taxes imposed for each March 1 assessment date and**
31 **the related January 15 assessment date.**

32 **Sec. 7. Notwithstanding any other law, a taxing unit is eligible for a grant under this chapter in**
33 **a particular year if for that year the total property tax revenue of the taxing unit is expected to be**
34 **reduced by more than twenty percent (20%) because of the application of credits to property taxes**
35 **first due and payable in that year regardless of the assessment date for which the property taxes**
36 **were imposed.**

37 **Sec. 8. The amount of the grant to which a taxing unit is entitled for a particular year is equal**
38 **to the circuit breaker replacement amount for the taxing unit for that year**

39 **Sec. 9. A circuit breaker replacement amount for a year is equal to ninety percent (90%) of the**
40 **total amount by which the property tax levy imposed and budgeted by a taxing unit for essential**
41 **services was reduced by credits granted from property taxes first due and payable in the year.**

42 **Sec. 10. The budget agency shall administer the grant program.**

43 **Sec. 11. (a) Not later than July 15, 2009, and May 1 of each subsequent year, the budget agency**
44 **shall certify to each taxing unit an initial estimate of the circuit breaker replacement amount**
45 **attributable to each taxing unit for the year.**

46 **(b) Not later than November 1 of a year, the budget agency shall certify to the budget agency a**
47 **final estimate of the circuit breaker replacement amount attributable to each taxing unit for the**
48 **year.**

49 **(c) The budget agency shall compute an amount certified under this section using the best**
50 **information available to the budget agency at the time the certification is made.**

1 **Sec. 12. Subject to section 13 of this chapter, the budget agency shall distribute a grant to an**
2 **eligible taxing unit equal to fifty percent (50%) of the estimated circuit breaker replacement**
3 **amount of a taxing unit for the year in two (2) installments. An installment shall be paid not later**
4 **than:**

- 5 (1) **June 20; and**
- 6 (2) **December 20;**

7 **of the year.**

8 **Sec. 13. (a) In 2009, the first installment required under section 12(1) of this chapter shall be paid**
9 **not later than August 15, 2009.**

10 **(b) Based on the final estimate of the circuit breaker replacement amount certified by the budget**
11 **agency, the budget agency shall settle any overpayment or underpayment of circuit breaker**
12 **replacement amounts to a taxing unit. The budget agency may offset overpayments of circuit**
13 **breaker replacement amounts to a taxing unit against subsequent distributions of grants under this**
14 **chapter or other money due from the state to the taxing unit.**

15 **Sec. 14. Grants may be used for any purpose for which the property tax revenues being replaced**
16 **could have been used.**

17 **Sec. 15. There is annually appropriated a sufficient amount to the budget agency from the state**
18 **general fund to make the distributions required by this chapter.**

19 SECTION 64. IC 6-3.1-30-2, AS AMENDED BY P.L.137-2006, SECTION 8, IS AMENDED TO
20 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. As used in this chapter, "eligible business"
21 means a business that:

- 22 (1) is engaged in either interstate or intrastate commerce;
- 23 (2) maintains a corporate headquarters at a location outside Indiana;
- 24 (3) has not previously maintained a corporate headquarters at a location in Indiana;
- 25 (4) had annual worldwide revenues of at least ~~one hundred twenty million dollars (\$100,000,000)~~
26 **(\$20,000,000)** for the taxable year immediately preceding the business's application for a tax credit
27 under section 12 of this chapter; and
- 28 (5) commits contractually to relocating its corporate headquarters to Indiana.

29 SECTION 65. IC 6-3.1-30-4, AS ADDED BY P.L.193-2005, SECTION 21, IS AMENDED TO READ
30 AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. As used in this chapter, "qualifying project" means
31 the relocation of the corporate headquarters of an eligible business from a location outside Indiana to a
32 location in Indiana **in a county having an unemployment rate, as of March 1, 2009, of at least fifteen**
33 **percent (15%), according to the unemployment rate report by the department of workforce**
34 **development.**

35 SECTION 66. IC 6-3.1-30-8, AS AMENDED BY P.L.1-2007, SECTION 58, IS AMENDED TO
36 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 8. (a) A taxpayer that:

- 37 (1) is an eligible business;
- 38 (2) completes a qualifying project;
- 39 (3) incurs relocation costs; and
- 40 (4) employs at least seventy-five (75) employees in Indiana;

41 **before July 1, 2011**, is entitled to a credit against the taxpayer's state tax liability for the taxable year in
42 which the relocation costs are incurred. The credit allowed under this section is equal to the amount
43 determined under section 9 of this chapter.

44 (b) For purposes of establishing the employment level required by subsection (a)(4), a taxpayer may
45 include:

- 46 (1) individuals who:
 - 47 (A) were employed in Indiana by the taxpayer before the taxpayer commenced a qualifying
 - 48 project; and
 - 49 (B) remain employed in Indiana after the completion of the taxpayer's qualifying project; and
- 50 (2) individuals who:

1 (A) were not employed in Indiana by the taxpayer before the taxpayer commenced a qualifying
2 project; and

3 (B) are employed in Indiana by the taxpayer as a result of the completion of the taxpayer's
4 qualifying project.

5 SECTION 67. IC 6-3.1-30-14, IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
6 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: TO READ AS FOLLOWS [EFFECTIVE JULY 1,
7 2009]: Sec. 26. **Notwithstanding the other provisions of this chapter, the department may not allow
8 a credit for a headquarter's relocation made after June 30, 2011. However, this section may not be
9 construed to prevent a taxpayer from carrying an unused tax credit attributable to a headquarter's
10 relocation made before July 1, 2011, forward to a taxable year beginning after December 31, 2011,
11 in the manner provided by section 11 of this chapter.**

12 SECTION 68. IC 6-3.5-1.1-14, AS AMENDED BY P.L.146-2008, SECTION 328, IS AMENDED TO
13 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 14. (a) In determining
14 the amount of property tax replacement credits civil taxing units and school corporations of a county are
15 entitled to receive during a calendar year, the department of local government finance shall consider only
16 property taxes imposed on tangible property that was assessed in that county.

17 (b) If a civil taxing unit or a school corporation is located in more than one (1) county and receives
18 property tax replacement credits from one (1) or more of the counties, then the property tax replacement
19 credits received from each county shall be used only to reduce the property tax rates that are imposed
20 within the county that distributed the property tax replacement credits.

21 (c) A civil taxing unit shall treat any property tax replacement credits that it receives or is to receive
22 during a particular calendar year as a part of its property tax levy for that same calendar year for purposes
23 of fixing its budget and for purposes of the property tax levy limits imposed by IC 6-1.1-18.5.

24 (d) Subject to subsection (e), if a civil taxing unit or school corporation of an adopting county does not
25 impose a property tax levy that is first due and payable in a calendar year in which property tax
26 replacement credits are being distributed, the civil taxing unit or school corporation is entitled to use the
27 property tax replacement credits distributed to the civil taxing unit or school corporation for any purpose
28 for which a property tax levy could be used.

29 (e) A school corporation shall treat any property tax replacement credits that the school corporation
30 receives or is to receive during a particular calendar year as a part of its property tax levy for its debt
31 service fund, capital projects fund, transportation fund, **and** school bus replacement fund **and special**
32 **education preschool fund** in proportion to the levy for each of these funds for that same calendar year for
33 purposes of fixing its budget. A school corporation shall allocate the property tax replacement credits
34 described in this subsection to all ~~five (5)~~ **four (4)** funds in proportion to the levy for each fund.

35 SECTION 69. IC 6-7-1-28.1, AS AMENDED BY P.L.3-2008, SECTION 66, IS AMENDED TO
36 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 28.1. The taxes, registration fees, fines, or
37 penalties collected under this chapter shall be deposited in the following manner:

38 (1) Four and twenty-two hundredths percent (4.22%) of the money shall be deposited in a fund to
39 be known as the cigarette tax fund.

40 (2) Six-tenths percent (0.6%) of the money shall be deposited in a fund to be known as the mental
41 health centers fund.

42 (3) Fifty-three and sixty-eight hundredths percent (53.68%) of the money shall be deposited in the
43 state general fund.

44 (4) Five and forty-three hundredths percent (5.43%) of the money shall be deposited into the pension
45 relief fund established in IC 5-10.3-11.

46 (5) Twenty-seven and five hundredths percent (27.05%) of the money shall be deposited in the
47 Indiana check-up plan trust fund established by IC 12-15-44.2-17.

48 (6) Two and forty-six hundredths percent (2.46%) of the money shall be deposited in the state
49 general fund for the purpose of paying appropriations for Medicaid—Current Obligations, for
50 provider reimbursements.

1 (7) ~~Four and one-tenth~~ **Six and fifty-six hundredths** percent ~~(4.1%)~~ **(6.56%)** of the money shall be
2 deposited in the state general fund for the purpose of paying any appropriation for a health initiative:
3 **state retiree health benefit trust fund established by IC 5-10-8-8.5.**

4 ~~(8) Two and forty-six hundredths percent (2.46%)~~ of the money shall be deposited in the state
5 general fund for the purpose of reimbursing the state general fund for a tax credit provided under
6 ~~IC 6-3.1-31.~~

7 The money in the cigarette tax fund, the mental health centers fund, the Indiana check-up plan trust fund,
8 or the pension relief fund at the end of a fiscal year does not revert to the state general fund. However,
9 if in any fiscal year, the amount allocated to a fund under subdivision (1) or (2) is less than the amount
10 received in fiscal year 1977, then that fund shall be credited with the difference between the amount
11 allocated and the amount received in fiscal year 1977, and the allocation for the fiscal year to the fund
12 under subdivision (3) shall be reduced by the amount of that difference. Money deposited under
13 subdivisions (6) through ~~(8)~~ **(7)** may not be used for any purpose other than the purpose stated in the
14 subdivision.

15 SECTION 70. IC 7.1-4-8-2, AS AMENDED BY P.L.234-2007, SECTION 274, IS AMENDED TO
16 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. The monies deposited in the postwar
17 construction fund shall be used for construction ~~by the state for the use~~ of:

- 18 (1) penal, benevolent, charitable and educational institutions of the state;
- 19 (2) public safety projects of the state; ~~and~~
- 20 **(3) facilities for the activities of state agencies or branches of state government; and**
- 21 **(4) municipal water and sewer infrastructure improvements necessary or useful for an institution or**
22 **project described in subdivision (1) ~~or~~ (2), ~~or~~ (3).**

23 SECTION 71. IC 8-16-17 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ
24 AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

25 **Chapter 17. Ohio River Bridges Project Commission**

26 **Sec. 1. As used in this chapter, "commission" refers to the Ohio River bridges project**
27 **commission established by section 3 of this chapter.**

28 **Sec. 2. As used in this chapter, "project" refers to an Ohio River bridges project.**

29 **Sec. 3. The Ohio River bridges project commission is established.**

30 **Sec. 4. (a) The commission shall work with lawfully authorized representatives of the**
31 **Commonwealth of Kentucky to prepare a proposed agreement between Indiana and Kentucky to**
32 **govern the financing, construction, and maintenance of Ohio River bridges projects.**

33 **(b) The commission shall submit any proposed agreement prepared under this section to the**
34 **governor for the governor's approval. If a proposed agreement is approved by the governor, the**
35 **commission shall submit the proposed agreement to the general assembly for introduction in the**
36 **first session of the general assembly beginning after the date of the governor's approval.**

37 **Sec. 5. (a) The commission consists of five (5) voting members appointed as follows:**

- 38 **(1) The chairperson of the house standing committee having primary responsibility for**
39 **transportation matters, as determined by the speaker of the house, serving ex officio.**
- 40 **(2) The chairperson of the senate standing committee having primary responsibility for**
41 **transportation matters, as determined by the president pro tempore of the senate, serving ex**
42 **officio.**
- 43 **(3) The commissioner of the Indiana department of transportation serving ex officio or the**
44 **commissioner's designee. A designee of the commissioner serves at the pleasure of the**
45 **commissioner.**
- 46 **(4) The chairman of the Indiana finance authority serving ex officio or the chairperson's**
47 **designee. A designee of the chairperson serves at the pleasure of the chairperson.**
- 48 **(5) An Indiana resident jointly appointed by the governor, the speaker of the house of**
49 **representatives, and the president pro tempore of the senate.**

50 **Sec. 6. The members of the commission shall elect one (1) member of the commission to be the**

1 commission's chairperson and other officers as the members may determine.

2 Sec. 7. (a) The commission may meet at any time during the calendar year.

3 (b) The commission shall meet at the call of the chairperson.

4 Sec. 8. Except as provided in section 7(a) of this chapter, the commission shall operate under the
5 policies governing study committees that are adopted by the legislative council. The commission
6 shall file an annual report with the legislative council in an electronic format under IC 5-14-6 by
7 November 1 of each year.

8 Sec. 9. (a) Three (3) members of the commission constitute a quorum.

9 (b) The affirmative votes of a majority of the voting members appointed to the commission are
10 required for the commission to take action on any measure, including final reports.

11 Sec. 10. The legislative services agency shall provide staff support for the commission.

12 Sec. 11. (a) Subject to subsection (b), each member of the commission appointed under this
13 chapter is entitled to receive the same per diem, mileage, and travel allowances paid to members
14 of the general assembly serving on legislative study committees established by the legislative
15 council.

16 (b) This subsection applies to a member of the commission who is not a member of the general
17 assembly. A member of the commission may not receive a per diem, mileage, or travel allowance
18 under subsection (a) if the member also receives a per diem, mileage, or travel allowance from the
19 authority or governmental entity that employs the member.

20 Sec. 12. This chapter expires December 31, 2019.

21 SECTION 72. IC 9-20-6-2, AS AMENDED BY P.L.3-2008, SECTION 77, IS AMENDED TO READ
22 AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 2. (a) The Indiana department of transportation or
23 local authority that:

24 (1) has jurisdiction over a highway or street; and

25 (2) is responsible for the repair and maintenance of the highway or street;

26 may, upon proper application in writing and upon good cause shown, grant a permit for transporting heavy
27 vehicles and loads or other objects not conforming to this article, including a vehicle transporting an
28 ocean going container, if the department or authority finds that other traffic will not be seriously affected
29 and the highway or bridge will not be seriously damaged.

30 (b) The permit granted under subsection (a) must authorize the operation of a tractor-semitrailer and
31 load that:

32 (1) exceeds the maximum length limitation under this chapter; and

33 (2) is subject to regulation under this chapter;

34 from one-half (1/2) hour before sunrise to one-half (1/2) hour after sunset.

35 (c) A permit may be issued under this section for the following:

36 (1) A single trip.

37 (2) A definite time not exceeding thirty (30) days.

38 (3) A ninety (90) day period.

39 (4) A one (1) year period.

40 (d) This subsection applies to the transportation of ocean going containers that:

41 (1) have been sealed at the place of origin and have not been opened except by an agent of the
42 federal government that may inspect the contents; **and**

43 ~~(2) originated outside the United States; and~~

44 ~~(3) (2) are being transported to or from a distribution facility.~~

45 The total gross weight, with load of a vehicle or combination of vehicles transporting an ocean going
46 container may not exceed ~~ninety~~ **ninety-five** thousand ~~(90,000)~~ **(95,000)** pounds. A permit issued under
47 this section must be issued on an annual basis. A permit issued under this subsection may not impose a
48 limit on the number of movements generated by the applicant or operator of a vehicle granted a permit
49 under this subsection.

50 SECTION 73. IC 12-7-2-189.6 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO

1 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 189.6. "Tamper resistant prescription drug**
2 **form", for purposes of IC 12-8-1-14.5, has the meaning set forth in IC 12-8-1-14.5(a).**

3 SECTION 74. IC 12-8-1-10, AS AMENDED BY P.L.113-2008, SECTION 2, IS AMENDED TO
4 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 10. This chapter expires ~~January 1, 2010~~. **June**
5 **30, 2011.**

6 SECTION 75. IC 12-8-2-12, AS AMENDED BY P.L.113-2008, SECTION 3, IS AMENDED TO
7 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 12. This chapter expires ~~January 1, 2010~~. **June**
8 **30, 2011.**

9 SECTION 76. IC 12-8-6-10, AS AMENDED BY P.L.113-2008, SECTION 4, IS AMENDED TO
10 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 10. This chapter expires ~~January 1, 2010~~. **June**
11 **30, 2011.**

12 SECTION 77. IC 12-8-8-8, AS AMENDED BY P.L.113-2008, SECTION 5, IS AMENDED TO
13 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 8. This chapter expires ~~January 1, 2010~~. **June**
14 **30, 2011.**

15 SECTION 78. IC 12-12-8-6, AS AMENDED BY P.L.141-2006, SECTION 52, IS AMENDED TO
16 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) There is established a statewide
17 independent living council. The council is not a part of a state agency.

18 (b) The council consists of at least twenty (20) members appointed by the governor, including the
19 following:

20 (1) ~~Each~~ **At least one (1)** director of a center for independent living located in Indiana **chosen by**
21 **the directors of the centers for independent living located in Indiana.**

22 (2) Nonvoting members from state agencies that provide services for individuals with disabilities.

23 (3) Other members, who may include the following:

24 (A) Representatives of centers for independent living.

25 (B) Parents and guardians of individuals with disabilities.

26 (C) Advocates for individuals with disabilities.

27 (D) Representatives from private business.

28 (E) Representatives of organizations that provide services for individuals with disabilities.

29 (F) Other appropriate individuals.

30 (c) The members appointed under subsection (b) must:

31 (1) provide statewide representation;

32 (2) represent a broad range of individuals with disabilities from diverse backgrounds;

33 (3) be knowledgeable about centers for independent living and independent living services; and

34 (4) include a majority of members who:

35 (A) are individuals with disabilities; and

36 (B) are not employed by a state agency or a center for independent living.

37 SECTION 79. IC 12-15-12-4.5, AS ADDED BY P.L.101-2005, SECTION 2, IS AMENDED TO
38 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4.5. A managed care provider's contract or
39 provider agreement with the office ~~may~~ **must** include a prescription drug program, subject to
40 IC 12-15-5-5, IC 12-15-35, and IC 12-15-35.5.

41 SECTION 80. IC 12-15-44.2-4, AS ADDED BY P.L.3-2008, SECTION 98, IS AMENDED TO READ
42 AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 4. (a) The plan must include the following in a manner
43 and to the extent determined by the office:

44 (1) Mental health care services.

45 (2) Inpatient hospital services.

46 (3) Prescription drug coverage.

47 (4) Emergency room services.

48 (5) Physician office services.

49 (6) Diagnostic services.

50 (7) Outpatient services, including therapy services.

1 (8) Comprehensive disease management.
2 (9) Home health services, including case management.
3 (10) Urgent care center services.
4 (11) Preventative care services.
5 (12) Family planning services:
6 (A) including contraceptives and sexually transmitted disease testing, as described in federal
7 Medicaid law (42 U.S.C. 1396 et seq.); and
8 (B) not including abortion or abortifacients.
9 (13) Hospice services.
10 (14) Substance abuse services.
11 **(15) Chiropractic services.**
12 (b) The plan must do the following:
13 (1) Offer coverage for dental and vision services to an individual who participates in the plan.
14 (2) Pay at least fifty percent (50%) of the premium cost of dental and vision services coverage
15 described in subdivision (1).
16 (c) An individual who receives the dental or vision coverage offered under subsection (b) shall pay
17 an amount determined by the office for the coverage. The office shall limit the payment to not more than
18 five percent (5%) of the individual's annual household income. The payment required under this
19 subsection is in addition to the payment required under section 11(b)(2) of this chapter for coverage under
20 the plan.
21 (d) Vision services offered by the plan must include services provided by an optometrist.
22 (e) The plan must comply with any coverage requirements that apply to an accident and sickness
23 insurance policy issued in Indiana.
24 (f) The plan may not permit treatment limitations or financial requirements on the coverage of mental
25 health care services or substance abuse services if similar limitations or requirements are not imposed on
26 the coverage of services for other medical or surgical conditions.
27 SECTION 81. IC 14-8-2-72.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
28 READ AS FOLLOWS [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]: **Sec. 72.5. "District forester",**
29 **for purposes of IC 14-23-10, means an employee of the department who:**
30 **(1) holds a bachelor of science degree in forest management or a closely related forestry**
31 **curriculum from a college or university accredited by the Society of American Foresters; and**
32 **(2) is responsible for the administration of IC 6-1.1-6 within designated counties.**
33 SECTION 82. IC 14-8-2-266.9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
34 READ AS FOLLOWS [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]: **Sec. 266.9. "State staffing**
35 **table", for purposes of IC 14-23-10, means a position classification plan and salary and wage**
36 **schedule adopted by the state personnel department under IC 4-15-1.8-7.**
37 SECTION 83. IC 14-23-10 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ
38 AS FOLLOWS [EFFECTIVE JULY 1, 2008 (RETROACTIVE)]:
39 **Chapter 10. Compensation of District Foresters**
40 **Sec. 1. This chapter applies only to salaries paid for pay periods beginning after June 30, 2008.**
41 **Sec. 2. For pay periods beginning after June 30, 2008, the state personnel department shall**
42 **reclassify the job category and skill level of the position of district forester as follows:**
43 **Job Category Executive, Scientific, and Medical (ESM)**
44 **Skill Level 7**
45 **Sec. 3. The state personnel department shall apply the years of experience accrued by a district**
46 **forester under the job category and skill level that applied to the district forester before the**
47 **effective date of the reclassification required by this chapter to the district forester's new**
48 **classification when computing the salary due to the district forester under the new classification.**
49 SECTION 84. IC 20-19-3-9 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO READ
50 AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 9. The department shall provide grants to an**

1 academy that is established to strengthen the leadership and management skills of practicing
2 Indiana school business officials to achieve excellence in school business management practices.

3 SECTION 85. IC 20-20-36.2-4, AS ADDED BY HB 1198-2009, SECTION 120 IS AMENDED TO
4 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 4. (a) Notwithstanding
5 any other provision, a school corporation is eligible for a grant under this chapter in a particular year ~~only~~
6 if for that year the school corporation's total property tax revenue is expected to be reduced by more than
7 ~~two one and five tenths percent (2%)~~ (1.5%) because of the application of credits in that year.

- 8 (b) Subject to subsection (a), an eligible school corporation is entitled to a grant in
9 (1) 2009 equal to the eligible school corporation's circuit breaker replacement amount for property
10 taxes imposed for the March 1, 2008, and January 15, 2009, assessment dates; and
11 (2) 2010 equal to the eligible school corporation's circuit breaker replacement amount for property
12 taxes imposed for the March 1, 2009, and January 15, 2010, assessment dates.

13 SECTION 86. IC 20-20-36.2-5, AS ADDED BY HB 1198-2009, SECTION 120 IS AMENDED TO
14 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 5. (a) An eligible school corporation's
15 circuit breaker replacement amount for 2009 is equal to the result determined under STEP FOUR of the
16 following formula:

17 STEP ONE: Determine the amount of credits granted against the eligible school corporation's
18 combined levy for the eligible school corporation's debt service fund; capital projects fund;
19 transportation fund; school bus replacement fund; and racial balance fund.

20 STEP TWO: Determine the sum of the STEP ONE amounts for all eligible school corporations in
21 Indiana.

22 STEP THREE: Divide fifty million dollars (\$50,000,000) by the STEP TWO amount, rounding to
23 the nearest ten thousandth (0.0001).

24 STEP FOUR: Multiply the STEP THREE result by the STEP ONE amount, rounding to the nearest
25 dollar (\$1).

26 (b) An eligible school corporation is entitled to a grant under this chapter in calendar year 2009,
27 2010, and 2011. The grant is equal to the eligible school corporation's circuit breaker replacement
28 amount, as determined for the calendar year. An eligible school corporation's circuit breaker
29 replacement amount for 2010 a year is equal to the result determined under STEP FOUR SIX of the
30 following formula:

31 STEP ONE: Determine the amount of credits granted against the eligible school corporation's
32 combined levy, for the school corporation's debt service fund; capital projects fund; transportation
33 fund; school bus replacement fund; and racial balance fund; rounded to the nearest dollar (\$1).

34 STEP TWO: Determine the sum of the STEP ONE amounts for all eligible school corporations in
35 Indiana.

36 STEP THREE: Divide seventy million dollars (\$70,000,000) by the STEP TWO amount, rounding
37 to the nearest ten thousandth (0.0001).

38 STEP FOUR: Multiply the STEP THREE result by the STEP ONE amount, rounding to the nearest
39 dollar (\$1). Determine an amount equal to one and five tenths percent (1.5%) of the school
40 corporation's total combined property tax levy for the year, rounded to the nearest dollar (\$1).

41 STEP THREE: Determine the greater of zero (0) or the STEP ONE amount minus the STEP
42 TWO amount.

43 SECTION 87. IC 20-20-36.2-11 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
44 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 11. Grants may be
45 made only from Indiana's apportionment of grants to the states from the state fiscal stabilization
46 fund established by Division A, Title XIV of the federal American Recovery and Reinvestment Act
47 of 2009. The total of all grants distributed in a year to all school corporations may not exceed the
48 amount available to the state from Indiana's apportionment of grants to the states from the state
49 fiscal stabilization fund under Section 14001(d) of Division A, Title XIV of the federal American
50 Recovery and Reinvestment Act of 2009.

1 SECTION 88. IC 20-20-36.2-12 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
2 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: **Sec. 12. If the total**
3 **amount to be distributed as grants for a particular year exceeds the amount specified in section 11**
4 **of this chapter for a year, the amount to be distributed for grants to each school corporation during**
5 **each of the last six (6) months of the year shall be proportionately reduced so that the total**
6 **reductions equal the amount of the excess.**

7 SECTION 89. IC 20-20-36.2-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
8 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: **Sec. 13. The amount of**
9 **the reduction for a particular school corporation under section 12 of this chapter is equal to the**
10 **total amount of the excess determined under section 12 of this chapter multiplied by a fraction. The**
11 **numerator of the fraction is the amount of the distribution for state fiscal stabilization fund grants**
12 **that the school corporation would have received if a reduction were not made under section 12 of**
13 **this chapter and this section. The denominator of the fraction is the total amount that would be**
14 **distributed for state fiscal stabilization fund grants to all school corporations if a reduction were**
15 **not made under section 12 of this chapter and this section.**

16 SECTION 90. IC 20-20-36.2-14 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
17 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: **Sec. 14. (a) This section**
18 **applies retroactively to January 1, 2009, until the expiration of this section.**

19 **(b) Notwithstanding the effective date of HEA 1198-2009, IC 20-20-36.2, as amended by HEA**
20 **1001-2009, applies to the distribution of levy replacement grants after December 31, 2008, and**
21 **before the passage of HEA 1001-2009. IC 20-20-36, as added by P.L.146-2008, SECTION 456, does**
22 **not apply to a distribution described in this section.**

23 SECTION 91. IC 20-20-36.2-15 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
24 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 15. This chapter expires January 1,**
25 **2012.**

26 SECTION 92. IC 20-20-37 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ
27 AS FOLLOWS [EFFECTIVE JULY 1, 2009]:

28 **Chapter 37. The Comer School Development Program and Fund**

29 **Sec. 1. As used in this chapter, "fund" refers to the Comer school development program fund**
30 **established by section 10 of this chapter.**

31 **Sec. 2. (a) There is established the Comer school development program.**

32 **(b) The Comer school development program shall target at risk students enrolled in schools that**
33 **have the following characteristics:**

34 **(1) A public urban school.**

35 **(2) A public school in which:**

36 **(A) at least fifty percent (50%) of the students who were enrolled at that school building**
37 **during the prior school year qualified for free or reduced price lunches under guidelines**
38 **established under 42 U.S.C. 1758(b); and**

39 **(B) lunches are served to students.**

40 **(3) A public school in which at least ten percent (10%) of the teachers:**

41 **(A) hold a limited license to teach; or**

42 **(B) teach outside their licensed areas.**

43 **Sec. 3. The department may contract with a state educational institution to establish pilot**
44 **programs targeting schools with characteristics set forth in section 2(b) of this chapter.**

45 **Sec. 4. In establishing pilot programs under this chapter, the department, in collaboration with**
46 **a state educational institution located within the same county as a school described in section 2(b)**
47 **of this chapter, shall focus on implementing programs that enable the local school corporations,**
48 **appropriate community agencies, nonprofit entities, and colleges and universities to cooperate with**
49 **each other.**

50 **Sec. 5. A pilot program established under this chapter shall include, but is not limited to, the**

1 following:

- 2 (1) Professional development for teachers.
- 3 (2) Curriculum development and oversight.
- 4 (3) Development of support systems that promote student learning and overall development.
- 5 (4) Community involvement.
- 6 (5) Significant matching funds from nonprofit entities or businesses.
- 7 (6) Parental participation.

8 **Sec. 6. The department, in collaboration with a state educational institution:**

- 9 (1) shall select certain school corporations to participate in pilot programs established under
10 this chapter; and
- 11 (2) may not select under subdivision (1) a school corporation that, on June 30, 2009, is already
12 participating in a pilot program as described in section 5 of this chapter.

13 **Sec. 7. A school corporation selected or seeking to be selected to participate in a pilot program**
14 **under this chapter may enter into an agreement with a nonprofit entity, college, or university to**
15 **provide services to the school corporation in connection with the pilot program.**

16 **Sec. 8. The department, in collaboration with a state educational institution, shall develop**
17 **guidelines necessary to implement this chapter.**

18 **Sec. 9. Each school corporation that participates in a pilot program under this chapter shall**
19 **prepare a written report detailing all of the pertinent information concerning the implementation**
20 **of the pilot program, including any:**

- 21 (1) recommendations made as a result of; and
- 22 (2) conclusions drawn from;

23 **the pilot program. The school corporation shall submit the report to the department.**

24 **Sec. 10. (a) The Comer school development program fund is established to provide grants to**
25 **enable participating school corporations to establish and operate pilot programs under this chapter.**

26 **(b) The fund consists of the following:**

- 27 (1) Gifts to the fund.
- 28 (2) Appropriations from the general assembly.
- 29 (3) Grants, including grants from private entities.
- 30 (4) Any combination of the resources described in subdivisions (1), (2), and (3).

31 **(c) The department shall administer the fund.**

32 **(d) The expenses of administering the fund shall be paid from money in the fund.**

33 **(e) The treasurer of state shall invest the money in the fund not currently needed to meet the**
34 **obligations of the fund in the same manner as other public funds may be invested. The treasurer**
35 **of state shall deposit in the fund the interest that accrues from the investment of the fund.**

36 **(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund.**

37 **Sec. 11. (a) To be eligible for a grant under this chapter:**

- 38 (1) a school corporation; or
- 39 (2) two (2) or more school corporations acting under a joint agreement;

40 **must timely apply to the department for a grant on forms provided by the department.**

41 **(b) An applying school corporation must include at least the following information in the school**
42 **corporation's application:**

- 43 (1) A detailed description of the proposed pilot program format.
- 44 (2) The extent to which the applying school corporation intends to include appropriate
45 community resources not directly affiliated with the applying school corporation in the pilot
46 program.
- 47 (3) A statement of and any supporting information concerning the need to establish the pilot
48 program as perceived by the applying school corporation.
- 49 (4) The estimated cost of implementing the pilot program.
- 50 (5) Any other pertinent information required by the department in collaboration with the state

1 educational institution with which the department enters into a contract under section 3 of this
2 chapter.

3 **Sec. 12. This chapter expires June 30, 2014.**

4 SECTION 93. IC 20-24-3-1.2 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
5 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 1.2. Notwithstanding any other law, during**
6 **the period beginning July 1, 2009, and ending June 30, 2011, a sponsor may not grant more than**
7 **one (1) additional charter to operate a charter school under this article.**

8 SECTION 94. IC 20-24-7-13 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
9 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 13. (a) As used in this SECTION, "virtual**
10 **charter school" means a charter school, including a conversion charter school, that provides for**
11 **the delivery of more than fifty percent (50%) of instruction to students through:**

- 12 (1) virtual distance learning;
- 13 (2) online technologies; or
- 14 (3) computer based instruction.

15 (b) The department shall establish a pilot program for a statewide total of up to one hundred
16 (100) students who attend virtual charter schools.

17 (c) The department shall adopt rules governing the operation of a virtual charter school
18 participating in the pilot program.

19 (d) A virtual charter school participating in the pilot program must be administered by a public
20 school corporation.

21 (e) The students attending a virtual charter school as part of the pilot program must be children
22 with disabilities.

23 (f) There is appropriated from the state general fund to the department of education seventy-five
24 thousand dollars (\$75,000) for the biennium beginning July 1, 2009, and ending June 30, 2011, for
25 the purpose of conducting the virtual charter school pilot program under this section.

26 SECTION 95. IC 20-24-8-5, AS AMENDED BY P.L.2-2006, SECTION 111, IS AMENDED TO
27 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 5. The following statutes and rules and**
28 **guidelines adopted under the following statutes apply to a charter school:**

- 29 (1) IC 5-11-1-9 (required audits by the state board of accounts).
- 30 (2) **IC 20-30-2 (minimum number of student instructional days and hours per instructional**
- 31 **day).**
- 32 ~~(3)~~ (3) IC 20-39-1-1 (unified accounting system).
- 33 ~~(4)~~ (4) IC 20-35 (special education).
- 34 ~~(5)~~ (5) IC 20-26-5-10 and IC 20-28-5-9 (criminal history).
- 35 ~~(6)~~ (6) IC 20-26-5-6 (subject to laws requiring regulation by state agencies).
- 36 ~~(7)~~ (7) IC 20-28-7-14 (void teacher contract when two (2) contracts are signed).
- 37 ~~(8)~~ (8) IC 20-28-10-12 (nondiscrimination for teacher marital status).
- 38 ~~(9)~~ (9) IC 20-28-10-14 (teacher freedom of association).
- 39 ~~(10)~~ (10) IC 20-28-10-17 (school counselor immunity).
- 40 ~~(11)~~ (11) For conversion charter schools only, IC 20-28-6, IC 20-28-7, IC 20-28-8, IC 20-28-9, and
- 41 IC 20-28-10.
- 42 ~~(12)~~ (12) IC 20-33-2 (compulsory school attendance).
- 43 ~~(13)~~ (13) IC 20-33-3 (limitations on employment of children).
- 44 ~~(14)~~ (14) IC 20-33-8-19, IC 20-33-8-21, and IC 20-33-8-22 (student due process and judicial
- 45 review).
- 46 ~~(15)~~ (15) IC 20-33-8-16 (firearms and deadly weapons).
- 47 ~~(16)~~ (16) IC 20-34-3 (health and safety measures).
- 48 ~~(17)~~ (17) IC 20-33-9 (reporting of student violations of law).
- 49 ~~(18)~~ (18) IC 20-30-3-2 and IC 20-30-3-4 (patriotic commemorative observances).
- 50 ~~(19)~~ (19) IC 20-31-3, IC 20-32-4, IC 20-32-5, IC 20-32-6, IC 20-32-8, or any other statute, rule, or

1 guideline related to standardized testing (assessment programs, including remediation under the
2 assessment programs).

3 ~~(19)~~ **(20)** IC 20-33-7 (parental access to education records).

4 ~~(20)~~ **(21)** IC 20-31 (accountability for school performance and improvement).

5 SECTION 96. IC 20-40-8-19, AS AMENDED BY P.L.146-2008, SECTION 528, IS AMENDED TO
6 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2009 (RETROACTIVE)]: Sec. 19. Money in the fund
7 may be used to pay for up to one hundred percent (100%) of the following costs of a school corporation:

8 (1) Utility services.

9 (2) Property or casualty insurance.

10 (3) Both utility services and property or casualty insurance.

11 A school corporation's expenditures under this section may not exceed ~~in 2008 and~~ in 2009 ~~three and~~
12 **2010 five** and five-tenths percent ~~(3.5%)~~ **(5.5%)** of the school corporation's 2005 calendar year
13 distribution.

14 SECTION 97. IC 20-43-1-1, AS AMENDED BY P.L.234-2007, SECTION 232, IS AMENDED TO
15 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. This article expires January 1, ~~2010~~ **2012**.

16 SECTION 98. IC 20-43-1-8, AS ADDED BY P.L.2-2006, SECTION 166, IS AMENDED TO READ
17 AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 8. "Basic tuition support" means the part of a
18 school corporation's state tuition support for basic programs determined, **for calendar year 2009**, under
19 IC 20-43-6-5 **(before its repeal) and, for calendar year 2010 and thereafter, under IC 20-43-6-3**.

20 SECTION 99. IC 20-43-1-18.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
21 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: **Sec. 18.5. "New facility appeal grant"**
22 **refers to the amount determined under IC 20-43-11.5.**

23 SECTION 100. IC 20-43-1-23, AS ADDED BY P.L.2-2006, SECTION 166, IS AMENDED TO
24 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 23. "School corporation" means the
25 following:

26 (1) Any local public school corporation established under Indiana law.

27 (2) Except as otherwise indicated in this article **and subject to IC 20-43-2-8**, a charter school.

28 SECTION 101. IC 20-43-1-31 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
29 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: **Sec. 31. "Unadjusted remaining foundation**
30 **revenue difference" refers to the greater of zero dollars (\$0) or the result of a school corporation's**
31 **previous year revenue minus the amount determined for the school corporation under**
32 **IC 20-43-5-7(1) for the current calendar year.**

33 SECTION 102. IC 20-43-2-2, AS AMENDED BY P.L.146-2008, SECTION 482, IS AMENDED TO
34 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 2. The maximum state distribution for
35 a calendar year for all school corporations for the purposes described in section 3 of this chapter is:

36 ~~(1) three billion eight hundred twelve million five hundred thousand dollars (\$3,812,500,000) in~~
37 ~~2007;~~

38 ~~(2) three billion nine hundred sixty million nine hundred thousand dollars (\$3,960,900,000) in 2008;~~
39 ~~and~~

40 ~~(3) (1) six billion five hundred nine million dollars (\$6,509,000,000) in 2009;~~

41 ~~(2) six billion three hundred seventy-two million dollars (\$6,372,000,000) in 2010; and~~

42 ~~(3) six billion five hundred and ten million seven hundred thousand dollars (\$6,509,700,000)~~
43 ~~in 2011.~~

44 SECTION 103. IC 20-43-2-4, AS ADDED BY P.L.2-2006, SECTION 166, IS AMENDED TO READ
45 AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 4. **(a)** The amount of the reduction for a
46 particular school corporation under section 3 of this chapter is equal to the total amount of the excess
47 determined under section 3 of this chapter multiplied by a fraction. The numerator of the fraction is the
48 amount of the distribution for state tuition support that the school corporation would have received if a
49 reduction were not made under this section. The denominator of the fraction is the total amount that
50 would be distributed for state tuition support to all school corporations if a reduction were not made under

1 this section.

2 **(b) For 2010 and 2011, the amount of reductions for school corporations under section 3 of this**
3 **chapter shall be funded from the state share of money from the federal American Recovery and**
4 **Reinvestment Act (ARRA) of 2009 (Division A, Section 14002(a)) to the extent of two hundred**
5 **forty-five thousand four hundred thirty-five thousand eighty-six dollars (\$245,435,086) in each year.**

6 SECTION 104. IC 20-43-3-4, AS AMENDED BY P.L.146-2008, SECTION 485, IS AMENDED TO
7 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 4. (a) A school corporation's previous
8 year revenue equals the amount determined under STEP TWO of the following formula:

9 STEP ONE: Determine the sum of the following:

10 (A) The school corporation's basic tuition support for the year that precedes the current year.

11 (B) ~~the school corporation's maximum permissible tuition support levy for calendar year 2008.~~

12 ~~(C) the school corporation's excise tax revenue for calendar year 2007.~~ **The school corporation's**
13 **new facility appeal grant for the immediately preceding calendar year (if any).**

14 STEP TWO: Subtract from the STEP ONE result an amount equal to the reduction in the school
15 corporation's state tuition support under any combination of subsection (b), subsection (c),
16 IC 20-10.1-2-1 (before its repeal), or IC 20-30-2-4.

17 (b) A school corporation's previous year revenue must be reduced if:

18 (1) the school corporation's state tuition support for special education or career and technical
19 education is reduced as a result of a complaint being filed with the department after December 31,
20 1988, because the school program overstated the number of children enrolled in special education
21 programs or career and technical education programs; and

22 (2) the school corporation's previous year revenue has not been reduced under this subsection more
23 than one (1) time because of a given overstatement.

24 The amount of the reduction equals the amount the school corporation would have received in state tuition
25 support for special education and career and technical education because of the overstatement.

26 ~~(c) This section applies only to 2009. A school corporation's previous year revenue must be reduced~~
27 ~~if an existing elementary or secondary school located in the school corporation converts to a charter~~
28 ~~school under IC 20-24-11. The amount of the reduction equals the product of:~~

29 ~~(1) the sum of the amounts distributed to the conversion charter school under IC 20-24-7-3(c) and~~
30 ~~IC 20-24-7-3(d) (as effective December 31, 2008); multiplied by~~

31 ~~(2) two (2).~~

32 SECTION 105. IC 20-43-4-7, AS AMENDED BY P.L.234-2007, SECTION 240, IS AMENDED TO
33 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 7. (a) This subsection does not apply to
34 a charter school. When calculating adjusted ADM for ~~2008~~ **2010** distributions, this subsection, as
35 effective after December 31, ~~2007,~~ **2009**, shall be used to calculate the adjusted ADM for the previous
36 year rather than the calculation used to calculate adjusted ADM for ~~2007~~ **2009** distributions. For purposes
37 of this article, a school corporation's "adjusted ADM" for the current year is the result determined under
38 the following formula:

39 STEP ONE: Determine the sum of the following:

40 (A) The school corporation's ADM for the year preceding the current year by four (4) years
41 multiplied by two-tenths (0.2).

42 (B) The school corporation's ADM for the year preceding the current year by three (3) years
43 multiplied by two-tenths (0.2).

44 (C) The school corporation's ADM for the year preceding the current year by two (2) years
45 multiplied by two-tenths (0.2).

46 (D) The school corporation's ADM for the year preceding the current year by one (1) year
47 multiplied by two-tenths (0.2).

48 (E) The school corporation's ADM for the current year multiplied by two-tenths (0.2).

49 STEP TWO: Determine the school corporation's ADM for the current year.

50 STEP THREE: Determine the greater of the following:

1 (A) The STEP ONE result.

2 (B) The STEP TWO result.

3 (b) A charter school's adjusted ADM for purposes of this article is the charter school's current ADM.

4 SECTION 106. IC 20-43-5-3, AS AMENDED BY P.L.3-2008, SECTION 125, IS AMENDED TO
5 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 3. A school corporation's complexity
6 index is determined under the following formula:

7 STEP ONE: Determine the greater of zero (0) or the result of the following:

8 (1) Determine the percentage of the school corporation's students who were eligible for free or
9 reduced price lunches in the school year ending in the later of ~~2007~~ **2009** or the first year of
10 operation of the school corporation.

11 (2) Determine the quotient of:

12 ~~(A) in 2008:~~

13 ~~(i) two thousand two hundred fifty dollars (\$2,250); divided by~~

14 ~~(ii) four thousand seven hundred ninety dollars (\$4,790); and~~

15 ~~(B) (A) in 2009:~~

16 (i) two thousand four hundred dollars (\$2,400); divided by

17 (ii) four thousand eight hundred twenty-five dollars (\$4,825);

18 **(B) in 2010:**

19 **(i) two thousand three hundred eight dollars (\$2,308); divided by**

20 **(ii) four thousand six hundred forty dollars (\$4,640); and**

21 **(C) in 2011:**

22 **(i) two thousand three hundred twenty-five dollars (\$2,325); divided by**

23 **(ii) four thousand six hundred seventy-five dollars (\$4,675).**

24 (3) Determine the product of:

25 (A) the subdivision (1) amount; multiplied by

26 (B) the subdivision (2) amount.

27 STEP TWO: Determine the result of one (1) plus the STEP ONE result.

28 STEP THREE: This STEP applies if the STEP TWO result is equal to or greater than at least one
29 and twenty-five hundredths (1.25). Determine the result of the following:

30 (1) Subtract one and twenty-five hundredths (1.25) from the STEP TWO result.

31 (2) Determine the result of:

32 (A) the STEP TWO result; plus

33 (B) the subdivision (1) result.

34 The data to be used in making the calculations under STEP ONE must be the data collected in the annual
35 pupil enrollment count by the department.

36 SECTION 107. IC 20-43-5-4, AS AMENDED BY P.L.234-2007, SECTION 244, IS AMENDED TO
37 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 4. A school corporation's foundation
38 amount for a calendar year is the result determined under STEP TWO of the following formula:

39 STEP ONE: Determine:

40 ~~(A) in 2008; four thousand seven hundred ninety dollars (\$4,790); or~~

41 ~~(B) (A) in 2009, four thousand eight hundred twenty-five dollars (\$4,825);~~

42 **(B) in 2010, four thousand six hundred forty dollars (\$4,640); and**

43 **(C) in 2011, four thousand six hundred seventy-five dollars (\$4,675).**

44 STEP TWO: Multiply the STEP ONE amount by the school corporation's complexity index.

45 SECTION 108. IC 20-43-5-6, AS AMENDED BY P.L.234-2007, SECTION 245, IS AMENDED TO
46 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 6. A school corporation's transition to
47 foundation amount for a calendar year is equal to the result determined under STEP THREE of the
48 following formula:

49 STEP ONE: Determine the difference of:

50 (A) the school corporation's foundation amount; minus

1 (B) the school corporation's previous year revenue foundation amount.

2 STEP TWO: Divide the STEP ONE result by:

3 ~~(A) four (4) in 2008; or~~

4 ~~(B) (A) three (3) in 2009;~~

5 **(B) two (2) in 2010; and**

6 **(C) one (1) in 2011.**

7 STEP THREE: A school corporation's STEP THREE amount is the following:

8 (A) For a charter school located outside Marion County that has previous year revenue that is not
9 greater than zero (0), the charter school's STEP THREE amount is the quotient of:

10 (i) the school corporation's transition to foundation revenue for the calendar year where the
11 charter school is located; divided by

12 (ii) the school corporation's current ADM.

13 (B) For a charter school located in Marion County that has previous year revenue that is not
14 greater than zero (0), the charter school's STEP THREE amount is the weighted average of the
15 transition to foundation revenue for the school corporations where the students counted in the
16 current ADM of the charter school have legal settlement, as determined under item (iv) of the
17 following formula:

18 (i) Determine the transition to foundation revenue for each school corporation where a student
19 counted in the current ADM of the charter school has legal settlement.

20 (ii) For each school corporation identified in item (i), divide the item (i) amount by the school
21 corporation's current ADM.

22 (iii) For each school corporation identified in item (i), multiply the item (ii) amount by the
23 number of students counted in the current ADM of the charter school that have legal settlement
24 in the particular school corporation.

25 (iv) Determine the sum of the item (iii) amounts for the charter school.

26 (C) The STEP THREE amount for a school corporation that is not a charter school described in
27 clause (A) or (B) is the following:

28 (i) The school corporation's foundation amount for the calendar year, if the STEP ONE amount
29 is at least negative fifty dollars (-\$50) and not more than one hundred dollars (\$100).

30 (ii) For 2009, the school corporation's foundation amount for the calendar year, if the
31 foundation amount in 2008 equaled the school corporation's transition to foundation revenue
32 per adjusted ADM in 2008.

33 (iii) The sum of the school corporation's previous year revenue foundation amount and the
34 greater of the school corporation's STEP TWO amount or one hundred dollars (\$100), if the
35 school corporation's STEP ONE amount is greater than one hundred dollars (\$100).

36 (iv) The difference determined by subtracting fifty dollars (\$50) from the school corporation's
37 previous year revenue foundation amount, if the school corporation's STEP ONE amount is less
38 than negative fifty dollars (-\$50).

39 SECTION 109. IC 20-43-5-7, AS AMENDED BY P.L.3-2008, SECTION 126, IS AMENDED TO
40 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 7. A school corporation's transition to
41 foundation revenue for a calendar year is equal to the sum of the following:

42 (1) The product of:

43 (A) the school corporation's transition to foundation amount for the calendar year; multiplied by

44 (B) the school corporation's:

45 (i) current ADM, if the current ADM for the school corporation is less than one hundred (100);
46 and

47 (ii) current adjusted ADM, if item (i) does not apply.

48 (2) ~~Either:~~ **The following:**

49 (A) **The lesser of the school corporation's unadjusted remaining foundation revenue**
50 **difference or the** result of:

1 (i) ~~one hundred dollars (\$100) for calendar year 2008 and~~ one hundred fifty dollars (\$150) for
2 calendar year 2009 **and calendar year 2010**; multiplied by

3 (ii) the school corporation's adjusted ADM;
4 if the school corporation's current ADM is less than three thousand and six hundred (3,600) and
5 the amount determined under subdivision (1) is less than the school corporation's previous year
6 revenue.

7 (B) **The lesser of the school corporation's unadjusted remaining foundation revenue**
8 **difference or the** result of:

9 (i) ~~one hundred dollars (\$100) for calendar year 2008 and~~ one hundred fifty dollars (\$150) for
10 calendar year 2009 **and calendar year 2010**; multiplied by

11 (ii) the school corporation's adjusted ADM;
12 if clause (A) does not apply and the result of the amount under subdivision (1) is less than the
13 result of the school corporation's previous year revenue multiplied by nine hundred sixty-five
14 thousandths (0.965).

15 (C) **The lesser of the school corporation's unadjusted remaining foundation revenue**
16 **difference or the** school corporation's current adjusted ADM multiplied by the lesser of:

17 (i) one hundred dollars (\$100); or
18 (ii) the school corporation's STEP TWO amount under section 6 of this chapter;
19 if clauses (A) and (B) do not apply, the amount under subdivision (1) is less than the school
20 corporation's previous year revenue, and the school corporation's result under STEP ONE of
21 section 6 of this chapter is greater than zero (0). ~~or~~

22 (D) Zero (0), if clauses (A), (B), and (C) do not apply.

23 (3) This subdivision does not apply to a charter school. Either:

24 (A) **the lesser of:**

25 (i) three hundred dollars (\$300); or
26 (ii) **one dollar (\$1) multiplied by the result of one thousand seven hundred (1,700) minus**
27 **the school corporation's current ADM;**

28 multiplied by the school corporation's current ADM, if the school corporation's current ADM is
29 less than one thousand seven hundred (1,700) and the school corporation's complexity index is
30 greater than one and two-tenths (1.2);

31 (B) **the lesser of:**

32 (i) one hundred dollars (\$100); or
33 (ii) **one dollar (\$1) multiplied by the result of one thousand seven hundred (1,700) minus**
34 **the school corporation's current ADM;**

35 multiplied by the school corporation's current ADM, if the school corporation's current ADM is
36 less than one thousand seven hundred (1,700) and the school corporation's complexity index is
37 greater than one and one-tenth (1.1) and not greater than one and two-tenths (1.2); or

38 (C) zero (0), if clauses (A) and (B) do not apply.

39 SECTION 110. IC 20-43-6-1, AS ADDED BY P.L.2-2006, SECTION 166, IS AMENDED TO READ
40 AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 1. Subject to the amount appropriated by the
41 general assembly for state tuition support and IC 20-43-2, the amount that a school corporation is entitled
42 to receive in basic tuition support for a year is the amount determined in section ~~5~~ 3 of this chapter.

43 SECTION 111. IC 20-43-6-3, AS AMENDED BY P.L.146-2008, SECTION 488, IS AMENDED TO
44 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 3. (a) A school corporation's ~~total regular~~
45 **program basic** tuition support for a calendar year is the amount determined under the applicable provision
46 of this section.

47 (b) This subsection applies to a school corporation that has transition to foundation revenue per
48 adjusted ADM for a calendar year that is not equal to the school corporation's foundation amount for the
49 calendar year. The school corporation's total regular program tuition support for a calendar year is equal
50 to the school corporation's transition to foundation revenue for the calendar year.

1 (c) This subsection applies to a school corporation that has transition to foundation revenue per
2 adjusted ADM for a calendar year that is equal to the school corporation's foundation amount for the
3 calendar year. The school corporation's total regular program tuition support for a calendar year is the sum
4 of the following:

5 (1) The school corporation's foundation amount for the calendar year multiplied by the school
6 corporation's adjusted ADM for the current year.

7 (2) The amount of the annual decrease in federal aid to impacted areas from the year preceding the
8 ensuing calendar year by three (3) years to the year preceding the ensuing calendar year by two (2)
9 years.

10 **(d) This subsection applies to a virtual charter school. A virtual charter school's basic tuition**
11 **support for a year is the amount determined under IC 20-24-7-13.**

12 SECTION 112. IC 20-43-7-6, AS AMENDED BY P.L.234-2007, SECTION 252, IS AMENDED TO
13 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 6. A school corporation's special
14 education grant for a calendar year is equal to the sum of the following:

15 (1) The nonduplicated count of pupils in programs for severe disabilities multiplied by

16 (A) in 2008, eight thousand three hundred dollars (\$8,300); and

17 (B) in 2009, eight thousand three hundred fifty dollars (\$8,350).

18 (2) The nonduplicated count of pupils in programs of mild and moderate disabilities multiplied by

19 (A) in 2008, two thousand two hundred fifty dollars (\$2,250); and

20 (B) in 2009, two thousand two hundred sixty-five dollars (\$2,265).

21 (3) The duplicated count of pupils in programs for communication disorders multiplied by

22 (A) in 2008, five hundred thirty-one dollars (\$531); and

23 (B) in 2009, five hundred thirty-three dollars (\$533).

24 (4) The cumulative count of pupils in homebound programs multiplied by

25 (A) in 2008, five hundred thirty-one dollars (\$531); and

26 (B) in 2009, five hundred thirty-three dollars (\$533).

27 **(5) The nonduplicated count of pupils in special preschool education programs multiplied by**
28 **two thousand seven hundred fifty dollars (\$2750).**

29 SECTION 113. IC 20-43-9-4, AS AMENDED BY P.L.234-2007, SECTION 253, IS AMENDED TO
30 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 4. For purposes of computation under
31 this chapter, the following shall be used:

32 (1) The staff cost amount for a school corporation

33 (A) in 2008, is seventy-two thousand dollars (\$72,000); and

34 (B) in 2009, is seventy-four thousand five hundred dollars (\$74,500).

35 (2) The guaranteed primetime amount for a school corporation is the primetime allocation, before
36 any penalty is assessed under this chapter, that the school corporation would have received under
37 this chapter for the 1999 calendar year or the first year of participation in the program, whichever
38 is later.

39 (3) The following apply to determine whether amounts received under this chapter have been
40 devoted to reducing class size in kindergarten through grade 3 as required by section 2 of this
41 chapter:

42 (A) Except as permitted under section 8 of this chapter, only a licensed teacher who is an actual
43 classroom teacher in a regular instructional program is counted as a teacher.

44 (B) If a school corporation is granted approval under section 8 of this chapter, the school
45 corporation may include as one-third (1/3) of a teacher each classroom instructional aide who
46 meets qualifications and performs duties prescribed by the state board.

47 SECTION 114. IC 20-43-9-6, AS AMENDED BY P.L.234-2007, SECTION 254, IS AMENDED TO
48 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 6. A school corporation's primetime
49 distribution for a calendar year under this chapter is the amount determined by the following formula:

50 STEP ONE: Determine the applicable target pupil/teacher ratio for the school corporation as

1 follows:

2 (A) If the school corporation's complexity index is less than one and one-tenth (1.1), the school

3 corporation's target pupil/teacher ratio is eighteen to one (18:1).

4 (B) If the school corporation's complexity index is at least one and one-tenth (1.1) but less than

5 one and two-tenths (1.2), the school corporation's target pupil/teacher ratio is fifteen (15) plus

6 the result determined in item (iii) to one (1):

7 (i) Determine the result of one and two-tenths (1.2) minus the school corporation's complexity

8 index.

9 (ii) Determine the item (i) result divided by one-tenth (0.1).

10 (iii) Determine the item (ii) result multiplied by three (3).

11 (C) If the school corporation's complexity index is at least one and two-tenths (1.2), the school

12 corporation's target pupil/teacher ratio is fifteen to one (15:1).

13 STEP TWO: Determine the result of:

14 (A) the ADM of the school corporation in kindergarten through grade 3 for the current school

15 year; divided by

16 (B) the school corporation's applicable target pupil/teacher ratio, as determined in STEP ONE.

17 STEP THREE: Determine the result of:

18 (A) the ~~total regular program basic~~ tuition support for the year multiplied by seventy-five

19 hundredths (0.75); divided by

20 (B) the school corporation's total ADM.

21 STEP FOUR: Determine the result of:

22 (A) the STEP THREE result; multiplied by

23 (B) the ADM of the school corporation in kindergarten through grade 3 for the current school

24 year.

25 STEP FIVE: Determine the result of:

26 (A) the STEP FOUR result; divided by

27 (B) the staff cost amount.

28 STEP SIX: Determine the greater of zero (0) or the result of:

29 (A) the STEP TWO amount; minus

30 (B) the STEP FIVE amount.

31 STEP SEVEN: Determine the result of:

32 (A) the STEP SIX amount; multiplied by

33 (B) the staff cost amount.

34 STEP EIGHT: Determine the greater of the STEP SEVEN amount or the school corporation's

35 guaranteed primetime amount.

36 STEP NINE: A school corporation's amount under this STEP is the following:

37 (A) If the amount the school corporation received under this chapter in the previous calendar year

38 is greater than zero (0), the amount under this STEP is the lesser of:

39 (i) the STEP EIGHT amount; or

40 (ii) the amount the school corporation received under this chapter for the previous calendar

41 year multiplied by one hundred seven and one-half percent (107.5%).

42 (B) If the amount the school corporation received under this chapter in the previous calendar year

43 is not greater than zero (0), the amount under this STEP is the STEP EIGHT amount.

44 SECTION 115. IC 20-43-11.5-1, AS ADDED BY P.L.146-2008, SECTION 490, IS AMENDED TO

45 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 1. (a) A school corporation may appeal to the

46 department of ~~local government finance~~ under ~~IC 6-1.1-19~~ for a new facility adjustment to increase the

47 school corporation's tuition support distribution for the following year, ~~by the amount described in section~~

48 ~~2 of this chapter.~~

49 (b) Upon the demonstration by the school corporation to the department of ~~local government finance~~

50 that an adjustment is necessary to pay increased costs to open:

- 1 (1) a new school facility; or
2 (2) an existing facility that has not been used for at least three (3) years and that is being reopened
3 to provide additional classroom space;

4 the department of local government finance may grant the appeal. If the department of local government
5 finance grants an appeal, it shall determine the amount of the new facility adjustment to be distributed
6 to the school corporation under this chapter. In determining the amount of a new facility adjustment, the
7 department of local government finance shall consider the extent to which a part of tuition support
8 distributions offsets any increased costs described in subdivision (1) or (2).

9 SECTION 116. IC 20-43-11.5-2, AS ADDED BY P.L.146-2008, SECTION 490, IS AMENDED TO
10 READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2010]: Sec. 2. (a) If a school corporation's appeal
11 under this chapter is granted, the department shall, subject to amounts appropriated, distribute to the
12 school corporation the amount of the new facility adjustment approved by the department. ~~of local~~
13 ~~government finance.~~

14 (b) A new facility adjustment is in addition to the amount of the state tuition support distribution to
15 which the school corporation is otherwise entitled under this article.

16 SECTION 117. IC 20-46-5-6.1 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
17 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 6.1. (a) This section does not apply to**
18 **a school corporation located in South Bend, unless a resolution adopted under IC 6-1.1-17-5.6(d)**
19 **by the governing body of the school corporation is in effect.**

20 (b) **Before a governing body may collect property taxes for the fund in a particular calendar**
21 **year, the governing body must, after January 1 and not later than September 20 of the immediately**
22 **preceding year:**

23 (1) **conduct a public hearing on; and**

24 (2) **pass a resolution to adopt;**

25 **a plan.**

26 (c) **This section expires January 1, 2011.**

27 SECTION 118. IC 20-46-5-7, AS AMENDED BY P.L.146-2008, SECTION 505, IS AMENDED TO
28 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) Except as provided in subsection
29 (b), this section applies only to a school corporation located in South Bend.

30 (b) After December 31, ~~2009~~, **2010**, this section applies to all school corporations.

31 (c) This subsection expires January 1, ~~2010~~, **2011**. This section does not apply to the school
32 corporation if a resolution adopted under IC 6-1.1-17-5.6(d) by the governing body of the school
33 corporation is in effect.

34 (d) Before the governing body of the school corporation may collect property taxes for the fund in a
35 particular calendar year, the governing body must, after January 1 and on or before February 1 of the
36 immediately preceding year:

37 (1) conduct a public hearing on; and

38 (2) pass a resolution to adopt;

39 a plan.

40 SECTION 119. IC 20-46-5-10, AS ADDED BY P.L.2-2006, SECTION 169, IS AMENDED TO
41 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) A governing body may amend a
42 plan. When an amendment to a plan is required, the governing body must:

43 (1) declare the nature of and the need for the amendment; and

44 (2) show cause as to why the original plan no longer meets the needs of the school corporation.

45 (b) The governing body must then conduct a public hearing on and pass a resolution to adopt the
46 amendment to the plan.

47 (c) The plan, as proposed to be amended, must comply with the requirements for a plan under section
48 8 of this chapter.

49 (d) An amendment to the plan is not subject to the deadlines for adoption described in section ~~6~~ **6.1**
50 or 7 of this chapter. However, the amendment to the plan must be submitted to the department of local

1 government finance for its consideration and is subject to approval, disapproval, or modification in
2 accordance with the procedures for adopting a plan set forth in this chapter.

3 SECTION 120. IC 20-46-6-8.1. IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
4 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 8.1. (a) This section does not apply to**
5 **a school corporation that is located in South Bend, unless a resolution adopted under**
6 **IC 6-1.1-17-5.6(d) by the governing body of the school corporation is in effect.**

7 **(b) Before a governing body may collect property taxes for a capital projects fund in a particular**
8 **year, the governing body must:**

9 **(1) after January 1; and**

10 **(2) not later than September 20;**

11 **of the immediately preceding year, hold a public hearing on a proposed or amended plan and pass**
12 **a resolution to adopt the proposed or amended plan.**

13 **(c) This section expires January 1, 2011.**

14 SECTION 121. IC 20-46-6-9, AS AMENDED BY P.L.146-2008, SECTION 508, IS AMENDED TO
15 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) Except as provided in subsection
16 (b), this section applies only to a school corporation that is located in South Bend.

17 (b) After December 31, ~~2009~~, **2010**, this section applies to all school corporations.

18 (c) This subsection expires January 1, ~~2010~~, **2011**. This section does not apply to the school
19 corporation if a resolution adopted under IC 6-1.1-17-5.6(d) by the governing body of the school
20 corporation is in effect.

21 (d) Before the governing body of the school corporation may collect property taxes for a fund in a
22 particular year, the governing body must:

23 (1) after January 1; and

24 (2) before February 2;

25 of the immediately preceding year, hold a public hearing on a proposed or amended plan and pass a
26 resolution to adopt the proposed or amended plan.

27 SECTION 122. IC 20-46-6-18, AS ADDED BY P.L.2-2006, SECTION 169, IS AMENDED TO
28 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18. (a) This section applies to an
29 amendment to a plan that is required by a reason other than an emergency.

30 (b) The governing body must hold a public hearing on the proposed amendment. At the hearing, the
31 governing body must declare the nature of and the need for the amendment and pass a resolution to adopt
32 the amendment to the plan.

33 (c) The plan, as proposed to be amended, must comply with the requirements for a plan under section
34 10 of this chapter. The governing body must publish the proposed amendment to the plan and notice of
35 the hearing in accordance with IC 5-3-1-2(b).

36 (d) An amendment to the plan:

37 (1) is not subject to the deadline for adoption described in section ~~8~~ **8.1** or 9 of this chapter;

38 (2) must be submitted to the department of local government finance for its consideration; and

39 (3) is subject to approval, disapproval, or modification in accordance with the procedures for
40 adopting a plan.

41 SECTION 123. IC 20-46-6-19, AS ADDED BY P.L.2-2006, SECTION 169, IS AMENDED TO
42 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 19. (a) This section applies to an
43 amendment to a plan that is required by reason of an emergency that results in costs that exceed the
44 amount accumulated in the fund for repair, replacement, or site acquisition that is necessitated by an
45 emergency.

46 (b) The governing body is not required to comply with section 18 of this chapter.

47 (c) The governing body must immediately apply to the department of local government finance for a
48 determination that an emergency exists. If the department of local government finance determines that
49 an emergency exists, the governing body may adopt a resolution to amend the plan.

50 (d) An amendment to the plan is not subject to the deadline and the procedures for adoption described

1 in section ~~8~~**8.1** or 9 of this chapter. However, the amendment is subject to modification by the department
2 of local government finance.

3 SECTION 124. IC 21-29-3-3, AS ADDED BY P.L.2-2007, SECTION 270, IS AMENDED TO READ
4 AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 3. (a) Subject to subsections (b) through (d), any state
5 educational institution may enter into and modify, amend, or terminate one (1) or more swap agreements
6 that the state educational institution determines to be necessary or desirable in connection with or
7 incidental to the issuance, carrying, or securing of obligations. Swap agreements entered into by a state
8 educational institution must:

- 9 (1) contain the provisions (including payment, term, security, default, and remedy provisions); and
- 10 (2) be with the parties;

11 that the state educational institution determines are necessary or desirable after due consideration is given
12 to the creditworthiness of the parties.

13 (b) A state educational institution may not:

14 **(1) enter into, modify, amend, or terminate any swap agreement without the specific approval**
15 **of the public finance director appointed under IC 4-4-11-9;**

16 ~~(1)~~ **(2)** enter into any swap agreement under this section other than for the purpose of managing an
17 interest rate or similar risk that arises in connection with or incidental to the issuance, carrying, or
18 securing of obligations by the state educational institution; or

19 ~~(2)~~ **(3)** carry on a business of acting as a dealer in swap agreements.

20 (c) A swap agreement is considered as being entered into in connection with or incidental to the
21 issuance, carrying, or securing of obligations if:

22 (1) the swap agreement is entered into not more than one hundred eighty (180) days after the
23 issuance of the obligations and specifically indicates the agreement's relationship to the obligations;

24 (2) the board of trustees of the state educational institution specifically designates the swap
25 agreement as having a relationship to the particular obligations;

26 (3) the swap agreement amends, modifies, or reverses a swap agreement described in subdivision
27 (1) or (2); or

28 (4) the terms of the swap agreement bear a reasonable relationship to the terms of the obligations.

29 (d) Payments to be made by a state educational institution to any other party under a swap agreement
30 are payable only from the same source or sources of funds from which the related obligations are payable.

31 SECTION 125. IC 34-30-2-149.4 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION TO**
32 **READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 149.4. IC 35-38-1-10.8(e) (Concerning a**
33 **mental health service provider who discloses information in compliance with IC 35-38-1-10.8).**

34 SECTION 126. IC 35-38-1-10.5, AS AMENDED BY P.L.125-2007, SECTION 5, IS AMENDED TO
35 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 10.5. (a) The court:

36 (1) shall order that a person undergo a screening test for the human immunodeficiency virus (HIV)
37 if the person is:

38 (A) convicted of an offense relating to a criminal sexual act and the offense created an
39 epidemiologically demonstrated risk of transmission of the human immunodeficiency virus
40 (HIV); or

41 (B) convicted of an offense relating to controlled substances and the offense involved:

42 (i) the delivery by any person to another person; or

43 (ii) the use by any person on another person;

44 of a contaminated sharp (as defined in IC 16-41-16-2) or other paraphernalia that creates an
45 epidemiologically demonstrated risk of transmission of HIV by involving percutaneous contact;
46 and

47 (2) may order that a person undergo a screening test for the human immunodeficiency virus (HIV)
48 if the court has made a finding of probable cause after a hearing under section ~~10-7~~ **10.8** of this
49 chapter.

50 (b) If the screening test required by this section indicates the presence of antibodies to HIV, the court

1 shall order the person to undergo a confirmatory test.

2 (c) If the confirmatory test confirms the presence of the HIV antibodies, the court shall report the
3 results to the state department of health and require a probation officer to conduct a presence
4 investigation to:

5 (1) obtain the medical record of the convicted person from the state department of health under
6 IC 16-41-8-1(a)(3); and

7 (2) determine whether the convicted person had received risk counseling that included information
8 on the behavior that facilitates the transmission of HIV.

9 (d) A person who, in good faith:

10 (1) makes a report required to be made under this section; or

11 (2) testifies in a judicial proceeding on matters arising from the report;

12 is immune from both civil and criminal liability due to the offering of that report or testimony.

13 (e) The privileged communication between a husband and wife or between a health care provider and
14 the health care provider's patient is not a ground for excluding information required under this section.

15 (f) A mental health service provider (as defined in IC 34-6-2-80) who discloses information that must
16 be disclosed to comply with this section is immune from civil and criminal liability under Indiana statutes
17 that protect patient privacy and confidentiality.

18 SECTION 127. IC 35-38-1-10.6, AS AMENDED BY P.L.125-2007, SECTION 6, IS AMENDED TO
19 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 10.6. (a) The state department of health shall
20 notify victims of an offense relating to a criminal sexual act or an offense relating to controlled substances
21 if tests conducted under section 10.5 or ~~10.7~~ **10.8** of this chapter confirm that the person tested had
22 antibodies for the human immunodeficiency virus (HIV).

23 (b) The state department of health shall provide counseling to persons notified under this section.

24 SECTION 128. IC 35-38-1-10.8 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
25 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: **Sec. 10.8. (a) The following definitions apply
26 throughout this section:**

27 (1) **"Bodily fluid" means blood, human waste, or any other bodily fluid.**

28 (2) **"Dangerous disease" means any of the following:**

29 (A) Chancroid.

30 (B) Chlamydia.

31 (C) Gonorrhea.

32 (D) Hepatitis.

33 (E) Human immunodeficiency virus (HIV).

34 (F) Lymphogranuloma venereum.

35 (G) Syphilis.

36 (H) Tuberculosis.

37 (3) **"Offense involving the transmission of a bodily fluid" means any offense (including a
38 delinquent act that would be a crime if committed by an adult) in which a bodily fluid is
39 transmitted from the defendant to the victim in connection with the commission of the offense.**

40 (4) **"Potentially disease transmitting offense" means any of the following:**

41 (A) Battery by body waste (IC 35-42-2-6).

42 (B) An offense relating to a criminal sexual act (as defined in IC 35-41-1-19.3).

43 **The term includes an attempt to commit an offense referred to in clauses (A) through (B) and
44 a delinquent act that would be a crime referred to in clauses (A) through (B) if committed by
45 an adult.**

46 (b) **This subsection applies only to a defendant who has been charged with a potentially disease
47 transmitting offense. At the request of an alleged victim of the offense, the parent, guardian, or
48 custodian of an alleged victim who is less than eighteen (18) years of age, or the parent, guardian,
49 or custodian of an alleged victim who is an endangered adult (as defined in IC 12-10-3-2), the
50 prosecuting attorney shall petition a court to order a defendant charged with the commission of a**

1 potentially disease transmitting offense to submit to a screening test to determine whether the
2 defendant is infected with a dangerous disease. In the petition, the prosecuting attorney must set
3 forth information demonstrating that the defendant has committed a potentially disease
4 transmitting offense. The court shall set the matter for hearing not later than forty-eight (48) hours
5 after the prosecuting attorney files a petition under this subsection. The alleged victim, the parent,
6 guardian, or custodian of an alleged victim who is less than eighteen (18) years of age, and the
7 parent, guardian, or custodian of an alleged victim who is an endangered adult (as defined in
8 IC 12-10-3-2), are entitled to receive notice of the hearing and are entitled to attend the hearing.
9 The defendant and the defendant's counsel are entitled to receive notice of the hearing and are
10 entitled to attend the hearing. If, following the hearing, the court finds probable cause to believe
11 that the defendant has committed a potentially disease transmitting offense, the court may order
12 the defendant to submit to a screening test for one (1) or more dangerous diseases. If the defendant
13 is charged with committing battery by body waste (IC 35-42-2-6), the court may limit testing under
14 this subsection to a test only for human immunodeficiency virus (HIV). However, the court may
15 order additional testing for human immunodeficiency virus (HIV) as may be medically appropriate.
16 The court shall take actions to ensure the confidentiality of evidence introduced at the hearing.

17 (c) This subsection applies only to a defendant who has been charged with an offense involving
18 the transmission of a bodily fluid. At the request of an alleged victim of the offense, the parent,
19 guardian, or custodian of an alleged victim who is less than eighteen (18) years of age, or the parent,
20 guardian, or custodian of an alleged victim who is an endangered adult (as defined in IC 12-10-3-2),
21 the prosecuting attorney shall petition a court to order a defendant charged with the commission
22 of an offense involving the transmission of a bodily fluid to submit to a screening test to determine
23 whether the defendant is infected with a dangerous disease. In the petition, the prosecuting attorney
24 must set forth information demonstrating that:

25 (1) the defendant has committed an offense; and

26 (2) a bodily fluid was transmitted from the defendant to the victim in connection with the
27 commission of the offense.

28 The court shall set the matter for hearing not later than forty-eight (48) hours after the prosecuting
29 attorney files a petition under this subsection. The alleged victim of the offense, the parent,
30 guardian, or custodian of an alleged victim who is less than eighteen (18) years of age, and the
31 parent, guardian, or custodian of an alleged victim who is an endangered adult (as defined in
32 IC 12-10-3-2), are entitled to receive notice of the hearing and are entitled to attend the hearing.
33 The defendant and the defendant's counsel are entitled to receive notice of the hearing and are
34 entitled to attend the hearing. If, following the hearing, the court finds probable cause to believe
35 that the defendant has committed an offense and that a bodily fluid was transmitted from the
36 defendant to the alleged victim in connection with the commission of the offense, the court may
37 order the defendant to submit to a screening test for one (1) or more dangerous diseases. If the
38 defendant is charged with committing battery by body waste (IC 35-42-2-6), the court may limit
39 testing under this subsection to a test only for human immunodeficiency virus (HIV). However, the
40 court may order additional testing for human immunodeficiency virus (HIV) as may be medically
41 appropriate. The court shall take actions to ensure the confidentiality of evidence introduced at the
42 hearing.

43 (d) The testimonial privileges applying to communication between a husband and wife and
44 between a health care provider and the health care provider's patient are not sufficient grounds for
45 not testifying or providing other information at a hearing conducted in accordance with this section.

46 (e) A mental health service provider (as defined in IC 34-6-2-80) who discloses information that
47 must be disclosed to comply with this section is immune from civil and criminal liability under
48 Indiana statutes that protect patient privacy and confidentiality.

49 (f) The results of a screening test conducted under this section shall be kept confidential if the
50 defendant ordered to submit to the screening test under this section has not been convicted of the

1 potentially disease transmitting offense or offense involving the transmission of a bodily fluid with
2 which the defendant is charged. The results may not be made available to any person or public or
3 private agency other than the following:

4 (1) The defendant and the defendant's counsel.

5 (2) The prosecuting attorney.

6 (3) The department of correction or the penal facility, juvenile detention facility, or secure
7 private facility where the defendant is housed.

8 (4) The alleged victim or the parent, guardian, or custodian of an alleged victim who is less
9 than eighteen (18) years of age, or the parent, guardian, or custodian of an alleged victim who
10 is an endangered adult (as defined in IC 12-10-3-2), and the alleged victim's counsel.

11 The results of a screening test conducted under this section may not be admitted against a
12 defendant in a criminal proceeding.

13 (g) As soon as practicable after a screening test ordered under this section has been conducted,
14 the alleged victim or the parent, guardian, or custodian of an alleged victim who is less than
15 eighteen (18) years of age, or the parent, guardian, or custodian of an alleged victim who is an
16 endangered adult (as defined in IC 12-10-3-2), and the victim's counsel shall be notified of the
17 results of the test.

18 (h) An alleged victim may disclose the results of a screening test to which a defendant is ordered
19 to submit under this section to an individual or organization to protect the health and safety of or
20 to seek compensation for:

21 (1) the alleged victim;

22 (2) the alleged victim's sexual partner; or

23 (3) the alleged victim's family.

24 (i) The court shall order a petition filed and any order entered under this section sealed.

25 (j) A person that knowingly or intentionally:

26 (1) receives notification or disclosure of the results of a screening test under this section; and

27 (2) discloses the results of the screening test in violation of this section;

28 commits a Class B misdemeanor.

29 SECTION 129. IC 35-41-1-19.3, AS ADDED BY P.L.125-2007, SECTION 9, IS AMENDED TO
30 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 19.3. "Offense relating to a criminal sexual
31 act" means the following:

32 (1) Rape (IC 35-42-4-1).

33 (2) Criminal deviate conduct (IC 35-42-4-2).

34 (3) Child molesting (IC 35-42-4-3).

35 (4) Child seduction (IC 35-42-4-7).

36 (5) Prostitution (IC 35-45-4-2).

37 (6) Patronizing a prostitute (IC 35-45-4-3).

38 (7) Incest (IC 35-46-1-3).

39 (8) Sexual misconduct with a minor under IC 35-42-4-9(a).

40 (9) **Sexual misconduct by a service provider (IC 35-44-1-5).**

41 SECTION 130. IC 35-44-3-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]:
42 Sec. 2. (a) A person not standing in the relation of parent, child, or spouse to another person who has
43 committed a crime or is a fugitive from justice who, with intent to hinder the apprehension or punishment
44 of the other person, harbors, conceals, or otherwise assists the person commits assisting a criminal, a
45 Class A misdemeanor. However, the offense is:

46 (1) a Class D felony if the person assisted has committed a Class B, Class C, or Class D felony; and

47 (2) a Class C felony if the person assisted has committed murder or a Class A felony, or if the
48 assistance was providing a deadly weapon.

49 (b) **It is not a defense to a prosecution under this section that the person assisted:**

50 (1) **has not been prosecuted for the offense;**

- 1 **(2) has not been convicted of the offense; or**
- 2 **(3) has been acquitted of the offense by reason of insanity.**

3 SECTION 131. IC 35-50-2-8, AS AMENDED BY P.L.71-2005, SECTION 11, IS AMENDED TO
4 READ AS FOLLOWS [EFFECTIVE JULY 1, 2009]: Sec. 8. (a) Except as otherwise provided in this
5 section, the state may seek to have a person sentenced as a habitual offender for any felony by alleging,
6 on a page separate from the rest of the charging instrument, that the person has accumulated two (2) prior
7 unrelated felony convictions.

8 (b) The state may not seek to have a person sentenced as a habitual offender for a felony offense under
9 this section if:

- 10 (1) the offense is a misdemeanor that is enhanced to a felony in the same proceeding as the habitual
11 offender proceeding solely because the person had a prior unrelated conviction;
 - 12 (2) the offense is an offense under IC 9-30-10-16 or IC 9-30-10-17; or
 - 13 (3) all of the following apply:
 - 14 (A) The offense is an offense under IC 16-42-19 or IC 35-48-4.
 - 15 (B) The offense is not listed in section 2(b)(4) of this chapter.
 - 16 (C) The total number of unrelated convictions that the person has for:
 - 17 (i) dealing in or selling a legend drug under IC 16-42-19-27;
 - 18 (ii) dealing in cocaine or a narcotic drug (IC 35-48-4-1);
 - 19 **(iii) dealing in methamphetamine (IC 35-48-4-1.1);**
 - 20 ~~(iii)~~ (iv) dealing in a schedule I, II, III controlled substance (IC 35-48-4-2);
 - 21 ~~(iv)~~ (v) dealing in a schedule IV controlled substance (IC 35-48-4-3); and
 - 22 ~~(v)~~ (vi) dealing in a schedule V controlled substance (IC 35-48-4-4);
- 23 does not exceed one (1).

24 (c) A person has accumulated two (2) prior unrelated felony convictions for purposes of this section
25 only if:

- 26 (1) the second prior unrelated felony conviction was committed after sentencing for the first prior
27 unrelated felony conviction; and
- 28 (2) the offense for which the state seeks to have the person sentenced as a habitual offender was
29 committed after sentencing for the second prior unrelated felony conviction.

30 (d) A conviction does not count for purposes of this section as a prior unrelated felony conviction if:

- 31 (1) the conviction has been set aside;
 - 32 (2) the conviction is one for which the person has been pardoned; or
 - 33 (3) all of the following apply:
 - 34 (A) The offense is an offense under IC 16-42-19 or IC 35-48-4.
 - 35 (B) The offense is not listed in section 2(b)(4) of this chapter.
 - 36 (C) The total number of unrelated convictions that the person has for:
 - 37 (i) dealing in or selling a legend drug under IC 16-42-19-27;
 - 38 (ii) dealing in cocaine or a narcotic drug (IC 35-48-4-1);
 - 39 **(ii) dealing in methamphetamine (IC 35-48-4-1.1);**
 - 40 ~~(iii)~~ (iv) dealing in a schedule I, II, III controlled substance (IC 35-48-4-2);
 - 41 ~~(iv)~~ (v) dealing in a schedule IV controlled substance (IC 35-48-4-3); and
 - 42 ~~(v)~~ (vi) dealing in a schedule V controlled substance (IC 35-48-4-4);
- 43 does not exceed one (1).

44 (e) The requirements in subsection (b) do not apply to a prior unrelated felony conviction that is used
45 to support a sentence as a habitual offender. A prior unrelated felony conviction may be used under this
46 section to support a sentence as a habitual offender even if the sentence for the prior unrelated offense
47 was enhanced for any reason, including an enhancement because the person had been convicted of
48 another offense. However, a prior unrelated felony conviction under IC 9-30-10-16, IC 9-30-10-17,
49 IC 9-12-3-1 (repealed), or IC 9-12-3-2 (repealed) may not be used to support a sentence as a habitual
50 offender.

1 (f) If the person was convicted of the felony in a jury trial, the jury shall reconvene for the sentencing
2 hearing. If the trial was to the court or the judgment was entered on a guilty plea, the court alone shall
3 conduct the sentencing hearing under IC 35-38-1-3.

4 (g) A person is a habitual offender if the jury (if the hearing is by jury) or the court (if the hearing is
5 to the court alone) finds that the state has proved beyond a reasonable doubt that the person had
6 accumulated two (2) prior unrelated felony convictions.

7 (h) The court shall sentence a person found to be a habitual offender to an additional fixed term that
8 is not less than the advisory sentence for the underlying offense nor more than three (3) times the advisory
9 sentence for the underlying offense. However, the additional sentence may not exceed thirty (30) years.

10 SECTION 132. IC 36-4-8-15.5 IS ADDED TO THE INDIANA CODE AS A NEW SECTION TO
11 READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 15.5. (a) This section applies to:**

12 (1) a city in which a riverboat (as defined in IC 4-33-2-17) is docked or located or gambling
13 games (as defined in IC 4-35-2-5) are located; and

14 (2) a school corporation that is located in any part in a city described in subdivision (1).

15 (1) "The city in which a may do any of the following:

16 (1) Enter into one (1) or more agreements or leases with the school corporation or another
17 public or private entity to provide for the construction or renovation of a school building that
18 will be used by the school corporation. The agreements and leases may provide for the
19 financing of the construction or renovation of the school building.

20 (2) A school building constructed or renovated as provided in subdivision (1) may be donated,
21 sold, or leased to the school corporation under the conditions determined by the school
22 corporation and the city.

23 (3) The city may use any revenues (including any gaming revenues) to pay for the construction
24 or renovation of the school building or to finance the construction or renovation of the school
25 building.

26 SECTION 133. IC 36-7-13.5-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON
27 PASSAGE]: **Sec. 19. (a) The shoreline environmental trust fund is established to provide a source of**
28 **money for the following:**

29 (1) The rehabilitation, redevelopment, and reuse of qualifying property by providing grants to
30 political subdivisions to conduct any of the following activities:

31 (A) Identification and acquisition of qualifying property within a political subdivision.

32 (B) Environmental assessment of identified qualifying property and other activities necessary or
33 convenient to complete the environmental assessments.

34 (C) Remediation of environmental contamination conducted on qualifying property.

35 (D) Clearance of real property under IC 36-7-14-12.2 or IC 36-7-15.1-7 in connection with
36 remediation activities.

37 (E) Other activities necessary or convenient to return qualified property to full use.

38 (2) The operations of the commission.

39 (b) **The commission account is established within the shoreline environmental trust fund to**
40 **provide money for the operations of the commission.**

41 SECTION 134. [EFFECTIVE JULY 1, 2009] THE FOLLOWING ARE REPEALED: IC 35-38-1-10.7;
42 P.L.146-2008, SECTION 857 IS REPEALED.

43 SECTION 135. THE FOLLOWING ARE REPEALED [EFFECTIVE JANUARY 1, 2010]:
44 IC 20-20-34; IC 20-40-4; IC 20-43-1-27; IC 20-43-6-5; IC 20-45-1-2; IC 20-45-1-6; IC 20-45-1-12;
45 IC 20-45-1-21.3; IC 20-45-1-21.5; IC 20-45-1-21.7.

46 SECTION 136. P.L.3-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
47 OCTOBER 1, 2008 (RETROACTIVE)]: SECTION 1. (a) **As used in this SECTION, "continuing care**
48 **retirement community" means a health care facility that:**

49 (1) **provides independent living services and health facility services in a campus setting with**
50 **common areas;**

1 (2) holds continuing care agreements with at least twenty-five percent (25%) of its residents
2 (as defined in IC 23-2-4-1);

3 (3) uses the money described in subdivision (2) to provide services to the resident before the
4 resident may be eligible for Medicaid under IC 12-15; and

5 (4) meets the requirements of IC 23-2-4.

6 (b) As used in this SECTION, "health facility" refers to a health facility that is licensed under IC 16-28
7 as a comprehensive care facility.

8 (b) (c) As used in this SECTION, "nursing facility" means a health facility that is certified for
9 participation in the federal Medicaid program under Title XIX of the federal Social Security Act (42
10 U.S.C. 1396 et seq.).

11 (c) (d) As used in this SECTION, "office" refers to the office of Medicaid policy and planning
12 established by IC 12-8-6-1.

13 (d) As used in this SECTION, "total annual revenue" does not include revenue from Medicare services
14 provided under Title XVIII of the federal Social Security Act (42 U.S.C. 1395 et seq.).

15 (e) Effective August 1, 2003, 2009, the office shall collect a quality assessment from each nursing
16 health facility. that has:

17 (1) a Medicaid utilization rate of at least twenty-five percent (25%); and

18 (2) at least seven hundred thousand dollars (\$700,000) in annual Medicaid revenue, adjusted
19 annually by the average annual percentage increase in Medicaid rates.

20 The office shall offset the collection of the assessment for a health facility:

21 (1) against a Medicaid payment to the health facility by the office; or

22 (2) in another manner determined by the office.

23 (f) If The office shall implement the waiver approved by the United States Centers for Medicare
24 and Medicaid Services determines not to approve payments under this SECTION using the methodology
25 described in subsection (e), the office shall revise the state plan amendment and waiver request submitted
26 under subsection (f) as soon as possible to demonstrate compliance with 42 CFR 433.68(e)(2)(ii). The
27 revised state plan amendment and waiver request must provide that provides for the following:

28 (1) Effective August 1, 2003, collection of a quality assessment by the office from each nursing
29 facility.

30 (2) Effective August 1, 2003, collection of a quality assessment by the department of state revenue
31 from each health facility that is not a nursing facility.

32 (3) An an exemption from collection of a quality assessment from the following:

33 (A)

34 (1) A continuing care retirement community as follows:

35 (A) A continuing care retirement community that was registered with the securities
36 commissioner as a continuing care retirement community on January 1, 2007, is not
37 required to meet the definition of a continuing care retirement community in subsection (a).

38 (B) A continuing care retirement community that, for the period January 1, 2007, through
39 June 30, 2009, operates independent living units, at least twenty-five percent (25%) of
40 which are provided under contracts that require the payment of a minimum entrance fee
41 of at least twenty-five thousand dollars (\$25,000).

42 (C) An organization registered under IC 23-2-4 before July 1, 2009, that provides housing
43 in an independent living unit for a religious order.

44 (D) A continuing care retirement community that meets the definition set forth in
45 subsection (a).

46 (B) A health facility that only receives revenue from Medicare services provided under 42 U.S.C.
47 1395 et seq.

48 (C)

49 (2) A hospital based health facility. that has less than seven hundred fifty thousand dollars
50 (\$750,000) in total annual revenue, adjusted annually by the average annual percentage increase in

1 Medicaid rates:

2 ~~(D)~~

3 (3) The Indiana Veterans' Home.

4 Any revision to the state plan amendment or waiver request under this subsection is subject to and must
5 comply with the provisions of this SECTION.

6 (g) If the United States Centers for Medicare and Medicaid Services determines not to approve
7 payments under this SECTION using the methodology described in subsections (d) and (e), ~~and (f)~~, the
8 office shall revise the state plan amendment and waiver request submitted under ~~subsection (f) this~~
9 **SECTION** as soon as possible to demonstrate compliance with 42 CFR 433.68(e)(2)(ii) and to provide
10 for collection of a quality assessment from health facilities effective August 1, ~~2003; 2009. In amending~~
11 ~~the state plan amendment and waiver request under this subsection, the office may modify the parameters~~
12 ~~described in subsection (f)(3). However, if the office determines a need to modify the parameters~~
13 ~~described in subsection (f)(3); the office shall modify the parameters in order to achieve a methodology~~
14 ~~and result as similar as possible to the methodology and result described in subsection (f). Any revision~~
15 ~~of the state plan amendment and waiver request under this subsection is subject to and must comply with~~
16 ~~the provisions of this SECTION.~~

17 (h) The money collected from the quality assessment may be used only to pay the state's share of the
18 costs for Medicaid services provided under Title XIX of the federal Social Security Act (42 U.S.C. 1396
19 et seq.) as follows:

20 (1) **At the following percentages when the state's regular federal medical assistance percentage**
21 **(FMAP) applies, excluding the time frame in which the adjusted FMAP is provided to the state**
22 **by the federal American Recovery and Reinvestment Act of 2009:**

23 (A) Twenty percent (20%) as determined by the office.

24 ~~(2) (B) Eighty percent (80%) to nursing facilities.~~

25 (2) **At the following percentages when the state's federal medical assistance percentage**
26 **(FMAP) is adjusted by the federal American Recovery and Reinvestment Act of 2009:**

27 (A) **Thirty-five percent (35%) as determined by the office.**

28 (B) **Sixty-five percent (65%) to nursing facilities.**

29 (i) After:

30 (1) the amendment to the state plan and waiver request submitted under this SECTION is approved
31 by the United States Centers for Medicare and Medicaid Services; and

32 (2) the office calculates and begins paying enhanced reimbursement rates set forth in this SECTION;
33 the office ~~and the department of state revenue~~ shall begin the collection of the quality assessment set
34 under this SECTION. The office ~~and the department of state revenue shall~~ **may** establish a method to
35 allow a facility to enter into an agreement to pay the quality assessment collected under this SECTION
36 subject to an installment plan.

37 (j) If federal financial participation becomes unavailable to match money collected from the quality
38 assessments for the purpose of enhancing reimbursement to nursing facilities for Medicaid services
39 provided under Title XIX of the federal Social Security Act (42 U.S.C. 1396 et seq.), the office ~~and~~
40 ~~department of state revenue~~ shall cease collection of the quality assessment under this SECTION.

41 (k) To implement this SECTION, the

42 ~~(1) office shall adopt rules under IC 4-22-2. and~~

43 ~~(2) office and department of state revenue shall adopt joint rules under IC 4-22-2.~~

44 (l) Not later than ~~July 1, 2003; August 1, 2009~~, the office shall do the following:

45 (1) Request the United States Department of Health and Human Services under 42 CFR 433.72 to
46 approve waivers of 42 CFR 433.68(c) and 42 CFR 433.68(d) by demonstrating compliance with 42
47 CFR 433.68(e)(2)(ii).

48 (2) Submit any state Medicaid plan amendments to the United States Department of Health and
49 Human Services that are necessary to implement this SECTION.

50 (m) After approval of the waivers and state Medicaid plan amendment applied for under ~~subsection~~

1 ~~(f)~~, **this SECTION**, the office and the department of state revenue shall implement this SECTION
2 effective ~~July 1, 2003~~: **August 1, 2009**.

3 (n) The select joint commission on Medicaid oversight, established by IC 2-5-26-3, shall review the
4 implementation of this SECTION. The office may not make any change to the reimbursement for nursing
5 facilities unless the select joint commission on Medicaid oversight recommends the reimbursement
6 change.

7 (o) A nursing facility or a health facility may not charge the facility's residents for the amount of the
8 quality assessment that the facility pays under this SECTION.

9 (p) The office may withdraw a state plan amendment **submitted** under ~~subsection (e)~~, ~~(f)~~, or ~~(g)~~ **this**
10 **SECTION** only if the office determines that failure to withdraw the state plan amendment will result in
11 the expenditure of state funds not funded by the quality assessment.

12 (q) If a health facility fails to pay the quality assessment under this SECTION not later than ten (10)
13 days after the date the payment is due, the health facility shall pay interest on the quality assessment at
14 the same rate as determined under IC 12-15-21-3(6)(A).

15 (r) ~~The following shall be provided to the state department of health:~~

16 ~~(1) The office shall report to the state department of health each nursing facility and each health~~
17 ~~facility that fails to pay the quality assessment under this SECTION not later than one hundred~~
18 ~~twenty (120) days after payment of the quality assessment is due.~~

19 ~~(2) The department of state revenue shall report each health facility that is not a nursing facility that~~
20 ~~fails to pay the quality assessment under this SECTION not later than one hundred twenty (120) days~~
21 ~~after payment of the quality assessment is due.~~

22 (s) The state department of health shall do the following:

23 (1) Notify each nursing facility and each health facility reported under subsection (r) that the nursing
24 facility's or health facility's license under IC 16-28 will be revoked if the quality assessment is not
25 paid.

26 (2) Revoke the nursing facility's or health facility's license under IC 16-28 if the nursing facility or
27 the health facility fails to pay the quality assessment.

28 (t) An action taken under subsection (s)(2) is governed by:

29 (1) IC 4-21.5-3-8; or

30 (2) IC 4-21.5-4.

31 (u) The office shall report the following information to the select joint commission on Medicaid
32 oversight established by IC 2-5-26-3 at every meeting of the commission:

33 (1) Before the quality assessment is approved by the United States Centers for Medicare and
34 Medicaid Services:

35 (A) an update on the progress in receiving approval for the quality assessment; and

36 (B) a summary of any discussions with the United States Centers for Medicare and Medicaid
37 Services.

38 (2) After the quality assessment has been approved by the United States Centers for Medicare and
39 Medicaid Services:

40 (A) an update on the collection of the quality assessment;

41 (B) a summary of the quality assessment payments owed by a nursing facility or a health facility;
42 and

43 (C) any other relevant information related to the implementation of the quality assessment.

44 (v) This SECTION expires August 1, ~~2009~~: **2011**.

45 SECTION 137. [EFFECTIVE UPON PASSAGE] (a) **This SECTION applies to:**

46 **(1) an entity that failed, for an assessment date after March 1, 2000, and before March 1, 2010**
47 **to:**

48 **(A) file a timely application under IC 6-1.1-11 for an exemption under IC 6-1.1-10-16; or**

49 **(B) accompany a timely filed application for an exemption under IC 6-1.1-10-16 with**
50 **sufficient information for the county property tax assessment board of appeals to determine**

1 whether the applicant was eligible for an exemption under IC 6-1.1-10-16, as specified on
2 a response from the county assessor or property tax assessment board of appeals; and

3 (2) any part of the entity's property that would have qualified for an exemption under
4 IC 6-1.1-10-16 as property owned, occupied, and predominately used for a charitable purpose,
5 if the omissions described in subdivision (1) had not occurred.

6 (b) Notwithstanding IC 6-1.1-11 or any other law, an entity described in subsection (a) may,
7 before July 1, 2009, file or refile with the county assessor an application for a property tax
8 exemption under IC 6-1.1-10-16 for an assessment date occurring after March 1, 2000, and before
9 March 1, 2010.

10 (c) Notwithstanding IC 6-1.1-11 or any other law, an application for a property tax exemption
11 that is filed under subsection (b) is considered to be timely filed for the assessment date for which
12 it is filed, and the county assessor shall forward the application to the county property tax
13 assessment board of appeals for review or reconsideration. The board shall grant an exemption
14 claimed under this SECTION for the assessment date covered by the application if, after reviewing
15 all of the information submitted by the applicant, the board determines that:

16 (1) the entity's application for a property tax exemption satisfies the requirements of this
17 SECTION; and

18 (2) except for the omissions described in subsection (a), part or all of the entity's property
19 would otherwise have qualified for an exemption under IC 6-1.1-10-16 for the assessment date
20 covered by the application.

21 IC 6-1.1-11-7 applies to a determination under this SECTION.

22 (d) If an entity is granted an exemption under this SECTION, any unpaid property tax liability,
23 including interest, for the entity's property shall be canceled by the county auditor and the county
24 treasurer, and, notwithstanding IC 6-1.1-26-1, if the entity has previously paid the tax liability for
25 property with respect to the assessment date covered by the application, the county auditor shall
26 issue a refund of the property tax paid by the entity. An entity is not required to apply for any
27 refund due under this SECTION. The county auditor shall, without an appropriation being
28 required, issue a warrant to the entity payable from the county general fund for the amount of the
29 refund, if any, due the entity. No interest is payable on the refund.

30 (e) This SECTION expires January 1, 2010.

31 SECTION 138. [EFFECTIVE UPON PASSAGE] (a) This SECTION applies only to an entity and
32 to property that meet all of the following conditions:

33 (1) The entity is a nonprofit religious affiliated school that has been in existence for more than
34 forty-five (45) years in a county containing a consolidated city.

35 (2) The entity received a gift of real property and improvements that for the assessment date
36 in 2005 was exempt from property taxes under IC 6-1.1-10.

37 (3) The entity failed to file a timely application under IC 6-1.1-11 for property tax exemption
38 for the property for the assessment date in 2006.

39 (4) For the assessment dates in 2006, 2007, and 2008:

40 (A) property owned by the entity would have been eligible for exemption from property
41 taxes if the entity had timely filed an application under IC 6-1.1-11 for property tax
42 exemption for the property; and

43 (B) the entity's property was subject to taxation.

44 (b) Notwithstanding IC 6-1.1-11 or any other law specifying the date by which an application or
45 statement for property tax exemption must be filed to claim or continue an exemption for a
46 particular assessment date, an entity described in subsection (a) may before July 1, 2009, file with
47 the county assessor:

48 (1) an application for property tax exemption for the 2006 assessment date;

49 (2) a statement to continue the property tax exemption for the 2007 assessment date; and

50 (3) an application for property tax exemption for the 2008 assessment date.

1 (c) Notwithstanding IC 6-1.1-11 or any other law, an application or statement for property tax
2 exemption filed under subsection (b) is considered to be timely filed, and the county assessor shall
3 forward the applications and statement to the county property tax assessment board of appeals for
4 review. The board shall grant an exemption claimed for the assessment dates in 2006, 2007, and
5 2008 for property tax exemption if the board determines that:

6 (1) the entity's applications and statement for property tax exemption satisfy the requirements
7 of this SECTION; and

8 (2) the entity's property was, except for the failure to timely file an application or statement
9 for property tax exemption, otherwise eligible for the claimed exemption.

10 If an entity is granted an exemption under this SECTION, any unpaid property tax liability,
11 including interest, for the entity's property shall be canceled by the county treasurer.

12 (d) If an entity has previously paid the tax liability for property with respect to the 2006, 2007,
13 or 2008 assessment date and the property is granted an exemption under this SECTION for the
14 assessment date, the county auditor shall issue a refund of the property tax paid by the entity. An
15 entity is not required to apply for any refund due under this SECTION. The county auditor shall,
16 without an appropriation being required, issue a warrant to the entity payable from the county
17 general fund for the amount of the refund, if any, due the entity. No interest is payable on the
18 refund.

19 (e) This SECTION expires January 1, 2010.

20 SECTION 139. [EFFECTIVE UPON PASSAGE] (a) The Lake Michigan marina development
21 commission established by IC 14-13-3-3 shall before July 1, 2009, return to the state general fund
22 any unexpended or unencumbered balance as of the effective date of this SECTION of a state
23 appropriation to the commission, regardless of when the state appropriation was made.

24 (b) The amount of the balance recovered under subsection (a) is appropriated for the state fiscal
25 year beginning July 1, 2008, and ending June 30, 2009, from the state general fund to the
26 commission account established for the shoreline development commission by IC 36-7-13.5-19(b),
27 as added by this act.

28 (c) This SECTION expires January 1, 2010.

29 SECTION 140. [EFFECTIVE JULY 1, 2009] IC 35-38-1-10.8, as added by this act, and
30 IC 35-41-1-19.3 and IC 35-44-3-2, both as amended by this act, apply only to crimes committed
31 after June 30, 2009.

32 SECTION 141. [EFFECTIVE UPON PASSAGE] (a) As used in this SECTION, "commission"
33 refers to the criminal code evaluation commission established by subsection (b).

34 (b) The criminal code evaluation commission is established to evaluate the criminal laws of
35 Indiana. If, based on the commission's evaluation, the commission determines that changes are
36 necessary or appropriate, the commission shall make recommendations to the general assembly for
37 the modification of the criminal laws.

38 (c) The commission may study other topics assigned by the legislative council or as directed by
39 the commission chair.

40 (d) The commission may meet at times the commission determines are necessary during the
41 months of:

42 (1) June, July, August, and September of 2009;

43 (2) April, May, June, July, August, and September of 2010; and

44 (3) June, July, August, and September of 2011.

45 (e) The commission consists of fifteen (15) members appointed as follows:

46 (1) Four (4) members of the senate, not more than two (2) of whom may be affiliated with the
47 same political party, to be appointed by the president pro tempore of the senate.

48 (2) Four (4) members of the house of representatives, not more than two (2) of whom may be
49 affiliated with the same political party, to be appointed by the speaker of the house of
50 representatives.

- 1 (3) The attorney general or the attorney general's designee.
2 (4) The executive director of the prosecuting attorneys council of Indiana or the executive
3 director's designee.
4 (5) The executive director of the public defender council of Indiana or the executive director's
5 designee.
6 (6) Two (2) judges who exercise criminal jurisdiction:
7 (A) one (1) of whom shall be appointed by the president pro tempore of the senate; and
8 (B) one (1) of whom shall be appointed by the speaker of the house of representatives.
9 (7) Two (2) professors employed by a law school in Indiana whose expertise includes criminal
10 law:
11 (A) one (1) of whom shall be appointed by the president pro tempore of the senate; and
12 (B) one (1) of whom shall be appointed by the speaker of the house of representatives.
13 (f) The chairman of the legislative council shall appoint a legislative member of the commission
14 to serve as chair of the commission. Whenever there is a new chairman of the legislative council,
15 the new chairman may remove the chair of the commission and appoint another chair.
16 (g) If a legislative member of the commission ceases to be a member of the chamber from which
17 the member was appointed, the member also ceases to be a member of the commission.
18 (h) A legislative member of the commission may be removed at any time by the appointing
19 authority who appointed the legislative member.
20 (i) If a vacancy exists on the commission, the appointing authority who appointed the former
21 member whose position is vacant shall appoint an individual to fill the vacancy.
22 (j) The commission shall submit a final report of the results of its study to the legislative council
23 before November 1, 2011. The report must be in an electronic format under IC 5-14-6.
24 (k) The Indiana criminal justice institute shall provide staff support to the commission to
25 prepare:
26 (1) minutes of each meeting; and
27 (2) the final report.
28 (l) The legislative services agency shall provide staff support to the commission to:
29 (1) advise the commission on legal matters, criminal procedures, and legal research; and
30 (2) draft potential legislation.
31 (m) Each member of the commission is entitled to receive the same per diem, mileage, and travel
32 allowances paid to individuals who serve as legislative and lay members, respectively, of interim
33 study committees established by the legislative council.
34 (n) The affirmative votes of a majority of all the members who serve on the commission are
35 required for the commission to take action on any measure, including the final report.
36 (o) Except as otherwise specifically provided by this SECTION, the commission shall operate
37 under the rules of the legislative council. All funds necessary to carry out this SECTION shall be
38 paid from appropriations to the legislative council and the legislative services agency.
39 (p) This SECTION expires December 31, 2011.
40 SECTION 142. [EFFECTIVE UPON PASSAGE] (a) The general assembly urges the legislative
41 council to assign to an interim or a statutory study committee the topic of making ephedrine and
42 pseudoephedrine schedule V controlled substances.
43 (b) If the topic described in subsection (a) is assigned to an interim or a statutory study
44 committee, the committee shall issue a final report to the legislative council containing the
45 committee's findings and recommendations concerning the topic, including any recommended
46 legislation, not later than November 1, 2009.
47 (c) This SECTION expires November 2, 2009.
48 SECTION 143. [EFFECTIVE JULY 1, 2009] (a) The commission for higher education with the
49 assistance of the state student assistance commission shall study the funding of college scholarship
50 programs provided by the state student assistance commission and the state's public universities.

1 The study must examine the following issues:
2 (1) The limits established for awards and the differences between the limits established for
3 private and public universities.
4 (2) The extent to which criteria for establishing the eligibility of an applicant should consider
5 receipt of Pell Grants, other wrap-around assistance provided by a university, tax credits, and
6 other assistance.
7 (3) The relative amounts of assistance provided on the basis of merit and on the basis of need.
8 (4) Whether means tests should be required for students participating in the twenty-first
9 century scholars program as those students enter college.
10 (5) Scholarships and awards provided for members of the military and national guard.
11 (6) Scholarships and awards provided to individuals being held in state correctional facilities.
12 (b) The state's public universities shall provide the commission for higher education with the
13 data necessary to complete the study. The commission shall before June 30, 2010, provide a report
14 and recommendations to the budget committee for modernizing and improving scholarship
15 programs.
16 (c) This SECTION expires January 1, 2011.
17 SECTION 144. P.L.131-2008, SECTION 70, IS REPEALED [EFFECTIVE JULY 1, 2009].
18 SECTION 145. [EFFECTIVE JULY 1, 2009] (a) As used in this SECTION, "general fund revenue"
19 means any revenue deposited in the state general fund.
20 (b) As used in this SECTION, " revenue forecast" means the general fund revenue forecast
21 report issued April 17, 2009 for state fiscal year 2010.
22 (c) As used in this SECTION, "revenue forecast technical committee" means the committee
23 charged with preparing one (1) or more general fund revenue forecasts each year that consists of
24 the following six (6) members:
25 (1) Four (4) individuals each representing a different legislative caucus.
26 (2) Two (2) individuals appointed by the governor.
27 (d) The revenue forecast technical committee shall determine the percentage by which state
28 general fund revenue for the period beginning July 1, 2009 and ending November 30, 2009, is:
29 (1) greater than; or
30 (2) less than;
31 the amount predicted for that same period in the revenue forecast.
32 (e) If the revenue forecast technical committee determines that state general fund revenue for
33 the period beginning July 1, 2009 and ending November 30, 2009 is greater or less than the amount
34 forecast for that period in the revenue forecast by at least two percent (2%), the general assembly
35 shall enact legislation in the 2010 session to adjust general fund appropriations contained in this
36 act in a manner that reflects the economic circumstances of the state at that time.
37 (f) This SECTION expires June 30, 2011.
38 SECTION 146. An emergency is declared for this act.
(Reference is to EHB 1001 as reprinted April 14, 2009.)

Conference Committee Report
on
Engrossed House Bill 1001

Signed by:

Representative Crawford
Chairperson

Senator Kenley

Representative Pelath

Senator Broden

House Conferees

Senate Conferees