



Digest Correction
February 24, 2016

ENGROSSED HOUSE BILL No. 1089

DIGEST OF HB 1089 (Updated February 24, 2016 9:45 am - DI 109)

Citations Affected: IC 10-17; noncode.

Synopsis: Veteran service officers. Requires the Indiana veterans' affairs commission to submit an annual report to the governor and the legislative council on matters concerning the welfare of veterans. Allows the mayor of a city to employ a service officer to serve the veterans of the city. Includes a county service officer appointed by the governor in the membership of the Indiana veterans' affairs commission. Urges the legislative council to assign to a study committee the topic of district service officers. Provides that the study committee shall issue a final report to the legislative council containing the study committee's findings and recommendations not later than November 1, 2016.

Effective: Upon passage; July 1, 2016.

Frye R, Forestal, Borders, Arnold L
(SENATE SPONSORS — BANKS, YODER, ARNOLD J, STOOPS)

January 5, 2016, read first time and referred to Committee on Veterans Affairs and Public Safety.

January 13, 2016, amended, reported — Do Pass. Referred to Committee on Ways and Means pursuant to Rule 127.

January 21, 2016, reported — Do Pass.

January 25, 2016, read second time, amended, ordered engrossed.

January 26, 2016, engrossed. Read third time, passed. Yeas 96, nays 0.

SENATE ACTION

February 3, 2016, read first time and referred to Committee on Veterans Affairs & The Military.

February 23, 2016, amended, reported favorably — Do Pass.

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Second Regular Session of the 119th General Assembly (2016)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2015 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1089

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 10-17-1-4, AS AMENDED BY P.L.169-2013,
2 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2016]: Sec. 4. The commission shall do acts necessary or
4 reasonably incident to the fulfillment of the purposes of this chapter,
5 including the following:
6 (1) Adopt rules under IC 4-22-2 to administer this chapter.
7 (2) Advise the veterans' state service officer in problems
8 concerning the welfare of veterans.
9 (3) Determine general administrative policies within the
10 department.
11 (4) Establish standards for certification of county and city service
12 officers.
13 (5) Establish and administer a written examination for renewal of
14 the certification of county and city service officers.
15 (6) **Submit, not later than December 31 of each year, an**
16 **annual report to the legislative council in an electronic format**
17 **under IC 5-14-6 and to the governor concerning the welfare**

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1 **of veterans.**

2 SECTION 2. IC 10-17-1-9, AS AMENDED BY P.L.105-2014,
3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2016]: Sec. 9. (a) A county executive:

5 (1) shall designate and may:

6 (A) appoint a county service officer for a four (4) year term; or

7 (B) employ a county service officer; and

8 (2) may employ service officer assistants;

9 to serve the veterans of the county.

10 (b) The **fiscal body of a city may provide for the employment by the**
11 **mayor of a city may employ a service officer and may employ service**
12 **officer assistants to serve the veterans of the city.**

13 (c) If the remuneration and expenses of a county or city service
14 officer are paid from the funds of the county or city employing the
15 service officer, the service officer shall:

16 (1) have the same qualifications and be subject to the same rules
17 as the director, assistant director, and state service officers of the
18 Indiana department of veterans' affairs; and

19 (2) serve under the supervision of the director of veterans' affairs.

20 A service officer assistant must have the same qualifications as an
21 employee described in section 11(b) of this chapter. A rule contrary to
22 this subsection is void.

23 (d) County and city fiscal bodies may appropriate funds necessary
24 for the purposes described in this section.

25 SECTION 3. IC 10-17-13-5, AS AMENDED BY P.L.4-2014,
26 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
27 JULY 1, 2016]: Sec. 5. The commission consists of the following
28 members:

29 (1) ~~Seven (7)~~ **Six (6)** members appointed by the governor, **as**
30 **provided in this subdivision.** The governor shall consider the
31 following when making appointments under this subdivision:

32 (A) Membership in a veterans association established under
33 IC 10-18-6.

34 (B) Service in the armed forces of the United States (as
35 defined in IC 5-9-4-3) or the national guard (as defined in
36 IC 5-9-4-4).

37 (C) Experience in education, including higher education,
38 vocational education, or adult education.

39 (D) Experience in investment banking or finance.

40 The governor shall designate one (1) member appointed under
41 this subdivision to serve as chairperson of the commission.

42 **(2) One (1) county service officer, appointed by the governor.**



1 (2) (3) The director of veterans' affairs appointed under
2 IC 10-17-1-5 or the director's designee.

3 (3) (4) The adjutant general of the military department of the state
4 appointed under IC 10-16-2-6 or the adjutant general's designee.

5 (4) (5) Four (4) members of the general assembly appointed as
6 follows:

7 (A) Two (2) members of the senate, one (1) from each political
8 party, appointed by the president pro tempore of the senate
9 with advice from the minority leader of the senate.

10 (B) Two (2) members of the house of representatives, one (1)
11 from each political party, appointed by the speaker of the
12 house of representatives with advice from the minority leader
13 of the house of representatives.

14 Members appointed under this subdivision are nonvoting,
15 advisory members and must serve on a standing committee of the
16 senate or house of representatives that has subject matter
17 jurisdiction over military and veterans affairs.

18 SECTION 4. [EFFECTIVE UPON PASSAGE] (a) **As used in this**
19 **SECTION, "legislative council" refers to the legislative council**
20 **established by IC 2-5-1.1-1.**

21 (b) **As used in this SECTION, "study committee" means either**
22 **of the following:**

23 (1) **A statutory committee established under IC 2-5.**

24 (2) **An interim study committee.**

25 (c) **The legislative council is urged to assign to the appropriate**
26 **interim study committee during the 2016 legislative interim the**
27 **topic of district veteran service officers.**

28 (d) **If the topic described in subsection (c) is assigned to a study**
29 **committee, the study committee may consider, as part of its study,**
30 **the following:**

31 (1) **Duties to be performed by district service officers.**

32 (2) **Standards for certification of district service officers.**

33 (3) **Accreditation requirements for district service officers.**

34 (4) **The cost to the state of employing district service officers.**

35 (e) **If the topic described in subsection (c) is assigned to an**
36 **interim study committee, the interim study committee shall issue**
37 **a final report to the legislative council containing the interim study**
38 **committee's findings and recommendations, including any**
39 **recommended legislation, in an electronic format under IC 5-14-6**
40 **not later than November 1, 2016.**

41 (f) **This SECTION expires December 31, 2016.**

42 SECTION 5. **An emergency is declared for this act.**



COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1089, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 4.

Page 3, delete lines 26 through 32.

Re-number all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to HB 1089 as introduced.)

BORDERS

Committee Vote: yeas 11, nays 0.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1089, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB1089 as printed January 14, 2016.)

BROWN T

Committee Vote: Yeas 22, Nays 0

HOUSE MOTION

Mr. Speaker: I move that House Bill 1089 be amended to read as follows:

Page 1, delete lines 15 through 17.

Page 2, delete line 1, begin a new paragraph and insert:

"SECTION 2. IC 10-17-1-6, AS AMENDED BY P.L.136-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 6. (a) The director of veterans' affairs:

- (1) is the executive and administrative head of the Indiana department of veterans' affairs; and
- (2) shall direct and supervise the administrative and technical

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activities of the department;
subject to the general supervision of the commission.

(b) The duties of the director include the following:

- (1) To attend all meetings of the commission and to act as secretary and keep minutes of the commission's proceedings.
- (2) To appoint the employees of the department necessary to carry out this chapter and to fix the compensation of the employees. Employees of the department must qualify for the job concerned.
- (3) To carry out the program for veterans' affairs as directed by the governor and the commission.
- (4) To carry on field direction, inspection, and coordination of **district**, county, and city service officers as provided in this chapter.
- (5) To prepare and conduct service officer training schools with the voluntary aid and assistance of the service staffs of the major veterans' organizations.
- (6) To maintain an information bulletin service to **district**, county, and city service officers for the necessary dissemination of material pertaining to all phases of veterans' rehabilitation and service work, including information necessary to inform veterans of the provisions of IC 22-9-10.
- (7) To perform the duties described in IC 10-17-11 for the Indiana state veterans' cemetery.
- (8) To perform the duties described in IC 10-17-12 for the military family relief fund.
- (9) To establish a program and set guidelines under which a medal of honor awardee may receive compensation when attending and participating in official ceremonies.
- (10) To establish six (6) districts in Indiana to be staffed by a district service officer in each of the districts.**
- (11) To appoint a district service officer to each of the six (6) districts established under subdivision (10)."**

Page 2, line 7, delete "commission under section 4(6)" and insert "**director of veterans' affairs under section 6(b)(10)**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1089 as printed January 22, 2016.)

FRYE R



COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs and The Military, to which was referred House Bill No. 1089, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 11, delete "district,".

Page 1, line 11, after "county" delete ",".

Page 1, line 14, delete "district,".

Page 1, line 14, after "county" delete ",".

Page 1, between lines 14 and 15, begin a new line block indented and insert:

"(6) Submit, not later than December 31 of each year, an annual report to the legislative council in an electronic format under IC 5-14-6 and to the governor concerning the welfare of veterans."

Page 1, delete lines 15 through 17, begin a new paragraph and insert:

"SECTION 2. IC 10-17-1-9, AS AMENDED BY P.L.105-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 9. (a) A county executive:

(1) shall designate and may:

(A) appoint a county service officer for a four (4) year term; or

(B) employ a county service officer; and

(2) may employ service officer assistants;

to serve the veterans of the county.

(b) ~~The fiscal body of a city may provide for the employment by the mayor of a city~~ **may employ a service officer and may employ service officer assistants to serve the veterans of the city.**

(c) If the remuneration and expenses of a county or city service officer are paid from the funds of the county or city employing the service officer, the service officer shall:

(1) have the same qualifications and be subject to the same rules as the director, assistant director, and state service officers of the Indiana department of veterans' affairs; and

(2) serve under the supervision of the director of veterans' affairs.

A service officer assistant must have the same qualifications as an employee described in section 11(b) of this chapter. A rule contrary to this subsection is void.

(d) County and city fiscal bodies may appropriate funds necessary for the purposes described in this section.

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SECTION 3. IC 10-17-13-5, AS AMENDED BY P.L.4-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2016]: Sec. 5. The commission consists of the following members:

(1) ~~Seven (7)~~ **Six (6)** members appointed by the governor, **as provided in this subdivision.** The governor shall consider the following when making appointments under this subdivision:

(A) Membership in a veterans association established under IC 10-18-6.

(B) Service in the armed forces of the United States (as defined in IC 5-9-4-3) or the national guard (as defined in IC 5-9-4-4).

(C) Experience in education, including higher education, vocational education, or adult education.

(D) Experience in investment banking or finance.

The governor shall designate one (1) member appointed under this subdivision to serve as chairperson of the commission.

(2) One (1) county service officer, appointed by the governor.

~~(2) (3)~~ The director of veterans' affairs appointed under IC 10-17-1-5 or the director's designee.

~~(3) (4)~~ The adjutant general of the military department of the state appointed under IC 10-16-2-6 or the adjutant general's designee.

~~(4) (5)~~ Four (4) members of the general assembly appointed as follows:

(A) Two (2) members of the senate, one (1) from each political party, appointed by the president pro tempore of the senate with advice from the minority leader of the senate.

(B) Two (2) members of the house of representatives, one (1) from each political party, appointed by the speaker of the house of representatives with advice from the minority leader of the house of representatives.

Members appointed under this subdivision are nonvoting, advisory members and must serve on a standing committee of the senate or house of representatives that has subject matter jurisdiction over military and veterans affairs.

SECTION 4. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "legislative council" refers to the legislative council established by IC 2-5-1.1-1.**

(b) As used in this SECTION, "study committee" means either of the following:

(1) A statutory committee established under IC 2-5.

(2) An interim study committee.



(c) The legislative council is urged to assign to the appropriate interim study committee during the 2016 legislative interim the topic of district veteran service officers.

(d) If the topic described in subsection (c) is assigned to a study committee, the study committee may consider, as part of its study, the following:

- (1) Duties to be performed by district service officers.**
- (2) Standards for certification of district service officers.**
- (3) Accreditation requirements for district service officers.**
- (4) The cost to the state of employing district service officers.**

(e) If the topic described in subsection (c) is assigned to an interim study committee, the interim study committee shall issue a final report to the legislative council containing the interim study committee's findings and recommendations, including any recommended legislation, in an electronic format under IC 5-14-6 not later than November 1, 2016.

(f) This SECTION expires December 31, 2016.

SECTION 5. An emergency is declared for this act."

Delete pages 2 through 3.

and when so amended that said bill do pass.

(Reference is to HB 1089 as reprinted January 26, 2016.)

BANKS, Chairperson

Committee Vote: Yeas 9, Nays 0.

