

60 Day Requirement (IC 4-22-2-19)

**TITLE 50 DEPARTMENT OF LOCAL GOVERNMENT
FINANCE**

NOTE: Under IC 6-1.1-31-1, the name of the State Board of Tax Commissioners is changed to Department of Local Government Finance, effective January 1, 2002.

March 26, 2002

The Honorable Jerry Denbo, Chair
Administrative Rules Oversight Committee

Re: Notice of Delay in Adoption of Rule under IC 6-1.1-4-4.5.

Dear Chairman Denbo:

Notice of Delay

Please be advised, under IC 4-22-2-19, that the Department of Local Government Finance has not promulgated proposed rules within sixty days after the effective date of the statute that authorizes the rule. IC 6-1.1-4-4.5, effective January 1, 2002, requires the Department to adopt rules governing annual adjustments of the assessed value of real property, beginning with the 2006 assessment date.

Reasons for Delay

The rules under IC 6-1.1-4-4.5 are to prescribe annual adjustment percentages by such categories as the Department finds necessary. The rules are to include provisions regarding computer software programs that promote efficient application of the adjustments by assessing officials.

The primary reason the Department has not yet promulgated proposed rules to implement the annual adjustment provision is the practical difficulty of proposing rules before the 2002 reassessment is completed. The Department will be in a better position to establish a system for annually adjusting assessed values from the 2006 reassessment after it has finalized the equalization rule for the 2002 reassessment and has studied the results of the 2002 reassessment.

Expected Date to Begin

The Department of Local Government Finance expects to begin the promulgation process within twelve months after the 2002 reassessment is completed and the values are in.

Your understanding of these circumstances is greatly appreciated. If you have any further concerns or require additional information, please do not hesitate to contact me, at 317-233-4361. Thank you.

Sincerely,
Beth Henkel
General Counsel

Copy to:
The Honorable Luke Kenley
George Angelone, Attorney for the Committee

TITLE 760 DEPARTMENT OF INSURANCE

LSA Document #02-109

March 20, 2002

Chairperson, Administrative Rules Oversight Committee
c/o George Angelone
Legislative Services Agency

RE: Rule pursuant to IC 27-1-15.6-32

Dear Chairperson:

Pursuant to IC 27-1-15.6-32, effective January 1, 2002, the Commissioner of the Indiana Department of Insurance shall adopt rules to set fees for licensure. In accordance with IC 4-22-2-19, this letter is to notify you that the Department did not institute the rulemaking process within 60 days of the effective date of this statute.

760 IAC 1-27 currently sets fees for licensure and is in conflict with IC 27-1-15.6-32. The Department will publish a notice of intent to amend Rule 27 in the May 2002 issue of the Indiana Register (25 IR 2546). This amendment will conform the existing rule to the provisions of IC 27-1-15.6-32.

If you have any questions I can be reached at 232-0143.

Very truly yours,
Amy E. Strati
Chief Counsel

365 Day Notice (IC 4-22-2-25)

**TITLE 50 DEPARTMENT OF LOCAL GOVERNMENT
FINANCE**

NOTE: Under IC 6-1.1-31-1, the name of the State Board of Tax Commissioners is changed to Department of Local Government Finance, effective January 1, 2002.

March 27, 2002

The Honorable Jerry Denbo, Chair
Administrative Rules Oversight Committee

Re: Notice of Delay in Adoption of Rule Governing the certification and revocation of certification requirements of level one and level two assessor-appraisers / LSA Document #01-266

Dear Representative Denbo:

Notice of Delay

This is to notify you, under IC 4-22-2-25, that the Department of Local Government Finance has determined that it may not be able to adopt and obtain the Governor's approval of its proposed rule governing the certification of assessor-appraisers under IC 6-1.1-35.5, as set out in 50 IAC 15 (LSA Document #01-266), within one (1) year of the date of notice of intent to adopt the rule as published under IC 4-22-2-23. The DLGF issued its notice of intent to adopt this rule in the August 1, 2001, Indiana Register.

Reasons for Delay

The proposed rule will govern both the certification of tax representatives and revocation of a tax representative certification. Public Law 198-2001 (HEA 1499), effective January 1, 2002, establishes criteria that must be used in both the certification and the revocation process. A public hearing was held November 29, 2001, in order to determine public comments regarding proposed provisions. The Department of Local Government Finance, a successor entity to the State Board of Tax Commissioners, is required to have a rules panel assist in the process of adopting rules. That panel has been named, but the meeting for final adoption has not yet been scheduled.

Expected Adoption Date

The Department of Local Government Finance expects to adopt rules in the near future. It is anticipated that we will be able to adopt the rule and obtain the Governor's approval before the end of 2002. Because the stated "expected date" will control the validity of the rule, we present this notice and state that we expect to obtain the Governor's approval of the rules governing the certification and revocation of assessor-appraisers (LSA Doc. #01-266), by January 1, 2003.

Your understanding of these circumstances is greatly appreciated. If you need additional information please do not hesitate to contact me at 232-4361. Thank you.

Sincerely,
Beth Henkel
General Counsel

Copy to:
Senator Luke Kenley
George Angelone, Attorney for the Committee
