
HOUSE BILL No. 1363

DIGEST OF INTRODUCED BILL

Citations Affected: IC 2-2.1; IC 2-5; IC 3-3-2-1; IC 4-4-16.5-2; IC 15-1-1.5-5.

Synopsis: Elimination of the short session of the general assembly. Provides that the general assembly shall adjourn not later than April 29 of each odd-numbered year until the speaker of the house of representatives and the president pro tempore of the senate jointly issue a call for the members to reconvene. Provides that a joint call to reconvene: (1) must be issued not later than the second Tuesday after the first Monday in November of an odd-numbered year; (2) may not reconvene the general assembly before January 1 of the following even-numbered year; and (3) may be rescinded by joint action of the speaker of the house of representatives and the president pro tempore of the senate. Provides that if the general assembly reconvenes under a joint call, the general assembly must adjourn sine die not later than March 14 following the date the general assembly reconvenes. Provides a procedure for sine die adjournment of the general assembly if the speaker of the house of representatives and the president pro tempore of the senate do not issue a joint call to reconvene. Abolishes the second regular (short) session of the general assembly. Makes conforming changes in other statutes.

Effective: July 1, 2000.

Turner

January 11, 2000, read first time and referred to Committee on Rules and Legislative Procedures.

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Introduced

Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

HOUSE BILL No. 1363

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

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

- 1 SECTION 1. IC 2-2.1-1-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 2. (a) The ~~first regular~~
3 ~~session of each term of the~~ general assembly shall convene on the third
4 Tuesday after the first Monday of November of each even-numbered
5 year to do the following:
6 (1) Organize itself.
7 (2) Elect its officers.
8 (3) Receive the oath of office.
9 (b) If a special session is called before the date set in subsection (a),
10 then the organization, election, and receiving the oath of office shall be
11 held on the first day of the special session.
12 (c) The general assembly shall then adjourn until a day:
13 (1) certain fixed by a concurrent resolution; or
14 (2) when the gavel of each house falls in the presence of a quorum
15 whether or not a day certain to reconvene in session has been
16 fixed.
17 (d) The general assembly shall reconvene in session ~~no~~ **not** later

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1 than the second Monday in January of the following year.

2 (e) ~~The first regular session of each term of the general assembly~~
 3 ~~shall adjourn sine die~~ Not later than April 29 in any odd-numbered
 4 year, **the general assembly shall adjourn upon the speaker of the**
 5 **house of representatives and the president pro tempore of the**
 6 **senate issuing a joint call to the members to reconvene under**
 7 **section 2.3 of this chapter.**

8 SECTION 2. IC 2-2.1-1-2.3 IS ADDED TO THE INDIANA CODE
 9 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 10 1, 2000]: **Sec. 2.3. (a) If the speaker of the house of representatives**
 11 **and the president pro tempore of the senate issue a joint call for the**
 12 **members to reconvene under section 2(e) of this chapter, the call:**

13 (1) **must be issued not later than the second Tuesday after the**
 14 **first Monday in November following the adjournment date**
 15 **described in section 2(e) of this chapter;**

16 (2) **may not reconvene the general assembly before January**
 17 **1 or after March 14 of the following even-numbered year; and**

18 (3) **may be rescinded by the speaker of the house of**
 19 **representatives and the president pro tempore of the senate**
 20 **acting jointly.**

21 (b) **If the general assembly reconvenes as provided in subsection**
 22 **(a), the general assembly shall adjourn sine die before March 15**
 23 **following the date the general assembly reconvenes.**

24 (c) **If the speaker of the house of representatives and the**
 25 **president pro tempore of the senate do not issue a joint call for the**
 26 **members to reconvene as provided in subsection (a), the speaker of**
 27 **the house of representatives and the president pro tempore of the**
 28 **senate shall issue a joint certificate stating that the general**
 29 **assembly has adjourned sine die. The speaker of the house of**
 30 **representatives and the president pro tempore of the senate may**
 31 **issue a joint certificate of sine die adjournment at any time.**

32 (d) **If the speaker of the house of representatives and the**
 33 **president pro tempore of the senate do not issue a joint certificate**
 34 **of sine die adjournment before the last day that a joint call may be**
 35 **issued under subsection (a)(1), either the speaker of the house of**
 36 **representatives or the president pro tempore of the senate may**
 37 **issue a certificate of sine die adjournment on the second Tuesday**
 38 **after the first Monday in November.**

39 (e) **If:**

40 (1) **a joint certificate of sine die adjournment is not issued**
 41 **under subsection (c); and**

42 (2) **neither the speaker of the house of representatives nor the**

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1 **president pro tempore of the senate issue a certificate of sine**
 2 **die adjournment under subsection (d);**
 3 **the general assembly is considered to have adjourned sine die at**
 4 **midnight on the second Wednesday after the first Monday in**
 5 **November following the adjournment date described in section**
 6 **(2)(e) of this chapter.**

7 SECTION 3. IC 2-2.1-1-2.5 IS AMENDED TO READ AS
 8 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 2.5. (a) Before the ~~first~~
 9 ~~regular session~~ **general assembly adjourns sine die; under section 2(e)**
 10 **of this chapter**, the general assembly may adopt a concurrent
 11 resolution to fix a day to convene ~~the first regular~~ a technical session
 12 of the general assembly. The day fixed under this subsection may not
 13 be earlier than thirty (30) days after the ~~first regular session~~ **general**
 14 **assembly adjourns sine die; under section 2(e) of this chapter.**

15 (b) Only the following may be considered and acted upon during a
 16 ~~first regular~~ technical session:

17 (1) Bills:

18 (A) ~~enacted during the first regular session from January 1 of~~
 19 **the current year through the day before the day of the**
 20 **technical session; and**

21 (B) ~~that were~~ vetoed by the governor.

22 (2) Bills to correct conflicts among bills enacted ~~during the first~~
 23 ~~regular session:~~ **from January 1 of the current year through**
 24 **the day before the day of the technical session.**

25 (3) Bills to correct technical errors in bills enacted ~~during the first~~
 26 ~~regular session:~~ **from January 1 of the current year through**
 27 **the day before the day of the technical session.**

28 (c) The ~~first regular~~ technical session must adjourn sine die before
 29 midnight after it convenes.

30 (d) The concurrent resolution adopted under subsection (a) may
 31 provide that the ~~first regular~~ technical session is not required to
 32 convene if the speaker of the house of representatives and the president
 33 pro tempore of the senate jointly issue an order finding that the
 34 purposes for which a ~~regular~~ technical session may meet under
 35 subsection (b) do not justify the cost and inconvenience of meeting in
 36 a ~~regular~~ technical session.

37 (e) If the general assembly does not meet in a ~~regular~~ technical
 38 session under this section, the general assembly shall consider and act
 39 upon vetoes of bills enacted ~~during the first regular session from~~
 40 **January 1 of the current year through the day before the day fixed**
 41 **for the technical session at the earlier of the following:**

42 (1) **During the period the general assembly is in session under**



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1 **section 2.3(a) and 2.3(b) of this chapter.**

2 **(2) The next ~~second~~ regular session that convenes under section**
 3 **2(a) of this chapter.**

4 (f) For purposes of Article 5, Section 14 of the Constitution of the
 5 State of Indiana, the ~~first~~ regular technical session is not considered a
 6 regular session if the general assembly does not consider or act upon
 7 vetoes of bills enacted ~~during the first regular session~~ from **January**
 8 **1 of the current year through the day before the day fixed for the**
 9 **technical session** under this section.

10 SECTION 4. IC 2-2.1-3-2, AS AMENDED BY P.L.205-1999,
 11 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 12 JULY 1, 2000]: Sec. 2. (a) Not later than ~~seven (7) calendar days~~
 13 ~~following the first session day~~ in January **15** of each year every member
 14 of the general assembly shall file with the principal clerk of the house
 15 or secretary of the senate, respectively, a written statement of the
 16 member's or candidate's economic interests for the preceding calendar
 17 year listing the following:

18 (1) The name of the member's or candidate's employer and the
 19 employer of the member's or candidate's spouse and the nature of
 20 the employer's business. The house of representatives and senate
 21 need not be listed as an employer.

22 (2) The name of any sole proprietorship owned or professional
 23 practice operated by the member or candidate or the member's or
 24 candidate's spouse and the nature of the business.

25 (3) The name of any partnership of which the member or
 26 candidate or the member's or candidate's spouse is a member and
 27 the nature of the partnership's business.

28 (4) The name of any corporation of which the member or
 29 candidate or the member's or candidate's spouse is an officer or
 30 director and the nature of the corporation's business. Churches
 31 need not be listed.

32 (5) The name of any corporation in which the member or
 33 candidate or the member's or candidate's spouse or
 34 unemancipated children own stock or stock options having a fair
 35 market value in excess of ten thousand dollars (\$10,000). No time
 36 or demand deposit in a financial institution or insurance policy
 37 need be listed.

38 (6) The name of any state agency or the supreme court of Indiana
 39 which licenses or regulates the following:

40 (A) The member's or candidate's or the member's or
 41 candidate's spouse's profession or occupation.

42 (B) Any proprietorship, partnership, corporation, or limited

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1 liability company listed under subdivision (2), (3), or (4) and
2 the nature of the licensure or regulation.

3 The requirement to file certain reports with the secretary of state
4 or to register with the department of state revenue as a retail
5 merchant, manufacturer, or wholesaler shall not be considered as
6 licensure or regulation.

7 (7) The name of any person whom the member or candidate
8 knows to have been a lobbyist in the previous calendar year and
9 knows to have purchased any of the following:

10 (A) From the member or candidate, the member's or
11 candidate's sole proprietorship, or the member's or candidate's
12 family business, goods or services for which the lobbyist paid
13 in excess of one hundred dollars (\$100).

14 (B) From the member's or candidate's partner, goods or
15 services for which the lobbyist paid in excess of one thousand
16 dollars (\$1,000).

17 This subdivision does not apply to purchases made after
18 December 31, 1998, by a lobbyist from a legislator's retail
19 business made in the ordinary course of business at prices that are
20 available to the general public. For purposes of this subdivision,
21 a legislator's business is considered a retail business if the
22 business is a retail merchant as defined in IC 6-2.5-1-8.

23 (8) The name of any person or entity from whom the member or
24 candidate received the following:

25 (A) Any gift of cash from a lobbyist.

26 (B) Any single gift other than cash having a fair market value
27 in excess of one hundred dollars (\$100).

28 However, a contribution made by a lobbyist to a charitable
29 organization (as defined in Section 501(c) of the Internal Revenue
30 Code) in connection with a social or sports event attended by
31 legislators need not be listed by a member of the general assembly
32 unless the contribution is made in the name of the legislator.

33 (C) Any gifts other than cash having a fair market value in the
34 aggregate in excess of two hundred fifty dollars (\$250).
35 Campaign contributions need not be listed. Gifts from a spouse
36 or close relative need not be listed unless the donor has a
37 substantial economic interest in a legislative matter.

38 (9) The name of any lobbyist who is:

39 (A) a member of a partnership or limited liability company;

40 (B) an officer or a director of a corporation; or

41 (C) a manager of a limited liability company;

42 of which the member of or candidate for the general assembly is

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1 a partner, an officer, a director, a member, or an employee, and a
 2 description of the legislative matters which are the object of the
 3 lobbyist's activity.

4 (10) The name of any person or entity on whose behalf the
 5 member or candidate has appeared before, contacted, or
 6 transacted business with any state agency or official thereof, the
 7 name of the state agency, the nature of the appearance, contact, or
 8 transaction, and the cause number, if any. This requirement does
 9 not apply when the services are rendered without compensation.

10 (11) The name of any limited liability company of which the
 11 member of the general assembly, the candidate, or the member's
 12 or candidate's individual spouse has an interest.

13 (b) Before any person, who is not a member of the general assembly
 14 files the person's declaration of candidacy, declaration of intent to be
 15 a write-in candidate, or petition of nomination for office or is selected
 16 as a candidate for the office under IC 3-13-1 or IC 3-13-2, the person
 17 shall file with the clerk of the house or secretary of the senate,
 18 respectively, the same written statement of economic interests for the
 19 preceding calendar year that this section requires members of the
 20 general assembly to file.

21 (c) Any member of or candidate for the general assembly may file
 22 an amended statement upon discovery of additional information
 23 required to be reported.

24 SECTION 5. IC 2-5-1.1-1 IS AMENDED TO READ AS
 25 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 1. There is hereby
 26 created a legislative council which shall be composed of sixteen (16)
 27 members of the general assembly as follows:

28 ~~(a)~~ (1) From the senate: The president pro tempore, the minority
 29 leader, the majority caucus chairman, the minority caucus
 30 chairman, three (3) members appointed by the president pro
 31 tempore, and one (1) member appointed by the minority leader.

32 ~~(b)~~ (2) From the house of representatives: The speaker of the
 33 house, the majority leader, the minority leader, the majority
 34 caucus chairman, the minority caucus chairman, two (2) members
 35 appointed by the speaker, and one (1) member appointed by the
 36 minority leader.

37 ~~(c)~~ (3) The president of the senate may serve as an ex officio
 38 non-voting member of the council.

39 ~~(d)~~ (4) The members of the council who serve by virtue of their
 40 office shall serve until their successors are selected.

41 ~~(e)~~ (5) The appointed members shall serve from the date of their
 42 appointment until the next general election at which they run for

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1 reelection, or until the convening of the ~~first~~ regular session of the
 2 next general assembly, whichever is first to occur. The president
 3 pro tempore, speaker, and minority leaders shall appoint their
 4 members not later than five (5) days after the ~~close of a first~~
 5 ~~regular session of a general assembly~~ **adjourns under**
 6 **IC 2-2.1-1-2(e).**

7 SECTION 6. IC 2-5-5-2 IS AMENDED TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2000]: Sec. 2. (a) The committee shall meet:

9 (1) on call of the chairman not later than thirty (30) days
 10 following ~~adjournment of the first session~~ **organization** of each
 11 general assembly ~~to organize; thereafter it shall meet under~~
 12 **IC 2-2.1-1-2(a); and**

13 (2) **any other time** at such times as the **call of the** chairman.
 14 ~~deems necessary.~~

15 During the first regular session of each general assembly; the chairman
 16 shall be appointed by the speaker of the house and shall serve until the
 17 beginning of the second regular session of that general assembly when
 18 the chairman during the second regular session shall assume his duties
 19 after having been appointed by the president pro tempore of the senate.

20 (b) **The chairman of the legislative council shall appoint the**
 21 **chair of the committee. The chairman of the legislative council may**
 22 **appoint a different chair of the committee at any time.**

23 SECTION 7. IC 2-5-18-6 IS AMENDED TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 2000]: Sec. 6. (a) The ~~speaker of the house of~~
 25 ~~representatives~~ **chairman of the legislative council** shall appoint a
 26 member of the committee to be the chair of the committee. ~~during the~~
 27 ~~first regular session of each general assembly. The member appointed~~
 28 ~~to be chair by the speaker serves as chair until the beginning of the~~
 29 ~~second regular session of that general assembly.~~

30 (b) The president pro tempore of the senate shall appoint a member
 31 of the committee to be chair of the committee during the second regular
 32 session of each general assembly. The member appointed to be chair
 33 by the president pro tempore serves as chair until the election of the
 34 next general assembly. **The chairman of the legislative council may**
 35 **appoint a different chair of the committee at any time.**

36 (c) (b) The committee shall meet to organize on the call of the chair
 37 not later than December 15 of each year. The committee shall meet at
 38 the call of the chair.

39 SECTION 8. IC 2-5-25-3 IS AMENDED TO READ AS FOLLOWS
 40 [EFFECTIVE JULY 1, 2000]: Sec. 3. (a) The ~~president pro tempore of~~
 41 ~~the senate~~ **chairman of the legislative council** shall appoint a member
 42 of the committee to serve as chairperson of the committee. ~~during the~~



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1 first regular session of a general assembly and as vice chairperson
 2 during the second regular session. **The chairman of the legislative**
 3 **council may appoint a different chairperson of the committee at**
 4 **any time.**

5 (b) ~~The speaker of the house of representatives vice chairman of~~
 6 ~~the legislative council~~ shall appoint a member of the committee to
 7 serve as vice chairperson ~~during the first regular session of a general~~
 8 ~~assembly and as chairperson during the second regular session. of the~~
 9 ~~committee. The vice chairman of the legislative council may~~
 10 ~~appoint a different vice chairperson of the committee at any time.~~

11 SECTION 9. IC 3-3-2-1 IS AMENDED TO READ AS FOLLOWS
 12 [EFFECTIVE JULY 1, 2000]: Sec. 1. Congressional districts shall be
 13 established by law at the first regular session of the general assembly
 14 convening **under IC 2-2.1-1-2(a)** immediately following the United
 15 States decennial census.

16 SECTION 10. IC 4-4-16.5-2 IS AMENDED TO READ AS
 17 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 2. (a) The steel industry
 18 advisory commission is established consisting of thirteen (13)
 19 members.

20 (b) The lieutenant governor shall nominate and the governor shall
 21 appoint nine (9) members of the commission based on the following
 22 requirements:

23 (1) One (1) member must be the lieutenant governor or the
 24 lieutenant governor's designee.

25 (2) Five (5) members must be representatives of the steel industry
 26 in Indiana (as defined in the Steel Import Stabilization Act of
 27 1984, P.L.98-573, Title VIII, Sections 801 to 806, Oct. 30, 1984,
 28 98 Stat. 3043 to 3046 (19 U.S.C. Section 2253 note)).

29 (3) One (1) member must be a representative of a labor union that
 30 represents steelworkers.

31 (4) One (1) member must be a member of the faculty of the
 32 School of Business of Indiana University.

33 (5) One (1) member must be a member of the faculty of the
 34 School of Engineering of Purdue University.

35 (c) The lieutenant governor shall solicit recommendations from
 36 individuals associated with the steel industry and labor unions that
 37 represent steelworkers before making the nominations for appointments
 38 required by subsection (b)(2) and (b)(3), respectively.

39 (d) Four (4) members of the commission shall be appointed as
 40 follows:

41 (1) Two (2) members, not more than one (1) of whom may be
 42 affiliated with the same political party, must be members of the

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1 house of representatives, appointed by the speaker of the house.

2 (2) Two (2) members, not more than one (1) of whom may be
3 affiliated with the same political party, must be members of the
4 senate, appointed by the president pro tempore of the senate.

5 (e) The appointment of members under subsection (d) shall be made
6 each even-numbered year after the first session day in November of the
7 ~~first regular session of the~~ general assembly **convened under**
8 **IC 2-2.1-1-2(a)**. The terms of the members are two (2) years.

9 (f) The lieutenant governor, or the lieutenant governor's designee,
10 serves as chairman of the commission. The commission shall provide
11 for the selection of other officers as it determines appropriate.

12 SECTION 11. IC 15-1-1.5-5 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 5. (a) The committee
14 consists of the following members:

15 (1) Four (4) members of the senate, not more than two (2) of
16 whom are members of the same political party, appointed by the
17 president pro tempore of the senate.

18 (2) Four (4) members of the house of representatives, not more
19 than two (2) of whom are members of the same political party,
20 appointed by the speaker of the house of representatives.

21 (b) A member appointed under subsection (a) serves until the first
22 day of the ~~first regular session of the~~ next general assembly following
23 the member's appointment. A vacancy occurring under subsection (a)
24 shall be filled for the unexpired term by the appointing authority who
25 appointed the member whose position is vacant.

26 (c) After appointment of the members of the committee under
27 subsection (a), the ~~speaker of the house of representatives~~ **chairman**
28 **of the legislative council** shall name one (1) of the members as
29 chairman. ~~and the president pro tempore of the senate shall name~~
30 ~~another member as vice chairman. The chairman and the vice chairman~~
31 ~~serve until the first day of the second regular session of that general~~
32 ~~assembly. The vice chairman during the first session then becomes the~~
33 ~~chairman, and the chairman during the first session becomes the vice~~
34 ~~chairman. The appointing authority~~ **chairman of the legislative**
35 **council** may name a different chairman ~~or vice chairman of the~~
36 ~~committee~~ at any time.

37 (d) ~~After appointment of the members of the committee under~~
38 ~~subsection (a), the vice chairman of the legislative council shall~~
39 ~~name one (1) of the members as vice chairman. The vice chairman~~
40 ~~of the legislative council may name a different vice chairman of the~~
41 ~~committee at any time.~~

42 SECTION 12. THE FOLLOWING ARE REPEALED [EFFECTIVE



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1 JULY 1, 2000]: IC 2-2.1-1-3; IC 2-2.1-1-3.5.

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