

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1863 be amended to read as follows:

- 1 Page 1, line 8, delete "department of" and insert "department. of".
- 2 Page 1, strike line 9.
- 3 Page 1, between lines 12 and 13, begin a new paragraph and insert:
- 4 **""Department" refers to the Indiana department of**
- 5 **administration established by IC 4-13-1-2."**
- 6 Page 2, line 1, strike "racial".
- 7 Page 2, line 9, strike ""Racial".
- 8 Page 2, line 9, delete "minority" and insert ""Minority".
- 9 Page 2, line 14, strike "racial".
- 10 Page 2, line 14, delete "." and insert ", as defined by 13 CFR
- 11 **124.103."**
- 12 Page 2, between lines 21 and 22, begin a new line blocked left and
- 13 insert:
- 14 **"The term does not include the state lottery commission or the**
- 15 **Indiana gaming commission with respect to setting and enforcing**
- 16 **goals for awarding contracts to minority and women's business**
- 17 **enterprises.**
- 18 SECTION 2. IC 4-13-16.5-1.1 IS ADDED TO THE INDIANA
- 19 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 20 [EFFECTIVE JULY 1, 2001]: **Sec. 1.1. A reference to a federal**
- 21 **statute or regulation in this chapter is a reference to the statute or**
- 22 **regulation as in effect January 1, 2001."**
- 23 Page 2, line 25, delete "has the meaning set forth in" and insert
- 24 **"means a business that is one (1) of the following:**

- 1 **(1) A sole proprietorship owned and controlled by a woman.**
- 2 **(2) A partnership or joint venture owned and controlled by**
- 3 **women in which:**
- 4 **(A) at least fifty-one percent (51%) of the ownership is**
- 5 **held by women; and**
- 6 **(B) the management and daily business operations of**
- 7 **which are controlled by at least one (1) of the women who**
- 8 **owns the business.**
- 9 **(3) A corporation or other entity:**
- 10 **(A) whose management and daily business operations are**
- 11 **controlled by at least one (1) of the women who owns the**
- 12 **business; and**
- 13 **(B) that is at least fifty-one percent (51%) owned by**
- 14 **women, or if stock is issued, at least fifty-one percent**
- 15 **(51%) of the stock is owned by at least one (1) of the**
- 16 **women."**
- 17 Page 2, delete line 26.
- 18 Page 2, line 29, strike "fourteen (14) member".
- 19 Page 2, line 36, delete "Indiana department of" and insert " ~~Indiana~~
- 20 department. of".
- 21 Page 2, strike line 37.
- 22 Page 2, line 42, strike "Two (2)" and insert "**Three (3)**".
- 23 Page 3, line 1, strike "Two (2)" and insert "**Three (3)**".
- 24 Page 3, line 2, strike "Two (2)" and insert "**Three (3)**".
- 25 Page 3, between lines 2 and 3, begin a new line block indented and
- 26 insert:
- 27 **"Two (2) of the members appointed under this subdivision**
- 28 **must represent minorities and one (1) of the members**
- 29 **appointed under this subdivision must represent women."**
- 30 Page 3, line 10, strike "No" and insert "**Not**".
- 31 Page 3, line 10, strike "four (4) of the seven (7)" and insert "**six (6)**".
- 32 Page 4, line 11, strike "of administration".
- 33 Page 4, between lines 25 and 26, begin a new paragraph and insert:
- 34 **"(g) The department shall develop size standards based on 13**
- 35 **CFR 121.**
- 36 **(h) The department shall adopt rules of ethics under IC 4-22-2**
- 37 **for commission members other than commission members**
- 38 **appointed under subsection (a)(6) or (a)(7)."**
- 39 Page 4, line 26, strike "(g)" and insert "**(i)**".
- 40 Page 4, line 26, strike "of administration".
- 41 Page 4, line 31, strike "Indiana".
- 42 Page 4, line 31, strike "of administration".
- 43 Page 4, line 33, strike "Indiana".
- 44 Page 4, line 34, strike "of administration".
- 45 Page 4, line 39, after "The" insert "**deputy**".
- 46 Page 5, line 15, strike "Indiana".

- 1 Page 5, line 15, after "department" insert ".".
- 2 Page 5, line 15, strike "of administration."
- 3 Page 5, line 19, delete "Indiana".
- 4 Page 5, line 19, delete "of administration".
- 5 Page 5, line 21, delete "following have occurred:".
- 6 Page 5, line 22, delete "(1) The".
- 7 Page 5, run in lines 21 through 23.
- 8 Page 5, delete lines 24 through 25.
- 9 Page 5, line 26, delete "If the department determines that the goals
- 10 set under section" and insert "**The department shall adopt rules**
- 11 **under IC 4-22-2 to ensure that the goals set under section 2(f)(7) of**
- 12 **this chapter are met."**
- 13 Page 5, delete lines 27 through 34.
- 14 Page 5, run in lines 26 through 38.
- 15 Page 6, line 39, strike "racial".
- 16 Page 6, line 39, after "minorities" insert "**and women"**.
- 17 Page 7, between lines 6 and 7, begin a new line block indented and
- 18 insert:
- 19 **"The commission shall, in cooperation with the Indiana**
- 20 **department of administration, adopt rules under IC 4-22-2 to**
- 21 **ensure that the goals set under this subdivision are met."**
- 22 Page 7, between lines 8 and 9, begin a new paragraph and insert:
- 23 "SECTION 9. IC 4-33-14-2 IS AMENDED TO READ AS
- 24 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 2. As used in this
- 25 chapter, "minority" means a person who is one (1) of the following:
- 26 (1) ~~Black.~~
- 27 (2) ~~Hispanic.~~
- 28 (3) ~~Asian American.~~
- 29 (4) ~~Native American or Alaskan native.~~
- 30 **member of a minority group as defined in IC 4-13-16.5-1.**
- 31 SECTION 10. IC 4-33-14-3 IS AMENDED TO READ AS
- 32 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 3. As used in this
- 33 chapter, "minority business enterprise" means a business that is one (1)
- 34 of the following:
- 35 (1) ~~A sole proprietorship owned and controlled by a minority.~~
- 36 (2) ~~A partnership or joint venture owned and controlled by~~
- 37 ~~minorities:~~
- 38 (A) ~~in which at least fifty-one percent (51%) of the ownership~~
- 39 ~~interest is held by at least one (1) minority; and~~
- 40 (B) ~~the management and daily business operations of which~~
- 41 ~~are controlled by at least one (1) of the minorities who own the~~
- 42 ~~business.~~
- 43 (3) ~~A corporation or other entity:~~
- 44 (A) ~~whose management and daily business operations are~~
- 45 ~~controlled by at least one (1) of the minorities who own the~~
- 46 ~~business; and~~

1 (B) that is at least fifty-one percent (51%) owned by at least
2 one (1) minority; or if stock is issued; at least fifty-one percent
3 (51%) of the stock is owned by at least one (1) minority.

4 **has the meaning set forth in IC 4-13-16.5-1.**

5 SECTION 11. IC 4-33-14-4 IS AMENDED TO READ AS
6 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 4. As used in this
7 chapter, "women's business enterprise" means a business that is one (1)
8 of the following:

9 (1) A sole proprietorship owned and controlled by a woman.

10 (2) A partnership or joint venture owned and controlled by
11 women in which:

12 (A) at least fifty-one percent (51%) of the ownership is held by
13 women; and

14 (B) the management and daily business operations of which
15 are controlled by at least one (1) of the women who own the
16 business.

17 (3) A corporation or other entity:

18 (A) whose management and daily business operations are
19 controlled by at least one (1) of the women who own the
20 business; and

21 (B) that is at least fifty-one percent (51%) owned by women;
22 or if stock is issued; at least fifty-one percent (51%) of the
23 stock is owned by at least one (1) of the women.

24 **has the meaning set forth in IC 4-13-16.5-1.3."**

25 Page 7, line 23, after "contrary," insert "**the commission shall**
26 **establish annual goals for**".

27 Page 7, line 24, after "license" insert ":".

28 Page 7, line 24, strike "shall establish"

29 Page 7, line 24, delete "annual"

30 Page 7, line 24, delete "goals:" and insert "**goals**".

31 Page 8, delete lines 6 through 33.

32 Renumber all SECTIONS consecutively.

(Reference is to HB 1863 as printed February 15, 2001.)

Representative Crawford