

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WITHDRAWN	Noes _____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

# HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 112 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning
- 3 education.
- 4 Page 19, between lines 19 and 20, begin a new paragraph and insert:
- 5 "SECTION 16. IC 20-23-17 IS ADDED TO THE INDIANA CODE
- 6 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 7 UPON PASSAGE]:
- 8 **Chapter 17. Election of Governing Body Members in**
- 9 **Mishawaka**
- 10 **Sec. 1. IC 20-23-8 does not apply to:**
- 11 **(1) a school corporation; or**
- 12 **(2) the governing body of a school corporation;**
- 13 **covered by this chapter.**
- 14 **Sec. 2. As used in this chapter, "school corporation" means a**
- 15 **school corporation for a city having a population of more than**
- 16 **forty-six thousand five hundred (46,500) but less than fifty**
- 17 **thousand (50,000).**
- 18 **Sec. 3. (a) The governing body of the school corporation consists**
- 19 **of five (5) members elected as follows:**
- 20 **(1) On a nonpartisan basis.**
- 21 **(2) In a general election held in the county.**
- 22 **(b) The members shall be elected at large by the voters of the**
- 23 **school corporation.**
- 24 **Sec. 4. (a) An individual who wants to be elected to the**
- 25 **governing body must be an eligible voter who resides within the**

1 school corporation.

2 (b) An individual who wants to be elected to the governing body  
3 must file a petition of nomination with the circuit court clerk of the  
4 county not earlier than one hundred four (104) days and not later  
5 than noon seventy-four (74) days before the election at which the  
6 members are to be elected.

7 (c) A candidate's petition of nomination must include the  
8 following information:

- 9 (1) The name of the candidate.  
10 (2) The signatures of at least one hundred (100) registered  
11 voters residing in the school corporation.  
12 (3) A certification that the prospective candidate meets the  
13 qualifications for candidacy imposed by this chapter.

14 **Sec. 5. Only eligible voters residing in the school corporation**  
15 **may vote for a candidate.**

16 **Sec. 6. (a) The number of candidates:**

- 17 (1) to be elected at the election; and  
18 (2) who receive the greatest number of votes in the school  
19 corporation;

20 are elected to the governing body.

21 **Sec. 7. The state board, with assistance from the county election**  
22 **board, shall establish:**

- 23 (1) balloting procedures under IC 3 for the election; and  
24 (2) all other procedures required to implement this chapter.

25 **Sec. 8. The term of each individual elected to serve on the**  
26 **governing body:**

- 27 (1) is four (4) years; and  
28 (2) begins the January 1 that next follows the individual's  
29 election.

30 **Sec. 9. The governing body shall temporarily fill a vacancy on**  
31 **the governing body as soon as practicable after the vacancy occurs.**

32 **Sec. 10. Before August 1 of each year, the school corporation**  
33 **shall file with the state superintendent a list of the:**

- 34 (1) names and addresses of members of the school  
35 corporation's governing body;  
36 (2) names and addresses of the school corporation's officers;  
37 and  
38 (3) expiration dates of the terms of the school corporation's  
39 members and officers.

40 **The school corporation shall file any change in the list not later**  
41 **than thirty (30) days after the change occurs."**

42 Page 21, between lines 16 and 17, begin a new paragraph and insert:

43 "SECTION 21. [EFFECTIVE UPON PASSAGE] (a) As used in  
44 this SECTION, "school corporation" refers to the school  
45 corporation for a city having a population of more than forty-six  
46 thousand five hundred (46,500) but less than fifty thousand

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**(50,000).**

**(b) Notwithstanding any other law, the term of office of a member of the governing body of the school corporation serving on December 31, 2006, expires January 1, 2007.**

**(c) The successors of the members of the governing body shall be elected at the November 2006 general election under IC 20-23-17, as added by this act.**

**(d) Notwithstanding IC 20-23-17-8, as amended by this act, the term of office of each member of the governing body elected under this SECTION is as follows:**

**(1) The two (2) candidates who receive the highest number and the second highest number of votes respectively among all candidates in the election are elected for a four (4) year term, beginning January 1, 2007.**

**(2) The three (3) candidates who receive the third highest, fourth highest, and fifth highest number of votes respectively among all the candidates in the election are elected for a two (2) year term, beginning January 1, 2007.**

**The successors of the members of the governing body elected under subdivision (2) shall be elected at the November 2008 general election. The members of the governing body elected at the 2008 general election and thereafter serve a term of office of four (4) years.**

**(e) IC 3 and IC 20-23-17, as added by this act, apply to the elections required under this SECTION to the extent that those statutes are not inconsistent with this SECTION.**

**(f) This SECTION expires January 1, 2011."**

Renumber all SECTIONS consecutively.

(Reference is to ESB 112 as printed February 17, 2006.)

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Representative Fry