

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 9 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 labor
- 3 and safety and to make an appropriation.
- 4 Page 6, between lines 41 and 42, begin a new paragraph and insert:
- 5 "SECTION 3. IC 22-11-14-12, AS ADDED BY P.L.187-2006,
- 6 SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 7 UPON PASSAGE]: Sec. 12. (a) A user fee, known as the public safety
- 8 fee, is imposed on retail transactions made in Indiana of fireworks, in
- 9 accordance with section 13 of this chapter.
- 10 (b) A person who acquires fireworks in a retail transaction is liable
- 11 for the public safety fee on the transaction and, except as otherwise
- 12 provided in this chapter, shall pay the public safety fee to the retailer
- 13 as a separate added amount to the consideration in the transaction. The
- 14 retailer shall collect the public safety fee as an agent for the state.
- 15 (c) The public safety fee shall be deposited in the state general fund.
- 16 (d) The department of state revenue shall adopt rules under
- 17 IC 4-22-2 necessary for the collection of the public safety fee monies
- 18 from retailers as described in subsections (b) and (c).
- 19 (e) **An amount equal to the amount of the public safety fees**
- 20 **collected under this section is continuously appropriated from the**
- 21 **state general fund to the department of homeland security for the**
- 22 **following purposes:**
- 23 (1) **On June 30 of each year, the department of homeland**

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security shall pay to each volunteer fire department (as defined in IC 36-8-12-2) an amount equal to fifty percent (50%) of the amount appropriated under this subsection divided by the number of volunteer fire departments in Indiana.

(2) The department of homeland security shall use twenty-five percent (25%) of the amount appropriated under this subsection for public safety service providers or advanced training programs.

(3) The department of homeland security shall use twenty-five percent (25%) of the amount appropriated under this subsection for the following purposes, at the discretion of the executive director of the department of homeland security:

(A) For deposit in the state disaster relief fund established by IC 10-14-4-5. The amount deposited under this clause shall be used to pay for damage resulting from a disaster (as defined in IC 10-14-3-1) to a public facility (as defined in IC 10-14-4-4) owned by, maintained by, or operated by or on behalf of an eligible entity (as defined in IC 10-14-4-2), in accordance with IC 10-14-4.

(B) To defray:

- (i) the costs of response;
 - (ii) the costs of recovery; or
 - (iii) the twenty-five percent (25%) of the costs required to be paid by local jurisdictions;
- that accrue because of a disaster that is the subject of a disaster declaration by the federal government."

Renumber all SECTIONS consecutively.
(Reference is to ESB 9 as printed March 27, 2007.)

Representative Crooks