



January 25, 2008

HOUSE BILL No. 1047

DIGEST OF HB 1047 (Updated January 23, 2008 4:45 pm - DI 117)

Citations Affected: Noncode.

Synopsis: Local time zone public question. Authorizes the placement of a local public question on the ballot in a county located on the boundary between the Central Time Zone and the Eastern Time Zone asking the voters of the county whether the county executive should petition the United States Department of Transportation to initiate proceedings to change the time zone in which the county is located. Provides that if the voters of the county approve the public question and the governor supports the county's petition, the county executive shall petition the Department of Transportation to initiate proceedings to change the time zone in which the county is located.

Effective: Upon passage.

Dembowski

January 8, 2008, read first time and referred to Committee on Interstate and International Cooperation.
January 24, 2008, reported — Do Pass.

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January 25, 2008

Second Regular Session 115th General Assembly (2008)

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 2007 Regular Session of the General Assembly.

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HOUSE BILL No. 1047

A BILL FOR AN ACT concerning general provisions.

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

- 1 SECTION 1. [EFFECTIVE UPON PASSAGE] (a) **This SECTION**
- 2 **applies to a county that is adjacent to the boundary between the**
- 3 **Central Time Zone and the Eastern Time Zone.**
- 4 (b) **If at least the number of voters equal to two percent (2%) of**
- 5 **the votes cast in the most recent election for secretary of state in**
- 6 **the county sign a petition requesting that a public question under**
- 7 **this SECTION be placed before the voters, the county election**
- 8 **board shall place the following public question on the ballot as**
- 9 **provided in this SECTION:**
- 10 "Shall the county executive of _____ (insert the name
- 11 of the county) County petition the United States Department
- 12 of Transportation to initiate proceedings under the Uniform
- 13 Time Act of 1966 to hold hearings in the appropriate locations
- 14 in this county on the issue of whether the county should be
- 15 placed in the _____ (insert the time zone the
- 16 county is currently not located in) Time Zone?".
- 17 **The petition must be filed with the circuit court clerk of the county.**
- 18 (c) **If the petition requests that the public question be placed on**

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1 the ballot at a general election, the county election board shall
2 place the question on the next general election ballot if the circuit
3 court clerk certifies the petition to the county election board not
4 later than the date provided in IC 3-10-9-3. Otherwise, the county
5 election board shall place the public question on the ballot at the
6 second general election held after the circuit court clerk certifies
7 the petition.

8 (d) If the petition requests that the public question be placed on
9 the ballot at a special election, the county election board shall hold
10 a special election:

- 11 (1) not sooner than sixty (60) days; and
 - 12 (2) not later than ninety (90) days;
- 13 after the circuit court clerk certifies the petition.

14 (e) IC 3 applies to a public question placed on the ballot under
15 this SECTION, to the extent IC 3 is not inconsistent with this
16 SECTION.

17 (f) If the voters of the county approve a public question placed
18 on the ballot under this SECTION, the county executive of the
19 county shall do the following:

- 20 (1) Adopt a petition to the United States Department of
21 Transportation to initiate proceedings under the Uniform
22 Time Act of 1966 to hold hearings in the appropriate locations
23 in the county on the issue of whether the county should be
24 placed in the time zone the county is currently not located in.
- 25 (2) Notify the governor in writing that the voters of the county
26 have approved a public question under this SECTION. The
27 notice must include a copy of the petition described in
28 subdivision (1).
- 29 (3) In the notice required by subdivision (2), request the
30 governor to send to the county executive a letter supporting
31 the county's petition.

32 (g) If the governor sends the county executive a letter
33 supporting the county's petition, the county executive shall send:

- 34 (1) the petition;
- 35 (2) the governor's letter of support; and
- 36 (3) any other information the county executive considers
37 necessary to support the county's petition;

38 to the appropriate official of the United States Department of
39 Transportation.

40 (h) The petition described in subsection (f) must include
41 substantially the following statement:

42 "As provided in IC 1-1-8.1-3, the State of Indiana supports the

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1 county executive of _____ (insert the name of the county)
2 County seeking to change the time zone in which the county is
3 located under the procedures established by federal law."
4 (i) This SECTION expires January 1, 2013.
5 SECTION 2. An emergency is declared for this act.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Interstate and International Cooperation, to which was referred House Bill 1047, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

HARRIS E, Chair

Committee Vote: yeas 6, nays 1.

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