

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1398 be amended to read as follows:

- 1 Page 4, line 8, delete "[EFFECTIVE UPON PASSAGE]" and insert
- 2 "[EFFECTIVE JULY 1, 2009]".
- 3 Page 5, line 8, strike "subsection (d)," and insert "**subsections (d)**
- 4 **and (f),"**.
- 5 Page 5, line 9, after "periods" insert "**beginning after June 30,**
- 6 **2009, and"**.
- 7 Page 5, line 10, reset in roman "eighteen".
- 8 Page 5, line 10, delete "twelve".
- 9 Page 5, line 10, reset in roman "(\$0.18);".
- 10 Page 5, line 10, delete "(\$0.12);".
- 11 Page 5, line 32, after "whether" insert "**the amount of deductions**
- 12 **from the immediately preceding qualified reporting period that are**
- 13 **subject to reimbursement under IC 15-15-12-30.5(f) and"**.
- 14 Page 5, line 35, delete "would" and insert "**will"**.
- 15 Page 6, between lines 8 and 9, begin a new paragraph and insert:
- 16 "**(f) The budget agency may suspend the deduction program**
- 17 **under subsection (c) STEP TWO for a particular year at any time**
- 18 **during a qualified reporting period if the budget agency**
- 19 **determines that the amount of money in the retail merchant E85**
- 20 **deduction reimbursement fund and the amount of money that will**
- 21 **be transferred to the fund on July 1 will not be sufficient to**
- 22 **reimburse the deductions expected to occur before the deduction**
- 23 **program for the year ends on March 31. The budget agency shall**
- 24 **immediately provide notice to the participating retail merchants of**

- 1 **the decision to suspend the deduction program for that year."**
2 Page 6, delete lines 29 through 42.
3 Page 7, delete lines 1 through 24.
4 Page 7, line 28, after "established." insert **"The fund consists of:**
5 **(1) assessments transferred by the council for deposit in the**
6 **fund under section 32.5 of this chapter;**
7 **(2) gifts; and**
8 **(3) grants."**
9 Page 7, line 29, delete "The fund consists of money transferred from
10 the Indiana"
11 Page 7, delete line 30.
12 Page 7, line 33, delete "Before" and insert **"On"**.
13 Page 8, line 4, after "fund" insert **"on May 1"**.
14 Page 8, line 8, delete "transfer from the Indiana corn market
15 development account" and insert **"deduct from any amounts**
16 **transferred for deposit into the fund in the remainder of that**
17 **calendar year"**.
18 Page 8, line 9, delete "established under section 30 of this chapter".
19 Page 8, line 10, delete "Money in the state general fund may not be"
20 and insert **"The budget agency shall transfer any amounts deducted**
21 **under this subsection for deposit in the same manner as state gross**
22 **retail and use taxes are required to be deposited under**
23 **IC 6-2.5-10-1."**
24 Page 8, delete line 11.
25 Page 8, line 13, delete "Indiana corn" and insert **"council"**.
26 Page 8, delete lines 14 through 15, begin a new paragraph and
27 insert:
28 "SECTION 8. IC 15-15-12-32.5 IS ADDED TO THE INDIANA
29 CODE AS A NEW SECTION TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2009]: **Sec. 32.5. On July 1, 2010, and each**
31 **year thereafter, the council shall transfer five hundred thousand**
32 **dollars (\$500,000) to the budget agency for deposit in the retail**
33 **merchant E85 deduction reimbursement fund established by**
34 **section 30.5 of this chapter."**
35 Page 9, between lines 12 and 13, begin a new paragraph and insert:
36 "SECTION 11. IC 15-15-12-30 IS REPEALED [EFFECTIVE
37 AUGUST 1, 2009]
38 SECTION 12. [EFFECTIVE AUGUST 1, 2009] **(a) On August 1,**
39 **2009, the budget agency shall transfer any remaining balance in**
40 **the Indiana corn market development account established under**
41 **IC 15-15-12-30 (before its repeal) to the retail merchant E85**
42 **deduction reimbursement fund established by IC 15-15-12-30.5, as**
43 **added by this act.**
44 **(b) This SECTION expires January 1, 2010."**
45 Renumber all SECTIONS consecutively.
(Reference is to HB 1398 as printed February 18, 2009.)

Representative Pearson