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| WITHDRAWN | Noes _____ |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

# HOUSE MOTION ____

MR. SPEAKER:

I move that Engrossed Senate Bill 396 be amended to read as follows:

Page 2, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 2. IC 12-7-2-64, AS AMENDED BY P.L.146-2008, SECTION 379, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 64. "Director" refers to the following:

(1) With respect to a particular division, the director of the division.

(2) With respect to a particular state institution, the director who has administrative control of and responsibility for the state institution.

**(3) For purposes of IC 12-8-12.5, the term refers to the director of the division of family resources.**

~~(3)~~ **(4)** For purposes of IC 12-10-15, the term refers to the director of the division of aging.

~~(4)~~ **(5)** For purposes of IC 12-25, the term refers to the director of the division of mental health and addiction.

~~(5)~~ **(6)** For purposes of IC 12-26, the term:

(A) refers to the director who has administrative control of and responsibility for the appropriate state institution; and

(B) includes the director's designee.

~~(6)~~ **(7)** If subdivisions (1) through ~~(5)~~ **(6)** do not apply, the term refers to the director of any of the divisions.

SECTION 3. IC 12-7-2-75.8 IS ADDED TO THE INDIANA CODE

AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 75.8. "Eligible employer", for purposes of IC 12-8-12.5, has the meaning set forth in IC 12-8-12.5-2.**

SECTION 4. IC 12-7-2-76.8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 76.8. **(a) "Employer", for purposes of IC 12-8-12.5, has the meaning set forth in IC 12-8-12.5-3.**

**(b)** "Employed", "employee", "employment", or "employs", for purposes of IC 12-17.2-3.5, has the meaning set forth in IC 12-17.2-3.5-1.3.

SECTION 5. IC 12-7-2-135.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 135.2. "One stop center", for purposes of IC 12-8-12.5, has the meaning set forth in IC 22-4.5-2-6.**

SECTION 6. IC 12-7-2-136.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 136.8. "Participant", for purposes of IC 12-8-12.5, has the meaning set forth in IC 12-8-12.5-5.**

SECTION 7. IC 12-7-2-146 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 146. "Program" refers to the following:

**(1) For purposes of IC 12-8-12.5, the Helping Indiana Restart Employment (HIRE) program established by IC 12-8-12.5-7.**

~~(1)~~ **(2)** For purposes of IC 12-10-7, the adult guardianship services program established by IC 12-10-7-5.

~~(2)~~ **(3)** For purposes of IC 12-10-10, the meaning set forth in IC 12-10-10-5.

~~(3)~~ **(4)** For purposes of IC 12-17.6, the meaning set forth in IC 12-17.6-1-5.

SECTION 8. IC 12-7-2-189.7, AS ADDED BY P.L.180-2005, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 189.7. "TANF", for purposes of IC 12-20 **and IC 12-8-12.5,** refers to the federal Temporary Assistance for Needy Families program under 42 U.S.C. 601 et seq..

SECTION 9. IC 12-8-12.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

**Chapter 12.5. Helping Indiana Restart Employment Program (HIRE)**

**Sec. 1. This chapter applies after June 30, 2010.**

**Sec. 2. As used in this chapter, "eligible employer" means an employer that meets the requirements of section 8 of this chapter and is eligible to participate in the program.**

**Sec. 3. As used in this chapter, "employer" means an individual,**

**corporation, partnership, limited liability company, or any other legal entity that has at least one (1) employee and is legally doing business in Indiana.**

**Sec. 4. As used in this chapter, "one stop center" has the meaning set forth in IC 22-4.5-2-6.**

**Sec. 5. As used in this chapter, "participant" means an individual who is participating in the program.**

**Sec. 6. As used in this chapter, "program" refers to the Helping Indiana Restart Employment program (HIRE) established by section 7 of this chapter.**

**Sec. 7. (a) The director shall adopt policies to establish the Helping Indiana Restart Employment program (HIRE) for the purpose of increasing employment opportunities for unemployed or underemployed workers by providing a wage and benefit subsidy to eligible employers that provide to participants an hourly wage and a transferable work skill.**

**(b) The director shall administer the program with the assistance of the department of workforce development established by IC 22-4.1-2-1.**

**(c) The director may adopt rules under IC 4-22-2 that the director considers appropriate or necessary to implement this chapter.**

**Sec. 8. (a) An employer that meets the requirements listed in subsection (b) is eligible to participate in the program.**

**(b) The employer:**

**(1) is a:**

**(A) private for profit entity;**

**(B) private nonprofit entity; or**

**(C) public hospital;**

**(2) has at least one (1) worksite located in Indiana;**

**(3) provides current proof of compliance with IC 22-3-5-2 and IC 22-3-7-34 (concerning worker's compensation and occupational disease coverage);**

**(4) is in compliance with all applicable federal, state, and local labor and employment laws, including minimum wage, wage payment, unemployment compensation, occupational health and safety, and equal opportunity and civil rights laws; and**

**(5) is not suspended or barred from doing business or entering into a contract with the state under IC 4-2-6 (ethics and conflicts of interest), IC 4-13.6 (public works), or IC 5-22 (public purchasing).**

**(c) An employer is not eligible to participate in the program during the period a strike, lockout, or other labor dispute exists at any of the employer's worksites.**

**(d) An eligible employer shall provide immediate written notice to the director if, at any time, the employer learns that any of the information submitted under this section to establish the**

**employer's eligibility for the program:**

**(1) was erroneous at the time the information was submitted; or**

**(2) is no longer accurate because of changed circumstances.**

**Sec. 9. (a) An individual is eligible to participate in the program if the individual:**

**(1) is a United States citizen;**

**(2) is a resident of Indiana;**

**(3) is at least eighteen (18) years of age;**

**(4) resides in the individual's home with at least one (1) verified dependent child who is:**

**(A) a United States citizen; and**

**(B) less than eighteen (18) years of age;**

**(5) is a relative of the child described in subdivision (4), including:**

**(A) the child's mother, father, stepmother, stepfather, grandmother, or grandfather; or**

**(B) a relative not listed in clause (A) who has custody of the child; and**

**(6) has a total family income that does not exceed two hundred fifty percent (250%) of the federal income poverty level (as defined in IC 12-7-2-85).**

**(b) An individual who meets the requirements listed in subsection (a) and is receiving benefits under at least one (1) of the following programs shall receive priority for placement in subsidized employment under the program:**

**(1) The federal Supplemental Nutrition Assistance Program (SNAP).**

**(2) The TANF program.**

**(3) The unemployment compensation system established under IC 22-4.**

**The department of workforce development shall provide information and assistance to the director to verify that an individual is receiving benefits under subdivision (3).**

**(c) A participant who no longer meets the requirements listed in subsection (a) shall provide immediate written notice to the director describing the changed circumstances.**

**Sec. 10. (a) The director, with the assistance of the department of workforce development as applicable, shall provide at least the following services to participants:**

**(1) Outreach, intake, and orientation to the information and other services available through county offices and one stop centers.**

**(2) An initial assessment of skill levels, aptitudes, and abilities.**

**(3) Comprehensive and specialized assessment of the skill levels, and service needs, including, if appropriate, diagnostic testing and use of other assessment barriers and appropriate**

**employment goals.**

**(4) The development of an individual employment plan.**

**(5) Short term prevocational services, including the development of:**

**(A) learning skills;**

**(B) communication skills;**

**(C) interviewing skills;**

**(D) personal maintenance skills; and**

**(E) professional conduct.**

**(6) Case management.**

**(7) Follow-up services, including counseling, for at least twelve (12) months after the participant's first day of employment.**

**(b) An individual referred to a county office or one stop center by an eligible employer (commonly referred to as a "reverse referral") must complete the program in the same manner as other participants. The director, with the assistance of the department of workforce development, as applicable, shall provide the services described in subsection (a) to an individual who is a reverse referral and must provide the services described in subsection (a)(1) through (a)(5) before the individual's first date of employment under the program.**

**(c) A participant may be placed in subsidized employment under the program for a period not to exceed six (6) months. The participant may not work more than:**

**(1) one thousand forty (1,040) hours for the entire subsidized employment period; or**

**(2) one hundred seventy-five (175) hours in a month.**

**Sec. 11. (a) An eligible employer shall enter into a program agreement with the director concerning the terms and conditions of the employer's participation in the program before any participants are placed with the employer.**

**(b) The program agreement must include at least the following:**

**(1) The number of participants to be placed with the employer.**

**(2) The hourly wage paid to each participant.**

**(3) The transferable work skill or skills to be taught to each participant.**

**(4) The length of the subsidized employment period, which may not exceed six (6) months.**

**(5) The employer's wage reimbursement schedule described in section 12 of this chapter.**

**(6) Except as provided in subsection (c), a commitment by the employer to retain the participants after the subsidized employment period.**

**(7) Any other provision as determined by agreement between the director and the eligible employer.**

**(c) An eligible employer that employs twenty-five (25) or fewer employees shall receive priority to participate in the program.**

**(d) An eligible employer may at any time discharge a participant for just cause (as defined in IC 22-4-15-1(d)) to the same extent and in the same manner as the employer may discharge an employee who is not a participant. The employer shall notify the director that the employer has discharged a participant, including the circumstances constituting just cause for the discharge.**

**(e) Not more than twenty-five percent (25%) of an eligible employer's full-time workforce may participate in the program at the same time.**

**Sec. 12. (a) Except as provided in subsection (b), an eligible employer receives a monthly reimbursement of the hourly wage paid to a participant employed by the employer in accordance with the following schedule:**

**(1) During the first and second months of a participant's subsidized employment period, the participant's employer is reimbursed one hundred percent (100%) of the participant's hourly wage.**

**(2) During the third month of a participant's subsidized employment period, the participant's employer is reimbursed seventy-five (75%) of the participant's hourly wage.**

**(3) During the fourth and fifth months of a participant's subsidized employment period, the participant's employer is reimbursed fifty percent (50%) of the participant's hourly wage.**

**(4) During the sixth month of a participant's subsidized employment period, the participant's employer is reimbursed twenty-five percent (25%) of the participant's hourly wage.**

**(b) If an eligible employer:**

**(1) fails, for a reason other than the participant's discharge for just cause, to employ a participant for the entire subsidized employment period agreed upon in section 11(b)(4) of this chapter; or**

**(2) becomes ineligible to participate in the program while employing a participant whose hourly wage is being subsidized;**

**the employer shall repay the amount of the subsidies received under this chapter that are attributable to each participant who is unable to complete a subsidized employment period with the employer because of the employer's failure or ineligibility. The director shall determine the method and manner of repayment.**

**Sec. 13. (a) For each state fiscal year that an appropriation is made by P.L.182-2009(ss) for TANF, augmentation is allowed (as defined in P.L.182-2009(ss), SECTION 1) from any state fund that is not restricted by federal law or the terms of a contract, grant,**

**loan, gift, or bequest solely for the purpose of providing state match money to obtain the maximum emergency funding for TANF programs available to the state under Division B, Title II, Subtitle B of the federal American Recovery and Reinvestment Act of 2009. The amount of augmentation from a fund other than the state general fund that is not expended or unencumbered before the end of a state fiscal year reverts to and is available for the purposes of the fund from which the augmentation came. Notwithstanding IC 4-9.1-1-7, IC 4-12-1-12, IC 4-13-2-23, or another law, the money may not be transferred, assigned, or reassigned for another purpose.**

**(b) On June 30, 2010, and at the end of each quarter thereafter, the director shall submit to the budget committee a report describing the:**

**(1) director's progress in implementing this chapter; and**

**(2) sources of the state match money described in subsection (a).**

**Sec. 14. This chapter expires June 30, 2013.**

SECTION 10. [EFFECTIVE UPON PASSAGE] **(a) The interim study committee on economic development is established to study the following:**

**(1) Best practices in state and local economic development policies and activities.**

**(2) The use and effectiveness of tax credits and deductions.**

**(3) Whether there are any specific sectors of the economy for which Indiana might have comparative advantages over other states.**

**(4) The extent to which Indiana's tax laws encourage business investment, and any improvements that might be made to Indiana's tax laws.**

**(5) The extent to which Indiana's education systems support economic development.**

**(6) Any other issue assigned to the committee by the legislative council or as directed by the committee's co-chairs.**

**(b) The committee consists of the following members:**

**(1) Two (2) members of the senate, who must be affiliated with different political parties, appointed by the president pro tempore of the senate.**

**(2) The following six (6) members appointed by the president pro tempore of the senate:**

**(A) One (1) member to represent large businesses.**

**(B) One (1) member to represent banking and finance.**

**(C) One (1) member to represent higher education.**

**(D) One (1) member to represent cities.**

**(E) One (1) member to represent agricultural interests.**

**(F) One (1) member to represent the arts and humanities.**

**(3) Two (2) members of the house of representatives, who**

**must be affiliated with different political parties, appointed by the speaker of the house of representatives.**

**(4) The following six (6) members appointed by the speaker of the house of representatives:**

**(A) One (1) member to represent small businesses.**

**(B) One (1) member to represent labor interests.**

**(C) One (1) member to represent local economic development organizations and officials.**

**(D) One (1) member to represent counties.**

**(E) One (1) member to represent the public at large.**

**(F) One (1) member to represent kindergarten through grade 12 education.**

**(5) The chief executive officer of the Indiana economic development corporation (or the chief executive officer's designee).**

**(c) The president pro tempore of the senate shall appoint one (1) of the members appointed by the president pro tempore as a co-chair of the committee. The speaker of the house of representatives shall appoint one (1) of the members appointed by the speaker as a co-chair of the committee.**

**(d) The committee shall issue a final report in an electronic format under IC 5-14-6 before November 30, 2010, to the legislative council containing any findings and recommendations of the committee.**

**(e) Except as otherwise provided, the committee shall operate under the policies governing study committees adopted by the legislative council.**

**(f) The affirmative votes of a majority of the voting members appointed to the committee are required for the committee to take action on any measure, including final reports.**

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

Renumber all SECTIONS consecutively.

(Reference is to ESB 396 as printed February 19, 2010.)

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Representative Welch