

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 473 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 8-15-3-2.3 IS ADDED TO THE INDIANA CODE
- 4 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 5 1, 2011]: **Sec. 2.3. As used in this chapter, "Indiana Commerce**
- 6 **Connector" means a limited access facility beginning at Interstate**
- 7 **Highway 69 in Madison County and ending at Interstate Highway**
- 8 **70 in Hendricks County or Morgan County."**
- 9 Page 3, between lines 14 and 15, begin a new line block indented
- 10 and insert:
- 11 **"(3) Impose tolls on motor vehicles for use of the Indiana**
- 12 **Commerce Connector."**
- 13 Page 4, between lines 9 and 10, begin a new line block indented and
- 14 insert:
- 15 **"(3) Imposing tolls on motor vehicles for use of the Indiana**
- 16 **Commerce Connector.**
- 17 SECTION 5. IC 8-15.5-2-3.7 IS ADDED TO THE INDIANA
- 18 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 19 [EFFECTIVE JULY 1, 2011]: **Sec. 3.7. "Indiana Commerce**
- 20 **Connector" means a limited access facility beginning at Interstate**
- 21 **Highway 69 in Madison County and ending at Interstate Highway**
- 22 **70 in Hendricks County or Morgan County.**
- 23 SECTION 6. IC 8-15.5-4-1.5, AS ADDED BY P.L.85-2010,
- 24 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

JULY 1, 2011]: Sec. 1.5. (a) The authority may not issue a request for proposals for a toll road project under this article unless:

- (1) the authority has received a preliminary feasibility study and an economic impact study for the project from the department, prepared in the same manner as required by IC 8-15.7-4-1; and
- (2) for a toll road project that involves Indiana Commerce Connector, the voters of each county in which the Indiana Commerce Connector is located have approved a public question under section 1.7 of this chapter.**

(b) The economic impact study must, at a minimum, include an analysis of the following matters with respect to the proposed project:

- (1) Economic impacts on existing commercial and industrial development.
- (2) Potential impacts on employment.
- (3) Potential for future development near the project area, including consideration of locations for interchanges that will maximize opportunities for development.
- (4) Fiscal impacts on revenues to local units of government.
- (5) Demands on government services, such as public safety, public works, education, zoning and building, and local airports.

The authority shall post a copy of the economic impact study on the authority's Internet web site and shall also provide copies of the study to the governor and the legislative council (in an electronic format under IC 5-14-6).

(c) After completion of the economic impact study, the authority must conduct a public hearing on the results of the study in the county seat of the county in which the proposed project would be located. At least ten (10) days before each public hearing, the authority shall:

- (1) post notice of the public hearing on the authority's Internet web site;
- (2) publish notice of the public hearing one (1) time in accordance with IC 5-3-1 in two (2) newspapers of general circulation in the county; and
- (3) include in the notices under subdivisions (1) and (2):
 - (A) the date, time, and place of the hearing;
 - (B) the subject matter of the hearing;
 - (C) a description of the purpose of the economic impact study;
 - (D) a description of the proposed project and its location; and
 - (E) a statement concerning the availability of the study on the authority's Internet web site.

At the hearing, the authority shall allow the public to be heard on the economic impact study and the proposed project.

SECTION 7. IC 8-15.5-4-1.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: **Sec. 1.7. (a) If the authority notifies the county election board of a county in which the authority**

1 proposes to begin a toll road project involving the Indiana
 2 Commerce Connector, the county election board shall place the
 3 following public question on the ballot at the next general election
 4 held in the county:

5 "Should the Indiana Finance Authority be authorized to issue
 6 a request for proposals to begin a toll road project (insert the
 7 description of the toll road project provided by the authority
 8 under subsection (b)) in (insert the name of the county)
 9 County?".

10 (b) The authority's notification of the county election board
 11 must include a brief description of the location of the toll road
 12 project in the county. The description must be included in the
 13 public question required by subsection (a).

14 (c) The county election board shall tabulate the votes cast on the
 15 public question described in this section and certify the results
 16 under IC 3-12-4-9. The circuit court clerk shall send a copy of the
 17 certification required by this subsection to the authority.

18 (d) IC 3 applies to the public question placed on the ballot under
 19 this section to the extent IC 3 is not inconsistent with this section.

20 (e) If a majority of the eligible voters voting on a public question
 21 placed on the ballot under this section vote in favor of the public
 22 question, the authority may issue a request for proposals as
 23 provided in this chapter.

24 (f) If a majority of the eligible voters voting on a public question
 25 placed on the ballot under this section vote in opposition to the
 26 public question, both of the following apply:

27 (1) The authority may not issue the request for proposals.

28 (2) Another public question under this section on the same or
 29 a substantially similar project may not be submitted to the
 30 voters of the county earlier than five (5) years after the date
 31 of the election at which the public question was rejected."

32 Page 6, between lines 24 and 25, begin a new line block indented
 33 and insert:

34 "**(3) Imposing user fees on motor vehicles for use of the**
 35 **Indiana Commerce Connector.**".

36 Page 6, between lines 34 and 35, begin a new paragraph and insert:

37 "SECTION 12. IC 8-15.7-2-6.3 IS ADDED TO THE INDIANA
 38 CODE AS A NEW SECTION TO READ AS FOLLOWS
 39 [EFFECTIVE JULY 1, 2011]: **Sec. 6.3. "Indiana Commerce**
 40 **Connector" means a limited access facility beginning at Interstate**
 41 **Highway 69 in Madison County and ending at Interstate Highway**
 42 **70 in Hendricks County or Morgan County.**".

43 Page 8, after line 42, begin a new line block indented and insert:

44 "**(6) For a project that involves the Indiana Commerce**
 45 **Connector, the voters of the county have approved a public**
 46 **question under section 1.7 of this chapter.**

47 SECTION 13. IC 8-15.7-4-1.7 IS ADDED TO THE INDIANA

1 CODE AS A NEW SECTION TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2011]: **Sec. 1.7. (a) If the department notifies**
3 **the county election board of a county in which the authority**
4 **proposes to begin a toll road project involving the Indiana**
5 **Commerce Connector, the county election board shall place the**
6 **following public question on the ballot at the next general election**
7 **held in the county:**

8 "Should the Indiana Department of Transportation be
9 authorized to issue a request for proposals to begin a toll road
10 project (insert the description of the toll road project
11 provided by the department under subsection (b)) in (insert
12 the name of the county) County?"

13 (b) The department's notification of the county election board
14 must include a brief description of the location of the toll road
15 project in the county. The description shall be included in the
16 public question required by subsection (a).

17 (c) The county election board shall tabulate the votes cast on the
18 public question described in this section and certify the results
19 under IC 3-12-4-9. The circuit court clerk shall send a copy of the
20 certification required by this subsection to the department.

21 (d) IC 3 applies to the public question placed on the ballot under
22 this section to the extent IC 3 is not inconsistent with this section.

23 (e) If a majority of the eligible voters voting on a public question
24 placed on the ballot under this section vote in favor of the public
25 question, the department may issue a request for proposals as
26 provided in this chapter.

27 (f) If a majority of the eligible voters voting on a public question
28 placed on the ballot under this section vote in opposition to the
29 public question, both of the following apply:

- 30 (1) The department may not issue the request for proposals.
31 (2) Another public question under this section on the same or
32 a substantially similar project may not be submitted to the
33 voters of the county earlier than five (5) years after the date
34 of the election at which the public question was rejected."

35 Page 15, between lines 10 and 11, begin a new line block indented
36 and insert:

- 1 **"(3) Impose tolls on motor vehicles for use of the Indiana**
- 2 **Commerce Connector (as defined in IC 8-15-3-2.3)."**
- 3 Renumber all SECTIONS consecutively.
(Reference is to ESB 473 as printed April 8, 2011.)

Representative DeLaney