

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WITHDRAWN	Noes _____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 8-15-2-1, AS AMENDED BY P.L.1-2007,
4 SECTION 80, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2011]: Sec. 1. (a) In order to remove the handicaps and
6 hazards on the congested highways in Indiana, to facilitate vehicular
7 traffic throughout the state, to promote the agricultural and industrial
8 development of the state, and to provide for the general welfare by the
9 construction of modern express highways embodying safety devices,
10 including center division, ample shoulder widths, long sight distances,
11 multiple lanes in each direction, and grade separations at intersections
12 with other highways and railroads, the authority may:
13 (1) subject to subsection (d), construct, reconstruct, maintain,
14 repair, and operate toll road projects at such locations as shall be
15 approved by the governor;
16 (2) in accordance with such alignment and design standards as
17 shall be approved by the authority and subject to IC 8-9.5-8-10,
18 issue toll road revenue bonds of the state payable solely from
19 funds pledged for their payment, as authorized by this chapter, to
20 pay the cost of such projects;
21 (3) finance, develop, construct, reconstruct, improve, or maintain
22 improvements for manufacturing, commercial, or public
23 transportation activities within a county through which a toll road
24 passes;

1 (4) in cooperation with the Indiana department of transportation
 2 or a political subdivision, construct, reconstruct, or finance the
 3 construction or reconstruction of an arterial highway or an arterial
 4 street that is located within a county through which a toll road
 5 passes and that:

6 (A) interchanges with a toll road project; or

7 (B) intersects with a road or a street that interchanges with a
 8 toll road project;

9 (5) finance improvements necessary for developing transportation
 10 corridors in northwestern Indiana; and

11 (6) exercise these powers in participation with any governmental
 12 entity or with any individual, partnership, limited liability
 13 company, or corporation.

14 (b) Notwithstanding subsection (a), the authority shall not construct,
 15 maintain, operate, nor contract for the construction, maintenance, or
 16 operation of transient lodging facilities on, or adjacent to, such toll road
 17 projects.

18 (c) This chapter:

19 (1) applies to the authority only when acting for the purposes set
 20 forth in this chapter; and

21 (2) does not apply to the authority when acting under any other
 22 statute for any other purpose.

23 (d) Notwithstanding any other law, neither the authority nor an
 24 operator selected under IC 8-15.5 may carry out any of the following
 25 activities under this chapter unless the general assembly enacts a
 26 statute authorizing that activity:

27 (1) Carrying out construction for Interstate Highway 69 in a
 28 township having a population of more than seventy-five thousand
 29 (75,000) and less than ninety-three thousand five hundred
 30 (93,500).

31 (2) Imposing tolls on motor vehicles for use of the part of an
 32 interstate highway that connects a consolidated city and a city
 33 having a population of more than eleven thousand five hundred
 34 (11,500) but less than eleven thousand seven hundred forty
 35 (11,740).

36 **(3) Imposing tolls on motor vehicles for use of all or part of**
 37 **the Central Indiana Connector System.**

38 SECTION 2. IC 8-15-3-0.5 IS ADDED TO THE INDIANA CODE
 39 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 40 1, 2011]: **Sec. 0.5. As used in this chapter, "Central Indiana**
 41 **Connector System" means:**

42 **(A) an arterial highway constructed after June 30, 2011; or**

43 **(B) a limited access facility constructed after June 30, 2011,**
 44 **connecting Interstate Highway 65, Interstate Highway 69, or**
 45 **other existing arterial highways;**

46 **located in all or part of Hancock County, Hamilton County,**

1 **Madison County, Marion County, Morgan County, or Shelby**
2 **County."**

3 Page 3, between lines 14 and 15, begin a new line block indented
4 and insert:

5 **"(3) Impose tolls on motor vehicles for use of all or part of the**
6 **Central Indiana Connector System."**

7 Page 4, between lines 9 and 10, begin a new line block indented and
8 insert:

9 **"(3) Imposing tolls on motor vehicles for use of all or part of**
10 **the Central Indiana Connector System.**

11 SECTION 5. IC 8-15.5-2-2.5 IS ADDED TO THE INDIANA
12 CODE AS A NEW SECTION TO READ AS FOLLOWS
13 [EFFECTIVE JULY 1, 2011]: **Sec. 2.5. "Central Indiana Connector**
14 **System" means:**

15 **(A) an arterial highway constructed after June 30, 2011; or**
16 **(B) a limited access facility constructed after June 30, 2011,**
17 **connecting Interstate Highway 65, Interstate Highway 69, or**
18 **other existing arterial highways;**

19 **located in all or part of Hancock County, Hamilton County,**
20 **Madison County, Marion County, Morgan County, or Shelby**
21 **County.**

22 SECTION 6. IC 8-15.5-4-1.5, AS ADDED BY P.L.85-2010,
23 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
24 JULY 1, 2011]: Sec. 1.5. (a) The authority may not issue a request for
25 proposals for a toll road project under this article unless:

26 **(1) the authority has received a preliminary feasibility study and**
27 **an economic impact study for the project from the department,**
28 **prepared in the same manner as required by IC 8-15.7-4-1; and**
29 **(2) for a toll road project that involves all or part of the**
30 **Central Indiana Connector System, the voters of each county**
31 **in which the part of the toll road project involving the Central**
32 **Indiana Connector System is located have approved a public**
33 **question under section 1.7 of this chapter.**

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

36 (1) Economic impacts on existing commercial and industrial
37 development.

38 (2) Potential impacts on employment.

39 (3) Potential for future development near the project area,
40 including consideration of locations for interchanges that will
41 maximize opportunities for development.

42 (4) Fiscal impacts on revenues to local units of government.

43 (5) Demands on government services, such as public safety,
44 public works, education, zoning and building, and local airports.

45 The authority shall post a copy of the economic impact study on the
46 authority's Internet web site and shall also provide copies of the study

1 to the governor and the legislative council (in an electronic format
2 under IC 5-14-6).

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

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

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

21 SECTION 7. IC 8-15.5-4-1.7 IS ADDED TO THE INDIANA
22 CODE AS A NEW SECTION TO READ AS FOLLOWS
23 [EFFECTIVE JULY 1, 2011]: **Sec. 1.7. (a) If the authority notifies**
24 **the county election board of a county in which the authority**
25 **proposes to begin a toll road project involving all or part of the**
26 **Central Indiana Connector System, the county election board shall**
27 **place the following public question on the ballot at the next general**
28 **election held in the county:**

29 **"Should the Indiana Finance Authority be authorized to issue**
30 **a request for proposals to begin a toll road project (insert the**
31 **description of the toll road project provided by the authority**
32 **under subsection (b)) in (insert the name of the county)**
33 **County?".**

34 **(b) The authority's notification of the county election board**
35 **must include a brief description of the location of the toll road**
36 **project in the county. The description must be included in the**
37 **public question required by subsection (a).**

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

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

44 **(e) If a majority of the eligible voters voting on a public question**
45 **placed on the ballot under this section vote in favor of the public**
46 **question, the authority may issue a request for proposals as**
47 **provided in this chapter.**

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

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

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

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

11 **"(3) Imposing user fees on motor vehicles for use of the**
 12 **Central Indiana Connector System."**

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

14 **"SECTION 12. IC 8-15.7-2-3.5 IS ADDED TO THE INDIANA**
 15 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
 16 **[EFFECTIVE JULY 1, 2011]: Sec. 3.5. "Central Indiana Connector**
 17 **System" means:**

18 **(A) an arterial highway constructed after June 30, 2011; or**

19 **(B) a limited access facility constructed after June 30, 2011,**
 20 **connecting Interstate Highway 65, Interstate Highway 69, or**
 21 **other existing arterial highways;**

22 **located in all or part of Hancock County, Hamilton County,**
 23 **Madison County, Marion County, Morgan County, or Shelby**
 24 **County."**

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

26 **"(6) For a project that involves the Central Indiana Connector**
 27 **System, the voters of the county have approved a public**
 28 **question under section 1.7 of this chapter.**

29 **SECTION 13. IC 8-15.7-4-1.7 IS ADDED TO THE INDIANA**
 30 **CODE AS A NEW SECTION TO READ AS FOLLOWS**
 31 **[EFFECTIVE JULY 1, 2011]: Sec. 1.7. (a) If the department notifies**
 32 **the county election board of a county in which the authority**
 33 **proposes to begin a toll road project involving all or part of the**
 34 **Central Indiana Connector System, the county election board shall**
 35 **place the following public question on the ballot at the next general**
 36 **election held in the county:**

37 **"Should the Indiana Department of Transportation be**
 38 **authorized to issue a request for proposals to begin a toll road**
 39 **project (insert the description of the toll road project**
 40 **provided by the department under subsection (b)) in (insert**
 41 **the name of the county) County?"**

42 **(b) The department's notification of the county election board**
 43 **must include a brief description of the location of the toll road**
 44 **project in the county. The description shall be included in the**
 45 **public question required by subsection (a).**

46 **(c) The county election board shall tabulate the votes cast on the**
 47 **public question described in this section and certify the results**

1 under IC 3-12-4-9. The circuit court clerk shall send a copy of the
2 certification required by this subsection to the department.

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

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

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

12 (1) The department may not issue the request for proposals.

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

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

19 "(3) Impose tolls on motor vehicles for use of the Central
20 Indiana Connector System (as defined in IC 8-15-3-0.5)."

21 Renumber all SECTIONS consecutively.

(Reference is to ESB 473 as printed April 8, 2011.)

Representative DeLaney