

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1001 be amended to read as follows:

- 1 Page 106, between lines 7 and 8, begin a new paragraph and insert:
- 2 "SECTION 46. IC 5-16-1-1.5 IS AMENDED TO READ AS
- 3 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.5. The governing
- 4 board of any state educational institution, acting on behalf of said
- 5 institution, may purchase materials in the manner provided by law and
- 6 perform any work by means of its own employees and owned or leased
- 7 equipment in the construction, rehabilitation, extension, maintenance
- 8 or repair of any building, structure, improvement or facility of said
- 9 institutions, without awarding a contract therefor, whenever the cost of
- 10 such work shall be estimated to be less than **one hundred** fifty
- 11 thousand dollars ~~(\$50,000)~~. **(\$150,000)**.
- 12 SECTION 47. IC 5-16-1-1.7 IS AMENDED TO READ AS
- 13 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.7. On agricultural
- 14 or forestry land owned or occupied by Purdue University and used by
- 15 it for educational or research purposes, the trustees of the university
- 16 may, upon a declaration of necessity recorded in its minutes, award
- 17 contracts without advertising for bids or otherwise satisfying the
- 18 requirements of this chapter, if the cost of work is estimated to be less
- 19 than **one hundred** fifty thousand dollars ~~(\$50,000)~~. **(\$150,000)**.
- 20 However, bids shall be invited from at least three (3) or more persons,
- 21 firms, limited liability companies, or corporations known to deal in the
- 22 work required to be done. The minutes of the board shall show the
- 23 names of those invited to bid.

1 SECTION 48. IC 5-16-1-1.9, AS AMENDED BY P.L.2-2007,
 2 SECTION 103, IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE UPON PASSAGE]: Sec. 1.9. Notwithstanding this
 4 article, a state educational institution may award a contract for any
 5 construction or repair work to any building, structure, or improvement
 6 of the institution without advertising for bids and meeting other
 7 contract awarding requirements of this article whenever the estimated
 8 cost of the project is less than **one hundred** fifty thousand dollars
 9 (~~\$50,000~~). **(\$150,000)**. However, in awarding any contract under this
 10 section the state educational institution must do the following:

11 (1) Invite bids from at least three (3) persons, firms, limited
 12 liability companies, or corporations known to deal in the work
 13 required to be done.

14 (2) Give notice of the project if the estimated cost of the project
 15 is more than ~~twenty-five~~ **one hundred** thousand dollars
 16 (~~\$25,000~~). **(\$100,000)**. If required, notice must include a
 17 description of the work to be done and be given in at least one (1)
 18 newspaper of general circulation printed and published in the
 19 county in which the work is to be done.

20 (3) Award the contract to the lowest and best bidder."

21 Page 127, between lines 29 and 30, begin a new paragraph and
 22 insert:

23 "SECTION 83. IC 21-30-6-3, AS ADDED BY P.L.2-2007,
 24 SECTION 271, IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) If the board of trustees of
 26 a state educational institution decides to sell, convey, or dispose of real
 27 property received as a gift, bequest, or devise, the board of trustees
 28 shall adopt a resolution to that effect.

29 (b) If the value of the real property, as determined by an
 30 independent appraisal procured by the board of trustees, is less than
 31 ~~five seven~~ hundred **fifty** thousand dollars (~~\$500,000~~), **(\$750,000)**, no
 32 further authorization is required before the board of trustees may
 33 dispose of the real property.

34 (c) If the board of trustees determines by appraisal or otherwise that
 35 the value of the real property is ~~five seven~~ hundred **fifty** thousand
 36 dollars (~~\$500,000~~) **(\$750,000)** or more, the following apply:

37 (1) The value of the real property comprised in and constituting
 38 the gift, bequest, or devise shall be determined by three (3)
 39 disinterested appraisers appointed by the governor.

40 (2) The real property may not be sold, conveyed, or otherwise
 41 disposed of for less than the appraised value of the real property.

42 (3) The sale, conveyance, or disposition must be approved by the
 43 governor."

44 Page 127, between lines 34 and 35, begin a new paragraph and
 45 insert:

46 "SECTION 85. IC 21-33-3-5, AS AMENDED BY P.L.31-2010,

1 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
2 UPON PASSAGE]: Sec. 5. (a) Subject to this section, in addition to
3 projects authorized by the general assembly, the board of trustees of a
4 state educational institution may engage in a project to:

5 (1) construct buildings or facilities of a cost greater than ~~five~~
6 ~~hundred thousand~~ **two million** dollars (~~\$500,000~~); (**\$2,000,000**);

7 or

8 (2) purchase or lease-purchase land, buildings, or facilities the
9 principal value of which exceeds ~~two~~ **five** hundred ~~fifty~~ thousand
10 dollars (~~\$250,000~~); (**\$500,000**);

11 only if there are funds available for the project, the project meets any
12 of the applicable conditions, and the project is reviewed by the
13 commission for higher education and approved by the governor upon
14 recommendation of the budget agency. The review by the commission
15 for higher education must be completed not later than ninety (90) days
16 after the project is submitted for review.

17 (b) If:

18 (1) any part of the cost of a project described in subsection (a) is
19 paid by state appropriated funds or by mandatory student fees
20 assessed all students; and

21 (2) the project is to:

22 (A) construct buildings or facilities of a cost greater than ~~five~~
23 ~~hundred thousand~~ **one million** dollars (~~\$500,000~~);
24 (**\$1,000,000**); or

25 (B) purchase or lease-purchase land, buildings, or facilities the
26 principal value of which exceeds ~~three~~ **seven** hundred ~~fifty~~
27 thousand dollars (~~\$300,000~~); (**\$750,000**);

28 the project must also be approved by the general assembly.

29 (c) This section does not limit the board of trustees in
30 supplementing a project approved by the general assembly from gifts
31 or other available funds so long as approval for the expansion of the
32 project is given by the governor on review by the commission for
33 higher education and recommendation of the budget agency.

34 (d) The review and approval requirements of this section do not
35 apply to a project to:

36 (1) construct buildings or facilities; or

37 (2) purchase or lease-purchase land, buildings, or facilities;

38 if the project involves the expansion or improvement of housing for
39 students undertaken entirely by a fraternity or sorority at the state
40 educational institution.

41 SECTION 86. IC 21-33-3-6, AS AMENDED BY P.L.31-2010,
42 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
43 UPON PASSAGE]: Sec. 6. (a) Subject to subsection (b), in addition to
44 projects authorized by the general assembly, the board of trustees of a
45 state educational institution may engage in a repair and rehabilitation
46 project for which:

1 (1) the cost of the project exceeds ~~seven hundred fifty thousand~~
2 **one million** dollars (~~\$750,000~~); **(\$1,000,000)**; and

3 (2) any part of the cost of the project is paid by state appropriated
4 funds or by mandatory student fees assessed all students;
5 only if the project is reviewed by the commission for higher education
6 and approved by the governor, on recommendation of the budget
7 agency. The review by the commission for higher education must be
8 completed not later than ninety (90) days after the project is submitted
9 for review.

10 (b) If no part of the cost of a repair and rehabilitation project is paid
11 by state appropriated funds or by mandatory student fees assessed all
12 students, the review and approval requirements of this section apply
13 only if the project exceeds one million **five hundred thousand** dollars
14 (~~\$1,000,000~~); **(\$1,500,000)**.

15 SECTION 87. IC 21-33-3-7, AS AMENDED BY P.L.31-2010,
16 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
17 UPON PASSAGE]: Sec. 7. In addition to projects authorized by the
18 general assembly, the board of trustees of a state educational institution
19 may engage in a project:

20 (1) to lease, other than a project to lease-purchase, a building or
21 facility; and

22 (2) for which the annual cost of the project exceeds ~~one five~~
23 **hundred fifty** thousand dollars (~~\$150,000~~); **(\$500,000)**;

24 only if the project is reviewed by the commission for higher education
25 and approved by the governor, on recommendation of the budget
26 agency. The review by the commission for higher education must be
27 completed not later than ninety (90) days after the project is submitted
28 for review.

29 SECTION 88. IC 21-33-3-9, AS ADDED BY P.L.2-2007,
30 SECTION 274, IS AMENDED TO READ AS FOLLOWS
31 [EFFECTIVE UPON PASSAGE]: Sec. 9. To pay the cost of a project
32 authorized under this chapter, the following funds may be used:

33 (1) Funds appropriated in any state fiscal year for the project by
34 the general assembly, subject to allocation of the funds by the
35 budget agency, with approval of the governor.

36 (2) Funds derived from the issuance and sale of bonds by the
37 board of trustees of any of the state educational institutions, so
38 long as the issuance of the bonds that are to be supported by
39 mandatory student fees assessed all students has been approved
40 by the general assembly for each applicable project.

41 (3) Funds derived from earnings, farm and miscellaneous sales,
42 or other receipts, so long as a project to:

43 (A) construct buildings or facilities with a cost greater than
44 **ninety thousand one million** dollars (~~\$90,000~~); **(\$1,000,000)**;

45 or

46 (B) purchase or lease-purchase land, buildings, or facilities the

- 1 principal value of which exceeds **fifty five hundred** thousand
 2 dollars ~~(\$50,000)~~; **(\$500,000)**;
 3 is reviewed by the commission for higher education and approved
 4 by the governor, on recommendation of the budget agency.
 5 (4) Federal funds granted and allowed a state educational
 6 institution for a project to construct buildings or facilities, so long
 7 as each project:
 8 (A) with a cost greater than ~~ninety thousand one million~~
 9 dollars ~~(\$90,000)~~; **(\$1,000,000)**; or
 10 (B) to purchase or lease-purchase land, buildings, or facilities
 11 the principal value of which exceeds **fifty five hundred**
 12 thousand dollars ~~(\$50,000)~~; **(\$500,000)**;
 13 is reviewed by the commission for higher education and approved
 14 by the governor, on recommendation of the budget agency.
 15 (5) Available funds derived from gifts, bequests, devises, or other
 16 source not listed in subdivisions (1) through (4), so long as each
 17 project to:
 18 (A) construct buildings or facilities with a cost greater than
 19 ~~ninety thousand one million~~ dollars ~~(\$90,000)~~; **(\$1,000,000)**;
 20 or
 21 (B) purchase or lease-purchase land, buildings, or facilities the
 22 principal value of which exceeds **fifty five hundred** thousand
 23 dollars ~~(\$50,000)~~; **(\$500,000)**;
 24 is reviewed by the commission for higher education and approved
 25 by the governor, on recommendation of the budget agency.
 26 SECTION 89. IC 21-33-4-1, AS ADDED BY P.L.2-2007,
 27 SECTION 274, IS AMENDED TO READ AS FOLLOWS
 28 [EFFECTIVE UPON PASSAGE]: Sec. 1. A state educational
 29 institution may undertake a qualified energy savings project as
 30 provided in this chapter. If the part of the qualified energy savings
 31 project related to real property improvements is greater than ~~five seven~~
 32 hundred **fifty** thousand dollars ~~(\$500,000)~~; **(\$750,000)**, the project
 33 must be reviewed by the commission for higher education and
 34 approved by the governor and the budget director on the
 35 recommendation of the budget committee. A qualified energy savings
 36 project does not require the prior approval of the general assembly,
 37 notwithstanding the source of payment for the project or bonds issued
 38 to fund the project.
 39 SECTION 90. IC 21-34-9-2, AS ADDED BY P.L.2-2007,
 40 SECTION 275, IS AMENDED TO READ AS FOLLOWS
 41 [EFFECTIVE UPON PASSAGE]: Sec. 2. This chapter does not apply
 42 to any contract:
 43 (1) relating to a building facility the cost of which does not exceed
 44 ~~fifty thousand two million~~ dollars ~~(\$50,000)~~; **(\$2,000,000)**; or
 45 (2) for architectural or engineering services relating to the
 46 planning of a building facility.

1 SECTION 91. IC 21-34-10-6, AS ADDED BY P.L.2-2007,
 2 SECTION 275, IS AMENDED TO READ AS FOLLOWS
 3 [EFFECTIVE UPON PASSAGE]: Sec. 6. Bonds may be issued by the
 4 board of trustees of a state educational institution without the approval
 5 of the general assembly if, after the issuance, the total amount of
 6 outstanding bonds issued by the board of trustees of a state educational
 7 institution without approval will not exceed ~~two ten~~ million dollars
 8 (~~\$2,000,000~~). **(\$10,000,000)**. However, the bonds must be approved as
 9 provided in section 1 of this chapter.

10 SECTION 92. IC 21-34-10-7, AS AMENDED BY
 11 P.L.182-2009(ss), SECTION 366, IS AMENDED TO READ AS
 12 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. Bonds may be
 13 issued by the board of trustees of a state educational institution without
 14 the approval of the general assembly to finance a qualified energy
 15 savings project if annual operating savings to the state educational
 16 institution arising from the implementation of a qualified energy
 17 savings project are reasonably expected to be at least equal to annual
 18 debt service requirements on bonds issued for this purpose in each
 19 fiscal year. However, the amount of bonds outstanding for the state
 20 educational institution other than Ivy Tech Community College at any
 21 time for qualified energy savings projects, other than refunding bonds
 22 and exclusive of costs described in sections 3 and 4 of this chapter,
 23 may not exceed fifteen million dollars (\$15,000,000) for each campus
 24 of the state educational institution. ~~Any annual operating savings~~
 25 ~~realized by Purdue University and Indiana University in excess of the~~
 26 ~~annual debt service requirements on bonds issued shall be used to fund~~
 27 ~~basic research for the Indiana Innovation Alliance.~~ The amount of
 28 bonds outstanding for Ivy Tech Community College at any time for
 29 qualified energy savings projects, other than refunding bonds and
 30 exclusive of costs described in sections 3 and 4 of this chapter, may not
 31 exceed forty-five million dollars (\$45,000,000). Bonds issued under
 32 this section are not eligible for fee replacement.

33 SECTION 93. IC 21-34-10-8, AS ADDED BY P.L.2-2007,
 34 SECTION 275, IS AMENDED TO READ AS FOLLOWS
 35 [EFFECTIVE UPON PASSAGE]: Sec. 8. **(a) Subject to this section,**
 36 bonds may be issued by the board of trustees of Purdue University **or**
 37 **Indiana University**, without the approval of the general assembly, for
 38 deferred expenditures, as determined under accounting principles
 39 approved by the state board of accounts, to:

- 40 (1) repair, rehabilitate, remodel, renovate, or reconstruct existing
- 41 facilities or buildings;
- 42 (2) improve or replace utilities or fixed equipment; or
- 43 (3) perform related site improvement work.

44 ~~However,~~

45 **(b)** The total amount of bonds ~~issued~~ **outstanding** for Purdue
 46 University under this section without the approval of the general

1 assembly, ~~other than refunding bonds~~ and exclusive of costs described
2 in sections 3 and 4 of this chapter, may not exceed sixty million dollars
3 (\$60,000,000).

4 **(c) The total amount of bonds outstanding for Indiana**
5 **University under this section without the approval of the general**
6 **assembly, exclusive of costs described in sections 3 and 4 of this**
7 **chapter, may not exceed sixty million dollars (\$60,000,000).".**

8 Renumber all SECTIONS consecutively.

(Reference is to HB 1001 as printed February 21, 2011.)

Representative Welch