

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WITHDRAWN	Noes _____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.
- 24 SECTION 48. IC 5-16-1-1.9, AS AMENDED BY P.L.2-2007,

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

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

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

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

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

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

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

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

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

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

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

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

45 "SECTION 85. IC 21-33-3-5, AS AMENDED BY P.L.31-2010,
 46 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE

1 UPON PASSAGE]: Sec. 5. (a) Subject to this section, in addition to
 2 projects authorized by the general assembly, the board of trustees of a
 3 state educational institution may engage in a project to:

4 (1) construct buildings or facilities of a cost greater than five
 5 hundred thousand dollars (\$500,000); or

6 (2) purchase or lease-purchase land, buildings, or facilities the
 7 principal value of which exceeds two hundred fifty thousand
 8 dollars (\$250,000);

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

15 (b) If:

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

19 (2) the project is to:

20 (A) construct buildings or facilities of a cost greater than ~~five~~
 21 **seven hundred fifty** thousand dollars (~~\$500,000~~); **(\$750,000)**;
 22 or

23 (B) purchase or lease-purchase land, buildings, or facilities the
 24 principal value of which exceeds ~~three~~ **five** hundred thousand
 25 dollars (~~\$300,000~~); **(\$500,000)**;

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

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

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

34 (1) construct buildings or facilities; or

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

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

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

45 (1) the cost of the project exceeds seven hundred fifty thousand
 46 dollars (\$750,000); and

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

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

13 SECTION 87. IC 21-33-3-9, AS ADDED BY P.L.2-2007,
14 SECTION 274, IS AMENDED TO READ AS FOLLOWS
15 [EFFECTIVE UPON PASSAGE]: Sec. 9. To pay the cost of a project
16 authorized under this chapter, the following funds may be used:

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

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

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

27 (A) construct buildings or facilities with a cost greater than
28 ~~ninety three hundred~~ thousand dollars ~~(\$90,000)~~; **(\$300,000)**;
29 or

30 (B) purchase or lease-purchase land, buildings, or facilities the
31 principal value of which exceeds ~~fifty one hundred fifty~~
32 thousand dollars ~~(\$50,000)~~; **(\$150,000)**;

33 is reviewed by the commission for higher education and approved
34 by the governor, on recommendation of the budget agency.

35 (4) Federal funds granted and allowed a state educational
36 institution for a project to construct buildings or facilities, so long
37 as each project:

38 (A) with a cost greater than ~~ninety three hundred~~ thousand
39 dollars ~~(\$90,000)~~; **(\$300,000)**; or

40 (B) to purchase or lease-purchase land, buildings, or facilities
41 the principal value of which exceeds ~~one hundred fifty~~
42 thousand dollars ~~(\$50,000)~~; **(\$150,000)**;

43 is reviewed by the commission for higher education and approved
44 by the governor, on recommendation of the budget agency.

45 (5) Available funds derived from gifts, bequests, devises, or other
46 source not listed in subdivisions (1) through (4), so long as each

1 project to:
 2 (A) construct buildings or facilities with a cost greater than
 3 **ninety three hundred** thousand dollars ~~(\$90,000); (\$300,000);~~
 4 or
 5 (B) purchase or lease-purchase land, buildings, or facilities the
 6 principal value of which exceeds **one hundred** fifty thousand
 7 dollars ~~(\$50,000); (\$150,000);~~
 8 is reviewed by the commission for higher education and approved
 9 by the governor, on recommendation of the budget agency.

10 SECTION 88. IC 21-33-4-1, AS ADDED BY P.L.2-2007,
 11 SECTION 274, IS AMENDED TO READ AS FOLLOWS
 12 [EFFECTIVE UPON PASSAGE]: Sec. 1. A state educational
 13 institution may undertake a qualified energy savings project as
 14 provided in this chapter. If the part of the qualified energy savings
 15 project related to real property improvements is greater than ~~five seven~~
 16 hundred **forty** thousand dollars ~~(\$500,000); (\$750,000),~~ the project
 17 must be reviewed by the commission for higher education and
 18 approved by the governor and the budget director on the
 19 recommendation of the budget committee. A qualified energy savings
 20 project does not require the prior approval of the general assembly,
 21 notwithstanding the source of payment for the project or bonds issued
 22 to fund the project.

23 SECTION 89. IC 21-34-9-2, AS ADDED BY P.L.2-2007,
 24 SECTION 275, IS AMENDED TO READ AS FOLLOWS
 25 [EFFECTIVE UPON PASSAGE]: Sec. 2. This chapter does not apply
 26 to any contract:

27 (1) relating to a building facility the cost of which does not exceed
 28 **three hundred** fifty thousand dollars ~~(\$50,000); (\$350,000);~~ or
 29 (2) for architectural or engineering services relating to the
 30 planning of a building facility.

31 SECTION 90. IC 21-34-10-7, AS AMENDED BY
 32 P.L.182-2009(ss), SECTION 366, IS AMENDED TO READ AS
 33 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. Bonds may be
 34 issued by the board of trustees of a state educational institution without
 35 the approval of the general assembly to finance a qualified energy
 36 savings project if annual operating savings to the state educational
 37 institution arising from the implementation of a qualified energy
 38 savings project are reasonably expected to be at least equal to annual
 39 debt service requirements on bonds issued for this purpose in each
 40 fiscal year. However, the amount of bonds outstanding for the state
 41 educational institution other than Ivy Tech Community College at any
 42 time for qualified energy savings projects, other than refunding bonds
 43 and exclusive of costs described in sections 3 and 4 of this chapter,
 44 may not exceed fifteen million dollars (\$15,000,000) for each campus
 45 of the state educational institution. ~~Any annual operating savings~~
 46 ~~realized by Purdue University and Indiana University in excess of the~~

1 ~~annual debt service requirements on bonds issued shall be used to fund~~
 2 ~~basic research for the Indiana Innovation Alliance.~~ The amount of
 3 bonds outstanding for Ivy Tech Community College at any time for
 4 qualified energy savings projects, other than refunding bonds and
 5 exclusive of costs described in sections 3 and 4 of this chapter, may not
 6 exceed forty-five million dollars (\$45,000,000). Bonds issued under
 7 this section are not eligible for fee replacement.

8 SECTION 91. IC 21-34-10-8, AS ADDED BY P.L.2-2007,
 9 SECTION 275, IS AMENDED TO READ AS FOLLOWS
 10 [EFFECTIVE UPON PASSAGE]: Sec. 8. **(a) Subject to this section,**
 11 **bonds may be issued by the board of trustees of Purdue University or**
 12 **Indiana University,** without the approval of the general assembly, for
 13 deferred expenditures, as determined under accounting principles
 14 approved by the state board of accounts, to:

- 15 (1) repair, rehabilitate, remodel, renovate, or reconstruct existing
- 16 facilities or buildings;
- 17 (2) improve or replace utilities or fixed equipment; or
- 18 (3) perform related site improvement work.

19 ~~However,~~

20 **(b) The total amount of bonds issued outstanding** for Purdue
 21 University under this section without the approval of the general
 22 assembly, ~~other than refunding bonds and~~ exclusive of costs described
 23 in sections 3 and 4 of this chapter, may not exceed sixty million dollars
 24 (\$60,000,000).

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

29 Renumber all SECTIONS consecutively.
 (Reference is to HB 1001 as printed February 21, 2011.)

Representative Truitt