

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WITHDRAWN	Noes _____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

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1417 be amended to read as follows:

- 1 Page 1, after line 12, begin a new paragraph and insert:
- 2 "SECTION 2. IC 20-40-17 IS ADDED TO THE INDIANA CODE
- 3 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2011]:
- 5 **Chapter 17. Transfer of Money Between Funds In 2011-2012**
- 6 **School Year**
- 7 **Sec. 1. As used in this chapter, "capital projects fund levy", with**
- 8 **respect to a particular school corporation, means the maximum**
- 9 **levy that the school corporation could impose in calendar year**
- 10 **2010 under IC 20-46-6-5 for the school corporation's capital**
- 11 **projects fund.**
- 12 **Sec. 2. As used in this chapter, "wage and salary increase"**
- 13 **means an increase in wages or salaries payable for the same or a**
- 14 **similar position after subtracting, for all employees, any of the**
- 15 **following received by the individual:**
- 16 **(1) An increase in wages or salary of an employee from an**
- 17 **increment under IC 20-28-9-2 bargained for under a written**
- 18 **contract signed before March 1, 2010, that has not expired.**
- 19 **(2) An increase in wages or salary of an employee from an**
- 20 **increment under IC 20-28-9-2 that does not exceed the**
- 21 **increment permitted under an increment schedule in effect**
- 22 **during the previous year under a written contract in effect for**
- 23 **the previous year or under the status quo provisions in**
- 24 **IC 20-29-9-16. However, the increment may not exceed two**

1 percent (2%) of the wages and salary of the employee in the
2 previous year.

3 (3) An increase in wages or salary that is paid to an employee
4 as a result of the employee completing licensing requirements.

5 (4) Health care benefit cost increases for the same or an
6 equivalent plan that are shared by the employee and the
7 employer in the same proportion as health care benefit costs
8 are shared in the previous year.

9 **Sec. 3. Funds transferred under this chapter may not be used to**
10 **increase an increment schedule from an existing increment**
11 **agreement or to increase fringe benefits except those under section**
12 **2(4) of this chapter.**

13 **Sec. 4. Notwithstanding any other law except this chapter, a**
14 **school corporation may transfer money during the 2011-2012**
15 **school year to one (1) or more funds held by the school corporation**
16 **for the purposes of the funds from any fund held by the school**
17 **corporation other than a debt service fund or a racial balance**
18 **fund.**

19 **Sec. 5. A transfer is not permitted under this chapter after June**
20 **30, 2012.**

21 **Sec. 6. Money transferred under this chapter must be used to**
22 **preserve and protect instructional programs.**

23 **Sec. 7. A transfer under this chapter must be authorized by a**
24 **resolution adopted by the school corporation's governing body.**

25 **Sec. 8. The total amount that may be transferred under section**
26 **4 of this chapter in the 2011-2012 school year may not exceed an**
27 **amount equal to:**

28 **(1) five percent (5%) of the school corporation's capital projects**
29 **fund levy, if the governing body does not comply with section 9 of**
30 **this chapter; and**

31 **(2) ten percent (10%) of the school corporation's capital projects**
32 **fund levy, if the governing body complies with section 9 of this**
33 **chapter.**

34 **Sec. 9. To authorize, in the aggregate, transfers exceeding five**
35 **percent (5%) of the school corporation's capital projects fund levy,**
36 **a governing body must include in the authorizing resolution a**
37 **certification that the employees of the school corporation will not**
38 **receive a general wage and salary increase for the 2011-2012**
39 **school year. The resolution must be submitted to the department.**

40 **Sec. 10. If a transfer is made under this chapter during the**
41 **2011-2012 school year, the school corporation shall file a report**
42 **with the department before October 1, 2012. The report must**
43 **include the following:**

44 **(1) The purpose of the transfer.**

45 **(2) The funds involved in the transfer.**

46 **(3) The amount transferred between the funds.**

47 **(4) The impact of the transfer to the programs that are**

1 **supported by the fund from which the transfer was made.**
2 **Sec. 11. Notwithstanding any other law (including IC 20-28-9),**
3 **the governing body of a school corporation and an exclusive**
4 **representative may mutually agree to forego any wage or salary**
5 **increases that would otherwise be required under IC 20-28-9 for**
6 **the 2011-2012 school year.**
7 **Sec. 12. This chapter expires October 1, 2012."**
8 Renumber all SECTIONS consecutively.
 (Reference is to HB 1417 as printed February 15, 2011.)

Representative Thompson