

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 269 be amended to read as follows:

- 1 Between the enacting clause and line 1, begin a new paragraph and
2 insert:
3 "SECTION 1. IC 4-2-1-1, AS AMENDED BY P.L.43-2007,
4 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2012]: Sec. 1. (a) Subject to ~~subsection~~ **subsections (b) and**
6 **(g)**, the salary of the governor is ninety-five thousand dollars (\$95,000)
7 per year.
8 (b) **Subject to subsection (g)**, beginning January 12, 2009, and on
9 the second Monday of January of each succeeding fourth year, the
10 salary of the governor is increased after any four (4) year period during
11 which the general assembly does not amend this section to increase the
12 governor's salary.
13 (c) The percentage by which salaries are increased under ~~this~~
14 ~~section~~ **subsection (b)** is equal to the statewide average percentage, as
15 determined by the budget director, by which the salaries of state
16 employees in the executive branch who are in the same or a similar
17 salary bracket exceed, on January 1 of the current state fiscal year, the
18 salaries of executive branch state employees in the same or a similar
19 salary bracket that were in effect on January 1 of the state fiscal year
20 four (4) years before the current state fiscal year.
21 (d) The amount of a salary increase under ~~this section~~ **subsection**
22 **(b)** is equal to the amount determined by applying the percentage
23 increase for the particular year to the governor's salary, as previously
24 adjusted under this section, that was in effect on January 1 of the state
25 fiscal year four (4) years before the current state fiscal year.
26 (e) The governor is not entitled to receive a salary increase under
27 this section if:
28 **(1)** state employees described in subsection (c) have not received
29 a statewide average salary increase during the previous four (4)

1 state fiscal years; or

2 **(2) subsection (g) applies.**

3 (f) If a salary increase is required under ~~this section~~, **subsection (b)**,
4 an amount sufficient to pay for the salary increase is appropriated from
5 the state general fund.

6 **(g) If there is a decrease in the state's per capita personal**
7 **income on January 1 of any calendar year beginning after March**
8 **14, 2012, compared to the state's per capita personal income on**
9 **January 1 of the immediately preceding calendar year, the salary**
10 **of the governor is reduced on January 1 of that calendar year by**
11 **a percentage equal to the percentage by which the state's per**
12 **capita personal income has decreased.**

13 SECTION 2. IC 4-2-1-1.5, AS ADDED BY P.L.43-2007, SECTION
14 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1,
15 2012]: Sec. 1.5. (a) Subject to ~~subsection~~ **subsections (b) and (g)**, the
16 salary of the state elected officials other than the governor is as follows:

17 (1) For the lieutenant governor, seventy-six thousand dollars
18 (\$76,000) per year. However, the lieutenant governor is not
19 entitled to receive per diem allowance for performance of duties
20 as president of the senate.

21 (2) For the secretary of state, sixty-six thousand dollars (\$66,000)
22 per year.

23 (3) For the auditor of state, sixty-six thousand dollars (\$66,000)
24 per year.

25 (4) For the treasurer of state, sixty-six thousand dollars (\$66,000)
26 per year.

27 (5) For the attorney general, seventy-nine thousand four hundred
28 dollars (\$79,400) per year.

29 (6) For the state superintendent of public instruction, seventy-nine
30 thousand four hundred dollars (\$79,400) per year.

31 **(b) Subject to subsection (g)**, beginning January 1, 2008, the part
32 of the total salary of a state elected official is increased on January 1 of
33 each year after a year in which the general assembly does not amend
34 this section to provide a salary increase for the state elected official.

35 (c) The percentage by which salaries are increased under ~~this~~
36 ~~section~~ **subsection (b)** is equal to the statewide average percentage, as
37 determined by the budget director, by which the salaries of state
38 employees in the executive branch who are in the same or a similar
39 salary bracket exceed, for the current state fiscal year, the salaries of
40 executive branch state employees in the same or a similar salary
41 bracket that were in effect on January 1 of the immediately preceding
42 year.

43 (d) The amount of a salary increase under ~~this section~~ **subsection**
44 **(b)** is equal to the amount determined by applying the percentage
45 increase for the particular year to the salary of the state elected official,
46 as previously adjusted under this section, that is in effect on January 1

- 1 of the immediately preceding year.
- 2 (e) A state elected official is not entitled to receive a salary increase
3 under this section:
- 4 (1) on January 1 of a state fiscal year in which state employees
5 described in subsection (c) do not receive a statewide average
6 salary increase; or
- 7 (2) if subsection (g) applies.
- 8 (f) If a salary increase is required under ~~this section~~, **subsection (b)**,
9 an amount sufficient to pay for the salary increase is appropriated from
10 the state general fund.
- 11 **(g) If there is a decrease in the state's per capita personal**
12 **income on January 1 of any calendar year beginning after March**
13 **14, 2012, compared to the state's per capita personal income on**
14 **January 1 of the immediately preceding calendar year, the salary**
15 **of a state elected official listed in subsection (a) is reduced on**
16 **January 1 of that calendar year by a percentage equal to the**
17 **percentage by which the state's per capita personal income has**
18 **decreased."**
- 19 Page 4, between lines 4 and 5, begin a new paragraph and insert:
20 "SECTION 4. IC 33-38-5-8.1, AS AMENDED BY P.L.229-2011,
21 SECTION 265, IS AMENDED TO READ AS FOLLOWS
22 [EFFECTIVE JULY 1, 2012]: Sec. 8.1. (a) Except as otherwise
23 provided in this section, the part of the total salary of an official:
24 (1) paid by the state; and
25 (2) set under section 6 or 8 of this chapter;
26 is increased in each state fiscal year in which the general assembly does
27 not amend the section of law under which the salary is determined to
28 provide a salary increase for the state fiscal year.
- 29 (b) **Subject to subsection (f)**, the percentage by which salaries are
30 increased in a state fiscal year under this section is equal to the
31 statewide average percentage, as determined by the budget director, by
32 which the salaries of state employees in the executive branch who are
33 in the same or a similar salary bracket exceed, for the state fiscal year,
34 the salaries of executive branch state employees in the same or a
35 similar salary bracket that were in effect on July 1 of the immediately
36 preceding state fiscal year.
- 37 (c) The amount of a salary increase under ~~this section~~ **subsection**
38 **(b)** is equal to the amount determined by applying the percentage
39 increase for the particular state fiscal year to the salary payable by the
40 state, as previously adjusted under this section, that is in effect on June
41 30 of the immediately preceding state fiscal year. However, a salary
42 increase that would otherwise occur under this section in the state fiscal
43 year beginning July 1, 2011, or in the state fiscal year beginning July
44 1, 2012, shall not occur unless the increase for that state fiscal year is
45 approved by the chief justice of the supreme court.
- 46 (d) An official is not entitled to receive a salary increase under ~~this~~

- 1 ~~section~~ **subsection (b):**
 2 **(1)** in a state fiscal year in which state employees described in
 3 subsection (b) do not receive a statewide average salary increase;
 4 **or**
 5 **(2) if subsection (f) applies.**
 6 (e) If a salary increase is required under ~~this section~~, **subsection (b)**,
 7 the budget director shall augment judicial appropriations, including the
 8 line items for personal services for the supreme court, local judges'
 9 salaries, and county prosecutors' salaries, in the state biennial budget
 10 in an amount sufficient to pay for the salary increase from the sources
 11 of funds determined by the budget director.
 12 **(f) If there is a decrease in the state's per capita personal income**
 13 **on January 1 of any calendar year beginning after March 14, 2012,**
 14 **compared to the state's per capita personal income on January 1**
 15 **of the immediately preceding calendar year, the salary of an**
 16 **official to whom this section applies is reduced on January 1 of that**
 17 **calendar year by a percentage equal to the percentage by which the**
 18 **state's per capita personal income has decreased."**
 19 Renumber all SECTIONS consecutively.
 (Reference is to SB 269 as printed January 10, 2012.)

Senator WATERMAN