



March 12, 2013

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## ENGROSSED SENATE BILL No. 350

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DIGEST OF SB 350 (Updated March 7, 2013 9:24 am - DI 116)

**Citations Affected:** IC 23-13.

**Synopsis:** Selection of alumni trustees for Wabash College. Removes the requirement that the board of directors of the National Association of Wabash Men (board) nominate candidates for alumni trustee at the board's first annual meeting. Makes a technical correction. Provides that electronic voting may be used to elect an alumni trustee.

**Effective:** July 1, 2013.

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### Head, Charbonneau

(HOUSE SPONSORS — FRIEND, BROWN T)

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January 8, 2013, read first time and referred to Committee on Rules and Legislative Procedure.

January 17, 2013, pursuant to Senate Rule 68(b), reassigned to Committee on Local Government.

January 24, 2013, reported favorably — Do Pass.

January 28, 2013, read second time, ordered engrossed.

January 29, 2013, engrossed. Read third time, passed. Yeas 46, nays 1.

#### HOUSE ACTION

February 26, 2013, read first time and referred to Committee on Education.

March 11, 2013, reported — Do Pass.

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ES 350—LS 6725/DI 116+



March 12, 2013

First Regular Session 118th General Assembly (2013)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2012 Regular Session of the General Assembly.

## ENGROSSED SENATE BILL No. 350

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 23-13-19-3 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 3. (a) The alumni  
3 trustees shall be selected as provided in this section.  
4 (b) At the annual meeting of the alumni association of Wabash  
5 College, a committee of canvassers consisting of three (3) alumni, at  
6 least one (1) of whom shall be a resident of Montgomery County,  
7 Indiana, shall be elected to serve for the ensuing year and until their  
8 successors are elected. ~~At the first meeting of~~ The board of directors of  
9 the National Association of Wabash Men ~~in the calendar year that the~~  
10 ~~alumni trustees or trustees are to be elected;~~ the board shall nominate  
11 at least four (4) persons in even-numbered years and at least three (3)  
12 persons in ~~odd-numbered~~ **odd-numbered** years, all of such persons to  
13 be alumni of the college, as its choice of candidates for the position or  
14 positions of alumni trustee to be voted for by the alumni in the election.  
15 (c) On the fourth Tuesday of February in each year, the registrar  
16 shall mail from Crawfordsville, Indiana, to each alumnus of the college  
17 a ballot which lists the names of the candidates selected by the board

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1 of directors of the National Association of Wabash Men, along with  
 2 spaces for two (2) "write-in" candidates in even-numbered years and a  
 3 space for a "write-in" candidate in odd-numbered years. The ballot  
 4 shall also contain information and instructions concerning the time and  
 5 manner of voting. Each alumnus is entitled to vote for two (2)  
 6 candidates in even-numbered years, and for one (1) candidate in  
 7 odd-numbered years. Each alumnus, having designated on his ballot his  
 8 two (2) choices or his one (1) choice for the positions or position of  
 9 alumni trustee, as the case may be, shall sign this ballot and mail it to  
 10 the committee of canvassers in care of the registrar's office, Wabash  
 11 College, Crawfordsville, Indiana. **Alternatively, each alumnus may**  
 12 **vote for the alumnus' choice or choices of candidates by use of a**  
 13 **secure electronic agent that creates an electronic record with the**  
 14 **capability of including an electronic signature, consistent with the**  
 15 **definitions provided in IC 26-2-8-102, as established by the**  
 16 **registrar and identical in substance to the mailed ballot.** On the  
 17 fourth Tuesday of April in each year, the ballots **(including ballots**  
 18 **cast electronically)** shall be opened and canvassed by the committee  
 19 of canvassers. Within three (3) days thereafter the committee shall  
 20 certify to the secretary of the board of trustees the names of the two (2)  
 21 candidates in even-numbered years and the name of the one (1)  
 22 candidate in odd-numbered years, receiving the highest number of  
 23 votes. At its next meeting following the fourth Tuesday in April of each  
 24 year, the board of trustees shall elect to its membership the two (2)  
 25 candidates or the one (1) candidate, as the case may be, whose names  
 26 or name has been so certified to the board's secretary by the committee  
 27 of canvassers.

28 (d) If, in any year, for any cause, the alumni fail to select the alumni  
 29 trustee or trustees as provided in this section, the board of trustees shall  
 30 elect, by a majority vote of the trustees in office present and voting at  
 31 the election meeting, two (2) alumni in even-numbered years or one (1)  
 32 alumnus in odd-numbered years, as the case may be, to serve as alumni  
 33 trustees of Wabash College. Subject to the provisions of this chapter,  
 34 the trustees shall, by a majority vote of their number present and voting  
 35 at the time of such election, elect successor trustees in the event of the  
 36 death or resignation of any of their number. Any vacancies so filled  
 37 shall be for the unexpired term of the trustee whose death or  
 38 resignation has caused such vacancy.

39 (e) The word "alumnus", as used throughout this section, means any  
 40 person holding a degree in a course from the college and any person  
 41 who has been in residence at the college one (1) year or more. The  
 42 word "alumnus" does not include any person actively on the rolls of the

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1 college as an undergraduate at the time of any annual election of  
2 trustees, or any person without a degree who entered the college with  
3 a class which has not yet graduated at the time of any annual election.

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Report of the President  
Pro Tempore

Madam President: Pursuant to Senate Rule 68(b), I hereby report that Senate Bill 350, currently assigned to the Committee on Rules and Legislative Procedure, be reassigned to the Committee on Local Government.

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COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill No. 350, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 350 as introduced.)

HEAD, Chairperson

Committee Vote: Yeas 6, Nays 0.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 350, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

BEHNING, Chair

Committee Vote: yeas 12, nays 0.

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