

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 225, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning the
- 3 general assembly.
- 4 Page 1, delete line 1, begin a new paragraph and insert:
- 5 "SECTION 1. IC 2-8 IS ADDED TO THE INDIANA CODE AS A
- 6 NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
- 7 2013]:
- 8 **ARTICLE 8. DELEGATES TO A CONVENTION CALLED**
- 9 **UNDER ARTICLE V OF THE CONSTITUTION OF THE**
- 10 **UNITED STATES**
- 11 **Chapter 1. General Provisions**
- 12 **Sec. 1. This article applies whenever an Article V convention is**
- 13 **called.**
- 14 **Chapter 2. Definitions**
- 15 **Sec. 1. The definitions in this chapter apply throughout this**
- 16 **article.**
- 17 **Sec. 2. "Alternate delegate" refers to an individual appointed as**
- 18 **an alternate delegate as provided by law.**
- 19 **Sec. 3. "Article V convention" refers to a convention for**
- 20 **proposing amendments to the Constitution of the United States**

- 1 called for by the states under Article V of the Constitution of the
2 United States.
- 3 Sec. 4. "Chamber" refers to either the house of representatives
4 or the senate.
- 5 Sec. 5. "Delegate" refers to an individual appointed as provided
6 by law to represent the state at an Article V convention.
- 7 Sec. 6. "House of representatives" refers to the house of
8 representatives of the general assembly.
- 9 Sec. 7. "Paired delegate" refers to the delegate with whom an
10 alternate delegate is paired as provided by law.
- 11 Sec. 8. "Senate" refers to the senate of the general assembly.
- 12 Chapter 3. Qualifications and Appointment of Delegates and
13 Alternate Delegates
- 14 Sec. 1. (a) An individual must satisfy the following to be
15 appointed as a delegate to an Article V convention:
- 16 (1) The individual must be a registered voter in Indiana.
17 (2) The individual must be at least eighteen (18) years of age.
- 18 (b) An individual may not be appointed as a delegate if the
19 individual holds a federal office.
- 20 Sec. 2. An individual appointed as an alternate delegate must
21 have the same qualifications as an individual appointed as a
22 delegate under section 1 of this chapter.
- 23 Sec. 3. (a) Whenever an Article V convention is called, the
24 general assembly shall appoint:
- 25 (1) the number of delegates allocated to represent Indiana;
26 and
27 (2) an equal number of alternate delegates;
- 28 under rules adopted jointly by the house of representatives and the
29 senate. Unless established otherwise by the rules and procedures of
30 an Article V convention, it shall be assumed that Indiana has two
31 (2) delegates and two (2) alternate delegates designated to
32 represent Indiana.
- 33 (b) If the general assembly is not in session during the time
34 during which delegates to an Article V convention must be
35 appointed, the governor shall call the general assembly into special
36 session under Article 4, Section 9 of the Constitution of the State of
37 Indiana for the purpose of appointing delegates and alternate
38 delegates.
- 39 Sec. 4. (a) To be appointed a delegate or an alternate delegate,
40 an individual must receive, in each chamber, the vote of a majority
41 of all the members elected to that chamber.
- 42 (b) At the time of appointment, each alternate delegate must be

1 paired with a delegate as provided in a joint resolution adopted by
2 the general assembly.

3 Sec. 5. The general assembly may recall any delegate or
4 alternate delegate and replace that delegate or alternate delegate
5 with an individual appointed under this article at any time.

6 Sec. 6. The general assembly shall appoint or recall delegates or
7 alternate delegates by joint resolution.

8 Sec. 7. (a) A delegate or an alternate delegate is:

9 (1) entitled to receive the same mileage and travel allowances
10 paid to individuals who serve as legislative members of
11 interim study committees established by the legislative
12 council; and

13 (2) not entitled to receive a salary or a per diem instead of
14 salary for serving as a delegate or alternate delegate.

15 (b) For purposes of Article 2, Section 9 of the Constitution of the
16 State of Indiana, the position of delegate or alternate delegate is not
17 a lucrative office.

18 (c) All funds necessary to pay expenses under subsection (a)
19 shall be paid from appropriations to the legislative council and the
20 legislative services agency.

21 Sec. 8. Each delegate and alternate delegate shall, after
22 appointment and before the delegate or alternate delegate may
23 exercise any function as delegate or alternate delegate, execute an
24 oath in writing that the delegate or alternate delegate will:

25 (1) support the Constitution of the United States and the
26 Constitution of the State of Indiana;

27 (2) faithfully abide by and execute any instructions to
28 delegates and alternate delegates adopted by the general
29 assembly and as may be amended by the general assembly at
30 any time; and

31 (3) otherwise faithfully discharge the duties of delegate or
32 alternate delegate.

33 Sec. 9. (a) A delegate or alternate delegate's executed oath shall
34 be filed with the secretary of state.

1 **(b) After a delegate or alternate delegate's oath is filed with the**
2 **secretary of state, the governor shall issue a commission to the**
3 **delegate or alternate delegate as provided in IC 4-3-1-5(2)."**
 (Reference is to SB 225 as introduced.)

and when so amended that said bill do pass .

Committee Vote: Yeas 8, Nays 4.

Senator Long, Chairperson