

**DEPARTMENT OF LOCAL GOVERNMENT FINANCE
100 NORTH SENATE AVENUE
IGC-N, ROOM N1058
INDIANAPOLIS, INDIANA 46204**

**IN THE MATTER OF THE REVIEW)
OF PROPOSED LANGUAGE AND)
ESTIMATED RATE CERTIFICATION)
FOR A BALLOT QUESTION REGARDING) No. 14-005-REF
PERRY TOWNSHIP SCHOOLS, MARION)
COUNTY)**

**FINDINGS AND FINAL DETERMINATION ON PROPOSED QUESTION SUBMITTED
JANUARY 23, 2015**

1. Perry Township Schools (“Corporation”) proposes to issue bonds or enter into a lease to finance the 2016 Strong Schools Strong Community A+ Project in order to provide 89 classrooms for kindergarten through fifth grades, restrooms, cafeteria and kitchen spaces and middle school music areas to meet currently anticipated student growth needs, which is estimated to cost not more than \$50,000,000 and is estimated to increase the property tax rate for debt service by \$0.1346 per \$100 of assessed valuation.
2. Under Indiana law, the voters in the area served by the Corporation will vote in a referendum to approve or deny borrowing for the project and raise property taxes to support it.
3. Indiana law governs the format and wording of the ballot question for the referendum. Indiana Code 6-1.1-20-3.6(c).
4. Under Indiana law, “the **following question shall** be submitted to the eligible voters at the election”:

“Shall _____ (insert the name of the political subdivision) issue bonds or enter into a lease to finance _____ (insert a brief description of the controlled project), which is estimated to cost not more than _____ (insert the total cost of the project) and is estimated to increase the property tax rate for debt service by _____ (insert increase in tax rate as determined by the department of local government finance)?”

Indiana Code 6-1.1-20-3.6(c) (emphasis added).

5. The ballot question then must contain three parts:
 - a brief description of the project;

- the estimated total project cost; and
 - the estimated tax rate increase for the project.
6. The law requires the Department of Local Government Finance (“Department”) to determine the estimate of the tax rate increase.
 7. The law also requires the Department to either approve the ballot language or recommend that it be modified to ensure that the description of the controlled project is accurate and not biased.
 8. On January 23, 2015, the Department received an e-mail from the Marion County Election Board (“Board”) enclosing a proposed ballot question for the referendum sought by the Corporation.
 9. The Board requested that the Department review this proposed question:

“Shall the Perry Township Schools, Marion County, Indiana, issue bonds or enter into a lease to finance the 2016 Strong Schools Strong Community A+ Project in order to provide 89 classrooms for kindergarten through fifth grades, restrooms, cafeteria and kitchen spaces and middle school music areas to meet the currently anticipated student growth needs in our strong Perry community, which is estimated to cost not more than \$50,000,000 and is estimated to increase the property tax rate for debt service by \$0.1346 per \$100 of assessed valuation?”

Determination of Tax Rate Increase

10. The Department estimates the tax rate increase in reliance on the Corporation’s proposed debt from the project, assessed valuation of the property in the area served by the Corporation, and an amortization schedule submitted by the Corporation. Based on this information, the Department certifies a rate of \$0.1346 per \$100 of assessed valuation. This rate accounts for miscellaneous revenues to debt service of approximately 6.7515%.

Accuracy and Bias

11. The Department must review the language of the public question to evaluate whether the description of the controlled project is accurate and is not biased against either a vote in favor of or a vote against the controlled project. The Department concludes that the language is biased in favor of a vote for the controlled project. Specifically, the Corporation’s proposed question includes the phrase “in our strong Perry community,” which is a value statement, not a “a brief description of the controlled project.” The Department concludes that the description of the controlled project is not inaccurate, but it is biased.

Final Determination

WHEREFORE, based on the above findings and applicable law, the Department finds that the proposed language is not in compliance with 6-1.1-20-3.6(c) and disapproves the language as proposed. The Department certifies the proposed rate of \$0.1346 per \$100 of assessed valuation.

Dated this 29th day of January, 2015.

STATE OF INDIANA
DEPARTMENT OF LOCAL GOVERNMENT FINANCE

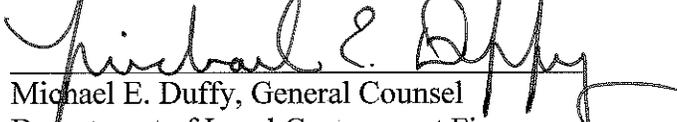


Courtney L. Schaafsma, Commissioner
Department of Local Government Finance

STATE OF INDIANA
DEPARTMENT OF LOCAL GOVERNMENT FINANCE

I, Michael E. Duffy, General Counsel for the Department of Local Government Finance, hereby certify that the above is an order of the Commissioner of the Department of Local Government Finance made this date in the above-entitled matter and that the Commissioner has personally signed the same under her statutory authority.

WITNESS MY HAND AND SEAL of the Commissioner on this the 29th day of January, 2015.



Michael E. Duffy, General Counsel
Department of Local Government Finance