COMMITTEE REPORT

Madam President: Pursuant to Joint Rule 20, your Committee on Rules and Legislative Procedure, to which was referred Engrossed Senate Bill 14 because it conflicts with HEA 1288-2005 without properly recognizing the existence of HEA 1288-2005, has had Engrossed Senate Bill 14 under consideration and begs leave to report back to the Senate with the recommendation that Engrossed Senate Bill 14 be corrected as follows:

1   Page 23, between lines 6 and 7, begin a new paragraph and insert:
2   "SECTION 28. IC 20-23-4-29, AS ADDED BY HEA 1288-2005,
3   SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4   JULY 1, 2005]: Sec. 29. (a) This section applies to each school
5   corporation.
6   (b) If a plan provides for the election of members of the governing
7   body of the community school corporation at a primary election, at the
8   time provided by IC 3-8-2 for the filing of notice of candidacies for the
9   primary election following the creation of the community school
10   corporation, nominations for members of the governing body of the
11   community school corporation may be made by a petition signed by the
12   candidates and ten (10) registered voters residing within the boundaries
13   of the community school corporation.
14   (c) A petition must be filed with the circuit court clerk of the county
15   that contains the greatest percentage of population of the school
16   corporation. If the plan requires residence in a specified district or
17   voting solely in a specified district for a governing body member office,
18   the petition must clearly state the residence or electoral district from or
19   for which the person is a candidate. If a school corporation is located
20   in more than one (1) county, the circuit court clerk shall, after
21   determining that a petition complies with subsection (b), promptly
22   certify to each circuit court clerk of a county in which the school
23   corporation is located, the names of the candidates to be placed on the
24   ballot.
25   (d) If a plan provides for an election of members of the governing

1   body at a general election, the filing of notice of candidates must be
2   made in the manner provided for filing at primary elections under this
3   section. The filing must be made within the same period before the
4   general election as would have been required before the primary
5   election had the election been held at the latter time.
6   (e) All nominations shall be listed for each office in the form
7   prescribed by IC 3-10-1-19 or ~~IC 3-11-2~~ **IC 3-11** but without party
8   designation. Voting and tabulation of votes shall be conducted in the
9   same manner as voting and tabulation in primary elections are
10   conducted. The precinct election boards serving at each primary
11   election in each county shall conduct the election for governing board
12   members. If a school corporation is located in more than one (1)
13   county, each county election board shall print the ballots required for
14   voters in that county to vote for candidates for members of the board of
15   school trustees of the school corporation.
16   (f) If the plan provides that the governing body shall be elected by
17   all the voters of the community school corporation, candidates shall be
18   placed on the ballot in the form prescribed by IC 3-10-1-19 or
19   ~~IC 3-11-2~~ **IC 3-11** without party designation. Candidates elected shall
20   be those having the greatest number of votes.
21   (g) If the plan provides that members of the governing body are to
22   be elected from residence districts by all voters in the community
23   school corporation, nominees for the governing body shall be placed on
24   the ballot in the form prescribed by IC 3-10-1-19 or ~~IC 3-11-2~~ **IC 3-11**
25   by residence districts without party designation. The ballot must state
26   the:
27   (1) number of members to be voted upon; and
28   (2) maximum number that may be elected from each residence
29   district as provided in the plan.
30   A ballot is not valid if a voter votes for more than the maximum number
31   of members that are determined under subdivision (2). Candidates
32   having the greatest number of votes are elected. However, if more than
33   the maximum number that may be elected from a residence district are
34   among those having the greatest number of votes, the lowest of those
35   candidates from the residence districts in excess of the maximum
36   number shall be eliminated in determining the candidates who are
37   elected.
38   (h) If the plan provides that members of the governing body are to
39   be elected from electoral districts solely by the voters of each district,
40   nominees residing in each electoral district shall be placed on the ballot:
41   (1) in the form prescribed by IC 3-10-1-19 or ~~IC 3-11-2;~~ **IC 3-11;**

1   and

2   (2) without party designation.

3 The ballot must state the number to be voted on from the electoral

4 district. Candidates residing in the electoral district having the greatest

5 number of votes are elected.".

6   Renumber all SECTIONS consecutively.

(Reference is to ESB 14 as printed March 25, 2005.)

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Senator GARTON, Chairperson

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Senator R. YOUNG, R.M.M.

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Senator LAWSON C