

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1362 be amended to read as follows:

- 1 Page 10, between lines 13 and 14, begin a new line block indented
2 and insert:
3 **"(1) Adopt a resolution declining to participate in the**
4 **proposed reorganization."**
5 Page 10, line 14, delete "(1)" and insert "(2)".
6 Page 10, line 16, delete "(2)" and insert "(3)".
7 Page 14, between lines 25 and 26, begin a new paragraph and insert:
8 **"Sec. 23.5. The following apply if the legislative bodies of all**
9 **political subdivisions that have been presented with a plan of**
10 **reorganization under section 18(c) of this chapter have not adopted**
11 **a plan of reorganization, either as presented by the reorganization**
12 **committee or as modified by all of the political subdivisions, within**
13 **one (1) year after the plan of reorganization is presented:**
14 **(1) Not later than one (1) month after the end of the one (1)**
15 **year period in which the legislative bodies must adopt a plan**
16 **of reorganization, the reorganization committee shall submit**
17 **a final plan of reorganization to the legislative bodies of the**
18 **political subdivisions.**
19 **(2) Not later than one (1) month after receiving the final plan**
20 **of reorganization under subdivision (1), each of the legislative**
21 **bodies must:**
22 **(A) hold a hearing on the final plan of reorganization; and**
23 **(B) adopt either a resolution approving the final plan of**
24 **reorganization or a resolution rejecting the final plan of**
25 **reorganization.**
26 **If a legislative body does not adopt a resolution under this**
27 **subdivision within the one (1) month period, the failure to**
28 **adopt a resolution is considered to be an approval of the final**
29 **plan of reorganization.**
30 **(3) If all of the legislative bodies adopt a resolution approving**

1 **the final plan of reorganization, the legislative bodies shall**
 2 **certify their approval under section 23 of this chapter.**
 3 **(4) If any of the legislative bodies adopts a resolution rejecting**
 4 **the final plan of reorganization, the registered voters of a**
 5 **political subdivision in which the final plan of reorganization**
 6 **was rejected by a legislative body under subdivision (2) may**
 7 **submit a petition to the clerk of the circuit court approving**
 8 **the final plan of reorganization and requesting that a public**
 9 **question be held on the final plan of reorganization. The**
 10 **petition must be submitted not later than one hundred eighty**
 11 **(180) days after the legislative body voted to reject the final**
 12 **plan of reorganization. If the petition is signed by at least**
 13 **fifteen percent (15%) of the registered voters of the political**
 14 **subdivision:**

- 15 **(A) the political subdivision is considered to have approved**
 16 **the holding of the public question on the final plan of**
 17 **reorganization, notwithstanding the vote by the legislative**
 18 **body rejecting the final plan of reorganization; and**
- 19 **(B) the clerk of the circuit court shall certify approval of**
 20 **the final plan of the reorganization and the holding of the**
 21 **public question in the manner specified in section 23 of this**
 22 **chapter."**

23 Page 14, line 40, after "chapter" insert "**either from the legislative**
 24 **body of a political subdivision or from a clerk of the circuit court**
 25 **after a petition process under section 23.5 of this chapter in a**
 26 **political subdivision,".**

27 Page 15, line 3, after "subdivisions," insert "**either from the**
 28 **legislative body of a political subdivision or from a clerk of the**
 29 **circuit court after a petition process under section 23.5 of this**
 30 **chapter in a political subdivision,".**

(Reference is to EHB 1362 as printed February 24, 2006.)

Senator LONG