

SENATE MOTION

MADAM PRESIDENT:

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

- 1 Page 7, delete lines 25 through 32, begin a new line double block
- 2 indented and insert:
- 3 **"(A) the date that a copy of a joint certification from the**
- 4 **county election board in each county in which reorganizing**
- 5 **political subdivisions are located that indicates that:**
- 6 **(i) the reorganization has been approved by the voters of**
- 7 **each reorganizing political subdivision; or**
- 8 **(ii) in the case of a reorganization described in section**
- 9 **1(a)(10) of this chapter, the reorganization has been**
- 10 **approved as set forth in section 32(b) of this chapter;**
- 11 **is recorded as required by section 31 of this chapter; or".**
- 12 Page 16, delete lines 5 through 18, begin a new paragraph and insert:
- 13 **"(b) In the case of a public question on a reorganization**
- 14 **described in section 1(a)(10) of this chapter:**
- 15 **(1) the public question on a plan of reorganization shall be**
- 16 **placed on the ballot for consideration by the voters of the**
- 17 **entire county;**
- 18 **(2) the vote on the public question by the voters of the entire**
- 19 **county shall be tabulated;**
- 20 **(3) the vote on the public question by the voters of:**
- 21 **(A) each reorganizing municipality; and**
- 22 **(B) the county (excluding the voters of the reorganizing**
- 23 **municipalities);**
- 24 **shall be tabulated separately;**
- 25 **(4) the circuit court clerk shall issue, in a form prescribed by**
- 26 **the state election board, separate certificates regarding**
- 27 **whether the public question is approved or rejected by the**
- 28 **voters of:**
- 29 **(A) the entire county;**
- 30 **(B) each reorganizing municipality; and**

- 1 **(C) the county (excluding the voters of the reorganizing**
- 2 **municipalities);**
- 3 **voting on the public question; and**
- 4 **(5) the reorganization is approved only if all of the following**
- 5 **occur:**
- 6 **(A) A majority of the voters of the entire county voting on**
- 7 **the public question vote in favor of the reorganization.**
- 8 **(B) Less than sixty-five percent (65%) of the voters of each**
- 9 **reorganizing municipality vote against the reorganization.**
- 10 **(C) Less than sixty-five percent (65%) of the voters of the**
- 11 **county (excluding the voters of the reorganizing**
- 12 **municipalities) vote against the reorganization."**

13 Page 16, delete lines 34 through 37, begin a new paragraph and
 14 insert:

15 **"(b) This subsection applies only to a reorganization described**
 16 **in section 1(a)(10) of this chapter. The reorganization is approved**
 17 **only if:**

- 18 **(1) a majority of the voters of the entire county approve the**
- 19 **public question on the reorganization;**
- 20 **(2) less than sixty-five percent (65%) of the voters of each**
- 21 **reorganizing municipality disapprove the public question on**
- 22 **the reorganization; and**
- 23 **(3) less than sixty-five percent (65%) of the voters of the**
- 24 **county (excluding the voters of the reorganizing**
- 25 **municipalities) disapprove the public question on the**
- 26 **reorganization.**

27 **In tabulating the votes under subdivisions (2) and (3), the vote of**
 28 **voters of a reorganizing municipality who also are voters in the**
 29 **county shall be included only in the tally of votes for the**
 30 **municipality in which the voters reside."**

31 Page 17, delete lines 6 through 11, begin a new paragraph and insert:
 32 **"Sec. 34. (a) This section applies if:**

- 33 **(1) the majority of the voters of each of the reorganizing**
- 34 **political subdivisions approve the public question concerning**
- 35 **the reorganization; or**

1 **(2) in the case of a reorganization described in section 1(a)(1)**
2 **of this chapter, the reorganization is approved as set forth in**
3 **section 32(b) of this chapter."**

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

Senator DELPH