

Adopted	Rejected
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# COMMITTEE REPORT

YES:	11
NO:	0

## MR. SPEAKER:

*Your Committee on* Commerce, Energy, Technology, and Utilities, to which was referred House Bill 1254, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Page 4, after line 4, begin a new paragraph and insert:
- 2 "SECTION 3. IC 36-1-12.5-7, AS AMENDED BY P.L.168-2006,
- 3 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 JULY 1, 2009]: Sec. 7. (a) If the governing body enters into an
- 5 installment payment contract for the purchase and installation of
- 6 conservation measures under this chapter that are part of a project that
- 7 is not related to the alteration of a water or wastewater structure or
- 8 system, the balance of the payments must be paid in installments not
- 9 to exceed the lesser of ~~ten (10)~~ **twenty (20)** years or the average life of
- 10 the conservation measure installed from the date of final installation.
- 11 Payments under an installment payment contract are subject to annual
- 12 appropriation by the fiscal body of the school corporation or political
- 13 subdivision and do not constitute an indebtedness of the school
- 14 corporation or political subdivision within the meaning of a
- 15 constitutional or statutory debt limitation.
- 16 (b) If the governing body enters into an installment payment

1 contract for the purchase and installation of conservation measures  
2 under this chapter that are part of a project that is related to the  
3 alteration of a water or wastewater structure or system, the balance of  
4 the payments must be paid in installments not to exceed the lesser of  
5 ~~fifteen (15)~~ **twenty (20)** years or the average life of the conservation  
6 measure installed from the date of final installation. Payments under an  
7 installment payment contract are subject to annual appropriation by the  
8 fiscal body of the school corporation or political subdivision and do not  
9 constitute an indebtedness of the school corporation or political  
10 subdivision within the meaning of a constitutional or statutory debt  
11 limitation.

12 (c) With respect to a conservation measure described in section  
13 1(a)(2)(G) or 1(a)(2)(H) of this chapter, annual revenues or savings  
14 from a guaranteed savings contract may be less than annual payments  
15 on the contract if during the length of the contract total savings and  
16 increased billable revenues occur as provided for by the contract.

17 (d) The financing of a guaranteed savings contract may be provided  
18 by:

- 19 (1) the vendor under the guaranteed savings contract; or  
20 (2) a third party financial institution or company."

21 Renumber all SECTIONS consecutively.  
(Reference is to HB 1254 as introduced.)

**and when so amended that said bill do pass.**

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Representative Moses