

COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Local Government, to which was referred Senate Bill No. 348, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Page 5, between lines 18 and 19, begin a new paragraph and insert:
2 "SECTION 2. IC 6-3.5-7-5, AS AMENDED BY P.L.146-2008,
3 SECTION 344, IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) Except as provided in
5 subsection (c), the county economic development income tax may be
6 imposed on the adjusted gross income of county taxpayers. The entity
7 that may impose the tax is:
8 (1) the county income tax council (as defined in IC 6-3.5-6-1) if
9 the county option income tax is in effect on March 31 of the year
10 the county economic development income tax is imposed;
11 (2) the county council if the county adjusted gross income tax is
12 in effect on March 31 of the year the county economic
13 development tax is imposed; or
14 (3) the county income tax council or the county council,
15 whichever acts first, for a county not covered by subdivision (1)
16 or (2).
17 To impose the county economic development income tax, a county
18 income tax council shall use the procedures set forth in IC 6-3.5-6
19 concerning the imposition of the county option income tax.

1 (b) Except as provided in subsections (c), (g), (k), (p), and (r) and
 2 section 28 of this chapter, the county economic development income
 3 tax may be imposed at a rate of:

4 (1) one-tenth percent (0.1%);

5 **(2) fifteen-hundredths percent (0.15%);**

6 ~~(2) (3) two-tenths percent (0.2%);~~

7 ~~(3) (4) twenty-five hundredths percent (0.25%);~~

8 ~~(4) (5) three-tenths percent (0.3%);~~

9 ~~(5) (6) thirty-five hundredths percent (0.35%);~~

10 ~~(6) (7) four-tenths percent (0.4%);~~

11 ~~(7) (8) forty-five hundredths percent (0.45%); or~~

12 ~~(8) (9) five-tenths percent (0.5%);~~

13 on the adjusted gross income of county taxpayers.

14 (c) Except as provided in subsection (h), (i), (j), (k), (l), (m), (n), (o),
 15 (p), (s), (v), (w), (x), or (y), the county economic development income
 16 tax rate plus the county adjusted gross income tax rate, if any, that are
 17 in effect on January 1 of a year may not exceed one and twenty-five
 18 hundredths percent (1.25%). Except as provided in subsection (g), (p),
 19 (r), (t), (u), (w), (x), or (y), the county economic development tax rate
 20 plus the county option income tax rate, if any, that are in effect on
 21 January 1 of a year may not exceed one percent (1%).

22 (d) To impose, increase, decrease, or rescind the county economic
 23 development income tax, the appropriate body must, after March 31
 24 but before August 1 of a year, adopt an ordinance. The ordinance to
 25 impose the tax must substantially state the following:

26 "The _____ County _____ imposes the county economic
 27 development income tax on the county taxpayers of _____
 28 County. The county economic development income tax is imposed at
 29 a rate of _____ percent (____%) on the county taxpayers of the
 30 county. This tax takes effect October 1 of this year."

31 (e) Any ordinance adopted under this chapter takes effect October
 32 1 of the year the ordinance is adopted.

33 (f) The auditor of a county shall record all votes taken on ordinances
 34 presented for a vote under the authority of this chapter and shall, not
 35 more than ten (10) days after the vote, send a certified copy of the
 36 results to the commissioner of the department by certified mail.

37 (g) This subsection applies to a county having a population of more
 38 than one hundred forty-eight thousand (148,000) but less than one

1 hundred seventy thousand (170,000). Except as provided in subsection
2 (p), in addition to the rates permitted by subsection (b), the:

3 (1) county economic development income tax may be imposed at
4 a rate of:

5 (A) fifteen-hundredths percent (0.15%);

6 (B) two-tenths percent (0.2%); or

7 (C) twenty-five hundredths percent (0.25%); and

8 (2) county economic development income tax rate plus the county
9 option income tax rate that are in effect on January 1 of a year
10 may equal up to one and twenty-five hundredths percent (1.25%);
11 if the county income tax council makes a determination to impose rates
12 under this subsection and section 22 of this chapter.

13 (h) For a county having a population of more than forty-one
14 thousand (41,000) but less than forty-three thousand (43,000), except
15 as provided in subsection (p), the county economic development
16 income tax rate plus the county adjusted gross income tax rate that are
17 in effect on January 1 of a year may not exceed one and thirty-five
18 hundredths percent (1.35%) if the county has imposed the county
19 adjusted gross income tax at a rate of one and one-tenth percent (1.1%)
20 under IC 6-3.5-1.1-2.5.

21 (i) For a county having a population of more than thirteen thousand
22 five hundred (13,500) but less than fourteen thousand (14,000), except
23 as provided in subsection (p), the county economic development
24 income tax rate plus the county adjusted gross income tax rate that are
25 in effect on January 1 of a year may not exceed one and fifty-five
26 hundredths percent (1.55%).

27 (j) For a county having a population of more than seventy-one
28 thousand (71,000) but less than seventy-one thousand four hundred
29 (71,400), except as provided in subsection (p), the county economic
30 development income tax rate plus the county adjusted gross income tax
31 rate that are in effect on January 1 of a year may not exceed one and
32 five-tenths percent (1.5%).

33 (k) This subsection applies to a county having a population of more
34 than twenty-seven thousand four hundred (27,400) but less than
35 twenty-seven thousand five hundred (27,500). Except as provided in
36 subsection (p), in addition to the rates permitted under subsection (b):

37 (1) the county economic development income tax may be imposed
38 at a rate of twenty-five hundredths percent (0.25%); and

1 (2) the sum of the county economic development income tax rate
 2 and the county adjusted gross income tax rate that are in effect on
 3 January 1 of a year may not exceed one and five-tenths percent
 4 (1.5%);

5 if the county council makes a determination to impose rates under this
 6 subsection and section 22.5 of this chapter.

7 (l) For a county having a population of more than twenty-nine
 8 thousand (29,000) but less than thirty thousand (30,000), except as
 9 provided in subsection (p), the county economic development income
 10 tax rate plus the county adjusted gross income tax rate that are in effect
 11 on January 1 of a year may not exceed one and five-tenths percent
 12 (1.5%).

13 (m) For:

14 (1) a county having a population of more than one hundred
 15 eighty-two thousand seven hundred ninety (182,790) but less than
 16 two hundred thousand (200,000); or

17 (2) a county having a population of more than forty-five thousand
 18 (45,000) but less than forty-five thousand nine hundred (45,900);
 19 except as provided in subsection (p), the county economic development
 20 income tax rate plus the county adjusted gross income tax rate that are
 21 in effect on January 1 of a year may not exceed one and five-tenths
 22 percent (1.5%).

23 (n) For a county having a population of more than six thousand
 24 (6,000) but less than eight thousand (8,000), except as provided in
 25 subsection (p), the county economic development income tax rate plus
 26 the county adjusted gross income tax rate that are in effect on January
 27 1 of a year may not exceed one and five-tenths percent (1.5%).

28 (o) This subsection applies to a county having a population of more
 29 than thirty-nine thousand (39,000) but less than thirty-nine thousand
 30 six hundred (39,600). Except as provided in subsection (p), in addition
 31 to the rates permitted under subsection (b):

32 (1) the county economic development income tax may be imposed
 33 at a rate of twenty-five hundredths percent (0.25%); and

34 (2) the sum of the county economic development income tax rate
 35 and:

36 (A) the county adjusted gross income tax rate that are in effect
 37 on January 1 of a year may not exceed one and five-tenths
 38 percent (1.5%); or

1 (B) the county option income tax rate that are in effect on
 2 January 1 of a year may not exceed one and twenty-five
 3 hundredths percent (1.25%);
 4 if the county council makes a determination to impose rates under this
 5 subsection and section 24 of this chapter.

6 (p) In addition:

7 (1) the county economic development income tax may be imposed
 8 at a rate that exceeds by not more than twenty-five hundredths
 9 percent (0.25%) the maximum rate that would otherwise apply
 10 under this section; and

11 (2) the:

12 (A) county economic development income tax; and

13 (B) county option income tax or county adjusted gross income
 14 tax;

15 may be imposed at combined rates that exceed by not more than
 16 twenty-five hundredths percent (0.25%) the maximum combined
 17 rates that would otherwise apply under this section.

18 However, the additional rate imposed under this subsection may not
 19 exceed the amount necessary to mitigate the increased ad valorem
 20 property taxes on homesteads (as defined in IC 6-1.1-20.9-1 before
 21 January 1, 2009, or IC 6-1.1-12-37 after December 31, 2008) or
 22 residential property (as defined in section 26 of this chapter), as
 23 appropriate under the ordinance adopted by the adopting body in the
 24 county, resulting from the deduction of the assessed value of inventory
 25 in the county under IC 6-1.1-12-41 or IC 6-1.1-12-42 or from the
 26 exclusion in 2008 of inventory from the definition of personal property
 27 in IC 6-1.1-1-11.

28 (q) If the county economic development income tax is imposed as
 29 authorized under subsection (p) at a rate that exceeds the maximum
 30 rate that would otherwise apply under this section, the certified
 31 distribution must be used for the purpose provided in section 25(e) or
 32 26 of this chapter to the extent that the certified distribution results
 33 from the difference between:

34 (1) the actual county economic development tax rate; and

35 (2) the maximum rate that would otherwise apply under this
 36 section.

37 (r) This subsection applies only to a county described in section 27
 38 of this chapter. Except as provided in subsection (p), in addition to the

1 rates permitted by subsection (b), the:

2 (1) county economic development income tax may be imposed at
3 a rate of twenty-five hundredths percent (0.25%); and

4 (2) county economic development income tax rate plus the county
5 option income tax rate that are in effect on January 1 of a year
6 may equal up to one and twenty-five hundredths percent (1.25%);
7 if the county council makes a determination to impose rates under this
8 subsection and section 27 of this chapter.

9 (s) Except as provided in subsection (p), the county economic
10 development income tax rate plus the county adjusted gross income tax
11 rate that are in effect on January 1 of a year may not exceed one and
12 five-tenths percent (1.5%) if the county has imposed the county
13 adjusted gross income tax under IC 6-3.5-1.1-3.3.

14 (t) This subsection applies to Howard County. Except as provided
15 in subsection (p), the sum of the county economic development income
16 tax rate and the county option income tax rate that are in effect on
17 January 1 of a year may not exceed one and twenty-five hundredths
18 percent (1.25%).

19 (u) This subsection applies to Scott County. Except as provided in
20 subsection (p), the sum of the county economic development income
21 tax rate and the county option income tax rate that are in effect on
22 January 1 of a year may not exceed one and twenty-five hundredths
23 percent (1.25%).

24 (v) This subsection applies to Jasper County. Except as provided in
25 subsection (p), the sum of the county economic development income
26 tax rate and the county adjusted gross income tax rate that are in effect
27 on January 1 of a year may not exceed one and five-tenths percent
28 (1.5%).

29 (w) An additional county economic development income tax rate
30 imposed under section 28 of this chapter may not be considered in
31 calculating any limit under this section on the sum of:

32 (1) the county economic development income tax rate plus the
33 county adjusted gross income tax rate; or

34 (2) the county economic development tax rate plus the county
35 option income tax rate.

36 (x) The income tax rate limits imposed by subsection (c) or (y) or
37 any other provision of this chapter do not apply to:

38 (1) a county adjusted gross income tax rate imposed under

1 IC 6-3.5-1.1-24, IC 6-3.5-1.1-25, or IC 6-3.5-1.1-26; or
 2 (2) a county option income tax rate imposed under IC 6-3.5-6-30,
 3 IC 6-3.5-6-31, or IC 6-3.5-6-32.

4 For purposes of computing the maximum combined income tax rate
 5 under subsection (c) or (y) or any other provision of this chapter that
 6 may be imposed in a county under IC 6-3.5-1.1, IC 6-3.5-6, and this
 7 chapter, a county's county adjusted gross income tax rate or county
 8 option income tax rate for a particular year does not include the county
 9 adjusted gross income tax rate imposed under IC 6-3.5-1.1-24,
 10 IC 6-3.5-1.1-25, or IC 6-3.5-1.1-26 or the county option income tax rate
 11 imposed under IC 6-3.5-6-30, IC 6-3.5-6-31, or IC 6-3.5-6-32.

12 (y) This subsection applies to Monroe County. Except as provided
 13 in subsection (p), if an ordinance is adopted under IC 6-3.5-6-33, the
 14 sum of the county economic development income tax rate and the
 15 county option income tax rate that are in effect on January 1 of a year
 16 may not exceed one and twenty-five hundredths percent (1.25%).

17 SECTION 3. IC 6-3.5-7-23, AS AMENDED BY P.L.146-2008,
 18 SECTION 349, IS AMENDED TO READ AS FOLLOWS
 19 [EFFECTIVE UPON PASSAGE]: Sec. 23. (a) This section applies ~~only~~
 20 **to the following:**

21 (1) A county having a population of more than fifty-five thousand
 22 (55,000) but less than sixty-five thousand (65,000).

23 (2) **Any other county:**

24 (A) **for which a library services plan has been approved**
 25 **under IC 36-12.1 and is in effect; and**

26 (B) **that does not contain more than two (2) public library**
 27 **districts.**

28 (b) **As used in this section, "appropriate body" means the entity**
 29 **that imposes the county economic development income tax under**
 30 **section 5(a) of this chapter.**

31 ~~(b)~~ (c) The ~~county council~~ **appropriate body** may by ordinance
 32 determine that, in order to promote the development of libraries in the
 33 county and thereby encourage economic development, it is necessary
 34 to use economic development income tax revenue to replace library
 35 property taxes in the county. However, ~~a county council~~ **the**
 36 **appropriate body** may adopt an ordinance under this subsection only
 37 if all territory in the county is included in a library district.

38 ~~(c)~~ (d) If the ~~county council~~ **appropriate body** makes a

1 determination under subsection ~~(b)~~; **(c)**, the ~~county council~~
 2 **appropriate body** may **adopt an ordinance to** designate the county
 3 economic development income tax revenue generated by the tax rate
 4 adopted under section 5 of this chapter, or revenue generated by a
 5 portion of the tax rate, as revenue that will be used to replace public
 6 library property taxes imposed by public libraries in the county. The
 7 ~~county council~~ **appropriate body** may not designate for library
 8 property tax replacement purposes any county economic development
 9 income tax revenue that is generated by a tax rate of more than
 10 fifteen-hundredths percent (0.15%).

11 **(e) This subsection applies to an ordinance adopted after**
 12 **December 31, 2008. The appropriate body may not adopt an**
 13 **ordinance under this section designating county economic**
 14 **development income tax revenue to replace public library property**
 15 **taxes if the designation would cause the county or a city or town in**
 16 **the county to receive a certified distribution less than the amount**
 17 **of economic development income tax pledged by the county, city,**
 18 **or town for any purpose permitted by IC 5-1-14 or any other**
 19 **statute.**

20 **(f) Subject to the provisions of this section, the appropriate body**
 21 **may adopt either of the following:**

22 **(1) An ordinance to increase or decrease the amount of county**
 23 **economic development income tax revenue that will be used**
 24 **to replace public library property taxes imposed in the**
 25 **county.**

26 **(2) An ordinance to rescind the use of county economic**
 27 **development income tax revenue to replace public library**
 28 **property taxes imposed in the county.**

29 **The appropriate body may not adopt an ordinance under this**
 30 **subsection to decrease the amount of or rescind the county**
 31 **economic development income tax revenue used to replace public**
 32 **library property taxes imposed in the county if that county**
 33 **economic development income tax revenue has been pledged by a**
 34 **public library for any purpose permitted by IC 5-1-14 or any other**
 35 **statute.**

36 ~~(d)~~ **(g) If the appropriate body adopts an ordinance under this**
 37 **section, the county treasurer shall establish a library property tax**
 38 **replacement fund to be used only for the purposes described in this**

1 section. County economic development income tax revenues derived
 2 from the portion of the tax rate designated for property tax replacement
 3 credits under subsection ~~(e)~~ **(d)** shall be deposited in the library
 4 property tax replacement fund before certified distributions are made
 5 under section 12 of this chapter. Any interest earned on money in the
 6 library property tax replacement fund shall be credited to the library
 7 property tax replacement fund.

8 ~~(e)~~ **(h)** The amount of county economic development income tax
 9 revenue dedicated to providing library property tax replacement credits
 10 shall, in the manner prescribed in this section, be allocated to public
 11 libraries operating in the county and shall be used by those public
 12 libraries as property tax replacement credits. The amount of property
 13 tax replacement credits that each public library in the county is entitled
 14 to receive during a calendar year under this section equals the lesser of:

15 (1) the product of:

16 (A) the amount of revenue deposited by the county auditor in
 17 the library property tax replacement fund; multiplied by

18 (B) a fraction described as follows:

19 (i) The numerator of the fraction equals the sum of the total
 20 property taxes that would have been collected by the public
 21 library during the previous calendar year from taxpayers
 22 located within the library district if the property tax
 23 replacement under this section had not been in effect.

24 (ii) The denominator of the fraction equals the sum of the
 25 total property taxes that would have been collected during
 26 the previous year from taxpayers located within the county
 27 by all public libraries that are eligible to receive property tax
 28 replacement credits under this section if the property tax
 29 replacement under this section had not been in effect; or

30 (2) the total property taxes that would otherwise be collected by
 31 the public library for the calendar year if the property tax
 32 replacement credit under this section were not in effect.

33 The department of local government finance shall make any
 34 adjustments necessary to account for the expansion of a library district.
 35 However, a public library is eligible to receive property tax
 36 replacement credits under this section only if it has entered into
 37 reciprocal borrowing agreements with all other public libraries in the
 38 county. If the total amount of county economic development income

1 tax revenue deposited by the county auditor in the library property tax
2 replacement fund for a calendar year exceeds the total property tax
3 liability that would otherwise be imposed for public libraries in the
4 county for the year, the excess shall remain in the library property tax
5 replacement fund and shall be used for library property tax replacement
6 purposes in the following calendar year.

7 ~~(f)~~ **(i)** Notwithstanding subsection ~~(e)~~, **(h)**, if a public library did not
8 impose a property tax levy during the previous calendar year, that
9 public library is entitled to receive a part of the property tax
10 replacement credits to be distributed for the calendar year. The amount
11 of property tax replacement credits the public library is entitled to
12 receive during the calendar year equals the product of:

- 13 (1) the amount of revenue deposited in the library property tax
14 replacement fund; multiplied by
- 15 (2) a fraction. The numerator of the fraction equals the budget of
16 the public library for that calendar year. The denominator of the
17 fraction equals the aggregate budgets of public libraries in the
18 county for that calendar year.

19 If for a calendar year a public library is allocated a part of the property
20 tax replacement credits under this subsection, then the amount of
21 property tax credits distributed to other public libraries in the county
22 for the calendar year shall be reduced by the amount to be distributed
23 as property tax replacement credits under this subsection. The
24 department of local government finance shall make any adjustments
25 required by this subsection and provide the adjustments to the county
26 auditor.

27 ~~(g)~~ **(j)** The department of local government finance shall inform the
28 county auditor of the amount of property tax replacement credits that
29 each public library in the county is entitled to receive under this
30 section. The county auditor shall certify to each public library the
31 amount of property tax replacement credits that the public library is
32 entitled to receive during that calendar year. The county auditor shall
33 also certify these amounts to the county treasurer.

34 ~~(h)~~ **(k)** A public library receiving property tax replacement credits
35 under this section shall allocate the credits among each fund for which
36 a distinct property tax levy is imposed. The amount that must be
37 allocated to each fund equals:

- 38 (1) the amount of property tax replacement credits provided to the

1 public library under this section; multiplied by
 2 (2) the amount determined in STEP THREE of the following
 3 formula:

4 STEP ONE: Determine the property taxes that would have
 5 been collected for each fund by the public library during the
 6 previous calendar year if the property tax replacement under
 7 this section had not been in effect.

8 STEP TWO: Determine the sum of the total property taxes that
 9 would have been collected for all funds by the public library
 10 during the previous calendar year if the property tax
 11 replacement under this section had not been in effect.

12 STEP THREE: Divide the STEP ONE amount by the STEP
 13 TWO amount.

14 However, if a public library did not impose a property tax levy during
 15 the previous calendar year or did not impose a property tax levy for a
 16 particular fund during the previous calendar year, but the public library
 17 is imposing a property tax levy in the current calendar year or is
 18 imposing a property tax levy for the particular fund in the current
 19 calendar year, the department of local government finance shall adjust
 20 the amount of property tax replacement credits allocated among the
 21 various funds of the public library and shall provide the adjustment to
 22 the county auditor. If a public library receiving property tax
 23 replacement credits under this section does not impose a property tax
 24 levy for a particular fund that is first due and payable in a calendar year
 25 in which the property tax replacement credits are being distributed, the
 26 public library is not required to allocate to that fund a part of the
 27 property tax replacement credits to be distributed to the public library.
 28 Notwithstanding IC 6-1.1-20-1.1(1), a public library that receives
 29 property tax replacement credits under this section is subject to the
 30 procedures for the issuance of bonds set forth in IC 6-1.1-20.

31 ~~(j)~~ **(l)** For each public library that receives property tax credits under
 32 this section, the department of local government finance shall certify
 33 to the county auditor the property tax rate applicable to each fund after
 34 the property tax replacement credits are allocated.

35 ~~(j)~~ **(m)** A public library shall treat property tax replacement credits
 36 received during a particular calendar year under this section as a part
 37 of the public library's property tax levy for each fund for that same
 38 calendar year for purposes of fixing the public library's budget and for

1 purposes of the property tax levy limits imposed by IC 6-1.1-18.5.
 2 ~~(k)~~ **(n)** For the purpose of computing and distributing certified
 3 distributions under IC 6-3.5-1.1 and tax revenue under IC 6-5.5 or
 4 IC 6-6-5, the property tax replacement credits that are received under
 5 this section shall be treated as though they were property taxes that
 6 were due and payable during that same calendar year."

7 Page 6, delete lines 8 through 42, begin a new paragraph and insert:

8 **"Sec. 2. The standards must include the following:**

9 **(1) General administrative standards for library boards and**
 10 **staff.**

11 **(2) Automation and technology standards.**

12 **(3) Standards regarding delivery of library materials and**
 13 **interlibrary loans.**

14 **(4) Reciprocal borrowing standards.**

15 **(5) Standards regarding the provision of reference services.**

16 **(6) Any other standards necessary to provide library service**
 17 **in the most efficient manner."**

18 Delete page 7.

19 Page 8, delete lines 1 through 14.

20 Page 8, between lines 17 and 18, begin a new paragraph and insert:

21 **"Sec. 1. This chapter does not apply to a county having a**
 22 **consolidated city."**

23 Page 8, line 18, delete " Sec. 1. (a) There" and insert **"Sec. 2. (a)**
 24 **Except as provided in section 1 of this chapter, there"**.

25 Page 8, line 20, delete "Except as provided in subsection (c), the"
 26 and insert **"The"**.

27 Page 8, line 22, delete "Each" and insert **"The library board of**
 28 **each"**.

29 Page 8, line 23, after "members." insert **"One (1) appointee of a**
 30 **library board under this subdivision may be the director of the**
 31 **library serving the library district."**

32 Page 8, delete lines 24 through 27, begin a new line block indented
 33 and insert:

34 **"(2) In addition to the members appointed under subdivision**
 35 **(1), the board of trustees of the most populous library district**
 36 **in the county shall select one (1) member."**

37 Page 8, line 28, delete "Each" and insert **"The governing body of**
 38 **each"**.

- 1 Page 8, line 28, delete "district" and insert "**corporation**".
- 2 Page 8, line 30, delete "executive" and insert "**legislative body**".
- 3 Page 8, delete lines 40 through 42.
- 4 Page 9, delete lines 1 through 16, begin a new paragraph and insert:
- 5 "**(c) This subsection applies to a committee for which members**
- 6 **are appointed under subsection (b). If the number of members**
- 7 **appointed to the committee by one (1) or more library boards is**
- 8 **more than fifty percent (50%) of the total number of members of**
- 9 **the committee, the county council shall appoint one (1) or more**
- 10 **additional members to the committee. The number of additional**
- 11 **members to be appointed by the county council under this**
- 12 **subsection may not exceed the lowest number of additional**
- 13 **members necessary to ensure that the number of members**
- 14 **appointed to the committee by one (1) or more library boards is**
- 15 **not more than fifty percent (50%) of the total number of members**
- 16 **of the committee.**".
- 17 Page 9, line 17, delete "2." and insert "**3.**".
- 18 Page 9, line 22, delete "3." and insert "**4.**".
- 19 Page 9, line 25, delete "4." and insert "**5.**".
- 20 Page 9, line 33, delete "Sec. 5. All proper expenses of a committee
- 21 shall be paid from the" and insert "**Sec. 6.**".
- 22 Page 9, delete line 34.
- 23 Page 9, line 35, delete "furnished by the county.".
- 24 Page 9, run in lines 33 through 35.
- 25 Page 9, line 36, after "compensation" insert ".".
- 26 Page 9, line 36, delete "but are entitled to reimbursement for the".
- 27 Page 9, delete line 37.
- 28 Page 9, line 38, delete "6." and insert "**7.**".
- 29 Page 10, line 1, delete "books and records" and insert "**financial**
- 30 **documents**".
- 31 Page 10, line 5, delete "7." and insert "**8.**".
- 32 Page 10, line 8, delete "8." and insert "**9.**".
- 33 Page 10, line 23, delete "9." and insert "**10.**".
- 34 Page 10, line 29, delete "," and insert ".".
- 35 Page 10, delete line 30.
- 36 Page 10, line 32, after "counties" insert ".".
- 37 Page 10, line 32, delete "funded by countywide tax in each county
- 38 that".

- 1 Page 10, delete line 33.
- 2 Page 10, line 35, after "county" insert ".".
- 3 Page 10, line 35, delete "funded by a countywide tax in".
- 4 Page 10, delete lines 36 through 42, begin a new line block indented
- 5 and insert:
 - 6 **"However, if a county is served by a countywide public library**
 - 7 **system, the county's committee is not required to make a**
 - 8 **library service model determination under this subdivision."**
- 9 Page 11, delete lines 1 through 3.
- 10 Page 12, between lines 5 and 6, begin a new paragraph and insert:
 - 11 **"(f) If a committee determines that a library service model other**
 - 12 **than a consolidated countywide public library system should be**
 - 13 **used, the committee must include in the plan the committee's**
 - 14 **specific findings and explanation concerning:**
 - 15 **(1) why the chosen library service model is preferable to a**
 - 16 **consolidated countywide public library system; and**
 - 17 **(2) why the chosen library service model will result in the**
 - 18 **delivery of better library services than would result under a**
 - 19 **consolidated countywide public library system.**
 - 20 **(g) The committee may not approve a plan unless the plan**
 - 21 **provides for library services to all areas of the county.**
 - 22 **(h) If a committee determines that there are areas in the county**
 - 23 **that are underserved by public library systems, the planning**
 - 24 **committee shall consider the option of having a public library enter**
 - 25 **into an interlocal agreement with one (1) or more school**
 - 26 **corporations in the county to allow the public library to use the**
 - 27 **school buildings of the school corporation to better serve the**
 - 28 **underserved areas.**
 - 29 **(i) Notwithstanding any other law, a plan may change the**
 - 30 **number of appointments that may be made by an appointing**
 - 31 **person or entity to the library board of a library covered by the**
 - 32 **plan. However, the plan may not change:**
 - 33 **(1) the total number of appointments that may be made to the**
 - 34 **library board; or**
 - 35 **(2) the persons or entities that make the appointments to the**
 - 36 **library board.**
 - 37 **If the plan increases the number of appointments to the library**
 - 38 **board that may be made by a particular person or entity, the plan**

1 **must provide for a corresponding decrease in the number of**
 2 **appointments to the library board that may be made by another**
 3 **person or entity. Notwithstanding any other law, a change in the**
 4 **number of appointments to the library board that may be made by**
 5 **an appointing person or entity takes effect as specified in the plan.**

6 **(j) If a plan provides that two (2) or more public library systems**
 7 **shall be consolidated into one (1) remaining public library system,**
 8 **no library operated by any of the public library systems that are**
 9 **consolidated may be closed during the three (3) years following the**
 10 **effective date of the plan."**

11 Page 12, line 6, delete "10." and insert "**11**."

12 Page 12, line 12, delete "11." and insert "**12**."

13 Page 12, line 12, after "library" insert "**and the office of**
 14 **management and budget**".

15 Page 12, line 21, delete "12." and insert "**13**."

16 Page 13, line 4, delete "13." and insert "**14**."

17 Page 13, line 10, delete "14." and insert "**15**."

18 Page 13, line 20, delete "12 and 13" and insert "**13 and 14**".

19 Page 13, line 22, delete "15." and insert "**16**."

20 Page 13, line 23, delete ", alliance, or federation".

21 Page 13, line 26, delete "16." and insert "**17**."

22 Page 13, line 36, delete "17." and insert "**18**."

23 Page 13, line 37, after "reorganization" delete "," and insert "**or**".

24 Page 13, line 37, delete ", alliance, or federation".

25 Page 13, line 38, delete "2011." and insert "**2012**".

26 Page 14, line 4, delete "2011." and insert "**2012**".

27 Page 14, line 5, delete "18." and insert "**19**."

28 Page 14, line 9, delete "19." and insert "**20**."

29 Page 14, line 14, delete "12 and 13" and insert "**13 and 14**".

30 Page 14, line 17, delete "16" and insert "**17**".

31 Page 14, line 19, delete "17" and insert "**18**".

32 Page 14, line 20, delete "20." and insert "**21**".

33 Page 14, line 25, delete "2012." and insert "**2013**".

34 Page 14, line 26, delete "21." and insert "**22**".

- 1 Page 14, line 27, after "plan." insert "**However, the state library**
- 2 **may not dissolve a committee before January 1, 2013.**".
- 3 Renumber all SECTIONS consecutively.
(Reference is to SB 348 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 7, Nays 1.

Lawson C

Chairperson