Members

Sen. Sue Landske, Chairwoman
Sen. Randall Head
Sen. James Arnold
Sen. Timothy Lanane
Rep. Kathy Kreag Richardson
Rep. Peggy Mayfield
Rep. John Bartlett
Rep. Phil GiaQuinta

CENSUS DATA ADVISORY COMMITTEE

Legislative Services Agency
200 West Washington Street, Suite 301
Indianapolis, Indiana 46204-2789
Tel: (317) 233-0696 Fax: (317) 232-2554

LSA Staff:

Chris Baker, Fiscal Analyst for the Committee
Robert Rudolph, Attorney for the Committee

Authority: IC 2-5-19

MEETING MINUTES[1]

Meeting Date:	**August 29, 2013**
Meeting Time:	**10:00 A.M.**
Meeting Place:	**State House, 200 W. Washington St., Rm. 431**
Meeting City:	**Indianapolis, Indiana**
Meeting Number:	**1**

Members Present: **Sen. Sue Landske, Chairwoman; Sen. James Arnold; Rep. Kathy Kreag Richardson; Rep. Peggy Mayfield; Rep. John Bartlett.**

Members Absent: **Sen. Randall Head; Sen. Timothy Lanane; Rep. Phil GiaQuinta.**

Senator Sue Landske, Chair of the committee, called the first meeting of the Census Data Advisory Committee (CDAC) to order at 10:02 A.M. She gave a brief introduction on the topics to be studied at the meeting.

Following her introduction, CDAC members and staff introduced themselves to the public. Representative Mayfield was recognized by Senator Landske to speak on the standards for determining residency for the purpose of voting, candidacy, and holding office in Indiana (IC 3-5-5).

Representative Mayfield discussed the effect of residency on the last two election cycles. She discussed high profile cases, such as the Evan Bayh candidacy for governor in 1988. She said she supported making residency definitions consistent across the Indiana Code for the Bureau of Motor Vehicles (BMV) and elections. She continued that she wanted to see standards set for all classes of temporary workers and temporary residents and what those standards would be. She continued that once those standards are in place, there would be no changing between two sets of standards anymore. She said that persons would follow that standard and that would be it.

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[1] These minutes, exhibits, and other materials referenced in the minutes can be viewed electronically at http://www.in.gov/legislative Hard copies can be obtained in the Legislative Information Center in Room 230 of the State House in Indianapolis, Indiana. Requests for hard copies may be mailed to the Legislative Information Center, Legislative Services Agency, West Washington Street, Indianapolis, IN 46204-2789. A fee of $0.15 per page and mailing costs will be charged for hard copies.

She concluded that she had been working with the National Conference of State Legislatures (NCSL) and other recognized organizations to compile data from other states. She said that data had been gathered from 22 other states and that although the report was not ready in time for the meeting, she said that Indiana's situation with residency is not a unique situation.

Leslie Barnes, Democrat Co-Counsel with the Indiana Election Division, testified that the Election Division gets many questions each week from voters, candidates, and office holders on the topic of residency. She said sometimes standards are not applied in the same manner and provided some examples.

Ms. Barnes said that the Indiana Election Commission had brought up the topic of voters in transition, and as a result the General Assembly had passed a new law. She said there are more issues to address. She mentioned the residency duration of office holders as confusing to which election (primary or general) is the election from which the time of residency begins. She said it would be helpful for the General Assembly to clarify it in law as the general election.

She continued that local office holders have a residency duration requirement. She said office holders must reside in their district for a full term. She said the Election Division receives a lot of calls on office holders residing or not residing in their districts for the full term. Ms. Barnes said the county prosecutor can raise a civil action to challenge the particular residency of an office holder. However, it is up to the judge to decide.

Ms. Barnes said then a county election board may hold a public meeting to either accept or deny a provisional ballot with the questioned candidate. She continued that only a judge can declare a public elected office seat vacant.

Ms. Barnes asked the Committee members if there was a way to address residency for voters in transition, as there are different standards between the states in their statutes. She discussed the recent changes made by the General Assembly (See Exhibit A). She spoke about the use of the most recent signed document, such as a drivers license or loan application, as the definitive proof of residency. She added that some solutions to transition voter issues could include election day registration or allow transfer of an existing registration on election day.

Mr. Brad King, Republican Co-Director of the Election Division and majority council for the State Recount Commission, stated that the code cites reviewed earlier came from the State Recount Commission. Mr. King agreed that there are some areas in residency statutes that could be clarified and changed, but he stated that SEA 519 (2013) is an example of the General Assembly's great progress made in an area that has been relatively untouched since 1988.

Julia Vaughn representing Common Cause of Indiana testified that she appreciated the General Assembly looking into the residency issue. She said it is frustrating to her when persons are disenfranchised from voting due to residency administrative snafus and lack of understanding of the code. She said too many persons, particularly college students, are falling through the fail safes placed in the election residency code meant to prevent voter fraud. She said the result is being disenfranchised from voting.

This concluded the testimony on residency issues.

The second topic was the study of allegations of voter suppression of African-Americans, Latinos, other ethnic minorities, and elderly persons. Senator Landske recognized Representative Cherish Prior to begin discussion on the second agenda topic.

Representative Prior began her statement by reading the protections of the Fifteenth

Amendment to the United States Constitution guaranteeing protection from both the federal and state government from infringing on the rights of citizens to vote based on race or advanced age.

She continued that voting is one of our most basic rights. She continued that early satellite voting in 2008 in Marion County had been a great success. However, she continued, that Marion County had not had early satellite voting since. She stated that several Marion County precincts have had their polling locations changed very close to election day without enough advance notice. She said both of those examples have drastically affected the ability of minorities, elderly, and disabled persons residing in those precincts to vote. She said the General Assembly should be passing laws that ensure the right to vote and eliminate undue and unnecessary difficulty.

Representative Prior then introduced Mr. Amos Brown, with Radio One Indianapolis, to provide further testimony.

Mr. Brown stated he was the director of strategic research for Radio One Indianapolis. He said he has worked for 38 years in the broadcast industry in Indianapolis supervising voter issues on air.

Mr. Brown indicated that he had seen a couple of unusual occurrences in Marion County during the last few elections. He said at least 20 percent of polling locations have been switched for no good explainable reason. He described a polling location in Center Township that had been in the same church for 20 years switched to a remote location at a golf course that was not within easy walking distance of many of the voters of the precinct. He said these switches began after the 2010 Census, where the county saw a massive shift of precinct boundaries unlike anything he had seen in 38 years living in Indianapolis.

Mr. Brown stated that his own polling place moved three times from 2010 through November of 2011. He said the polling place location was in two different locations for the 2011 municipal primary and the 2011 municipal general elections. He questioned if this change had the intent to obstruct voter turnout in his precinct of residence. He said when a polling location flips twice in an election cycle and without warning, it raises the suspicion of the voters.

Mr. Brown offered two suggestions to remedy the sudden change of polling locations. He said, first, the public should be given a reason why a change is made. Second, he suggested moving the deadline to switch a polling location from 30 days to 60 days prior to the election, as this change would allow more time for the media, elected officials, and other concerned persons to get the word out that the location has changed.

Trent Deckard, Democrat Co-Director of the Indiana Election Division, testified by saying some interesting questions had been raised out of the prior testimony. He continued that he believes that voter registration law is so complicated that a Co-Director [in direct reference to himself] that is not a member of the state bar to practice law must rely on counsel to get the answers on the many residency questions that his office receives on an almost daily basis.

Mr. Deckard continued that, ultimately, if there is perception that voters are targeted for suppression, then confidence in the election process fades. He said that we have had many changes to the election code. He showed his copy of the 2012 edition of the state election code book. He pointed to and said that in the back there is a supplement plus an additional 52 pages of changes that have been added since the edition had been printed. He said many of these changes are complicated. He stated that interpretation of election law should be user-friendly to all. He said there can be unintended consequences from new voter registration law. He mentioned an example of partisan election law-making that, in his opinion, has affected North

Carolina adversely. He also talked about a provision now in Indiana law that became law, in his opinion, without much discussion during the last legislative session.

He said the difficulty in having poll workers operate twice a year roughly every two years with so many new laws in place leads to voter problems. He pointed out a manual for poll workers that had 40 pages of updates for them to adhere to. He described a situation of a lady in Allen County who had forgotten her ID and had been turned away crying without being offered a provisional ballot. Mr. Deckard made it clear he did not blame the poll workers in that particular incident or state law, but that it is difficult to recall all the required knowledge in an emotional situation such as the one described.

Mr. Deckard said when trying to figure out what to do in situations such as the Allen County example, lines at polling locations can become longer and longer. He described the length of lines at polling locations as the blood pressure of an election. Mr. Deckard continued by equating long lines at poll locations as high blood pressure or the silent killer of elections. He said long lines and delays can discourage persons waiting that cannot stay due to limited time to meet other obligations such as work. He said that when the lack of information on changed polling locations is added to the mix, voters begin to have the feeling that the right to vote is being suppressed.

Mr. Deckard also said there is currently no way of knowing what our aging voters think of the current voting process and how it affects them. He said we have a lot of 'top down' solutions in place such as hotlines. He suggested the HAVA Grievance hotline is an example. He asked how many elderly voters may know what an HAVA is? He asked if they understand whether there is a grievance that needs to be reported?

Mr. Deckard recommended an academic survey via Ball State University or Indiana University to ask poll workers and voters to see what they do know about the voting process. He also said that one way to assure voters that our system is working well is to have full bipartisan input when adopting new election law, so the voters do not have the impression that suppression is taking hold in a new law. He said it is very hard to tell someone that their vote is not going to count because of a provision in law that they did not realize could impact their vote. He encouraged early voting and having as many easily accessible polling locations available on election day as possible as a way to combat long lines at the polls.

Senator Landske asked Mr. Deckard if relaxing absentee voting with early voting before election day has helped.

Mr. Deckard replied it has and agreed that anything that relieves the pressure cooker of election day can only help.

Representative Richardson commented that voters residing in her county do receive a notice of change if a polling place is to be moved.

Representative Bartlett commented that polling locations have changed at the last minute in his district and that he and other elected officials were not aware of the changes. He said polling locations went from a short walking distance to a car trip distance, meaning if the voter did not have a car, they did not vote.

Ms. Beth White, Marion County Clerk of the Circuit Court, testified to the impact of early satellite voting during the 2008 general election. She said that her office voted 93,000 more persons in 2008 as a result of early satellite voting. She said that since 2009, there has not been unanimous consent to continue with early satellite voting, but the early voting at her office in the city-county building has allowed about 60,000 persons to vote per election.

She said that the current mayor changed every precinct boundary without a good reason after the last decennial census. She reiterated earlier testimony from Mr. Brown that many polling locations were switched between the primary and general election in the same election year. She said 30% of all voters had their polling location changed. She contended that was too many voters to send first class mail notices to with a limited budget and time. She said that poll workers are given a lot of training in Marion County, but they can forget by not putting the training into practice enough. She encouraged the General Assembly to stop making it harder to train poll workers by making so many changes to election law that have to be implemented each election cycle.

Representative Mayfield suggested that maybe there are more problems with the implementation of new laws but that both parties must be aware of the situation.

Julia Vaughn introduced Ms. Ruth Greenwood with the Chicago Lawyers' Committee for Civil Rights who provided a handout of her prepared testimony (Exhibit B). She presented the following points.

(1) Registration problems account for 5.5% of the reason why people do not vote. She said this disparately affects Latinos and African-Americans. She offered that a solution would be for all public agencies to offer voter registration forms and that the forms are processed upon return.

(2) Voter photo ID law. Ms. Greenwood provided examples of violations of this law. She spoke of a voter turned away in an Indiana county when providing a valid passport photo. She cited marriage certificate problems, a police officer confiscating a license from a person under arrest, and thousands of college students, of which only 75% had a drivers license. She said the remaining 25% must rely on a college ID card and is only acceptable if it has an expiration date.

(3) She said the requirement in state law to provide an excuse to vote absentee is a deterrent to maximizing voter turnout. She suggested that 'excuse needed' absentee voting causes voter suppression. She continued that changing state law to allow 'no excuse' absentee voting reduce voter suppression by increasing overall turnout. She said 'no excuse' absentee voting would also reduce polling place lines on election day, if more persons were allowed to vote absentee. She added that Indiana ranks 40th of 50 states in voter turnout.

Representative Richardson asked if voters used in Ms. Greenwood's study were eligible or active voters.

Ms. Greenwood replied that persons more than 18 years of age that were not felons were used in the study.

Representative Richardson said that by not using active voter numbers, Ms Greenwood's figures may overstate the lack of voter turnout in Indiana.

Ms. Danielle Coulter representing the Association of Indiana Counties testified that county clerks on both sides of the notice to moving polling locations issue would likely not support moving up notice of changes. She mentioned that schools are showing more resistence to hosting polling locations. She added that allowing mailing notification to provide reasons for changes would cause concern. She said the size of the notice may have to increase from postcard size to full letter, which would increase costs. Ms. Coulter suggested making the notice available in a newspaper instead of mailing notices as a way to save in the expense to provide notice.

Chairperson Landske then recognized Brad King to testify on the state of the campaign finance statute. He talked about the independent purchase of advertising space without a candidate

being notified. He said that provisions in code covering the reporting of such campaign finance expenditure from the 1996 law were inadvertently repealed in 1997 under HEA 1844. Efforts were made to restore the reporting provision as a technical change in 1998. However, he said the efforts were dropped because the reinstatement was not ruled to be of a technical nature. He provided a copy of the instruction manual for the 1996 campaign finance act as a reference to the committee members.

Chairperson Landske asked if any further business was to come before the committee. Seeing none, she said a date for the next meeting would be set in September. She adjourned the meeting at 11:38 A.M.

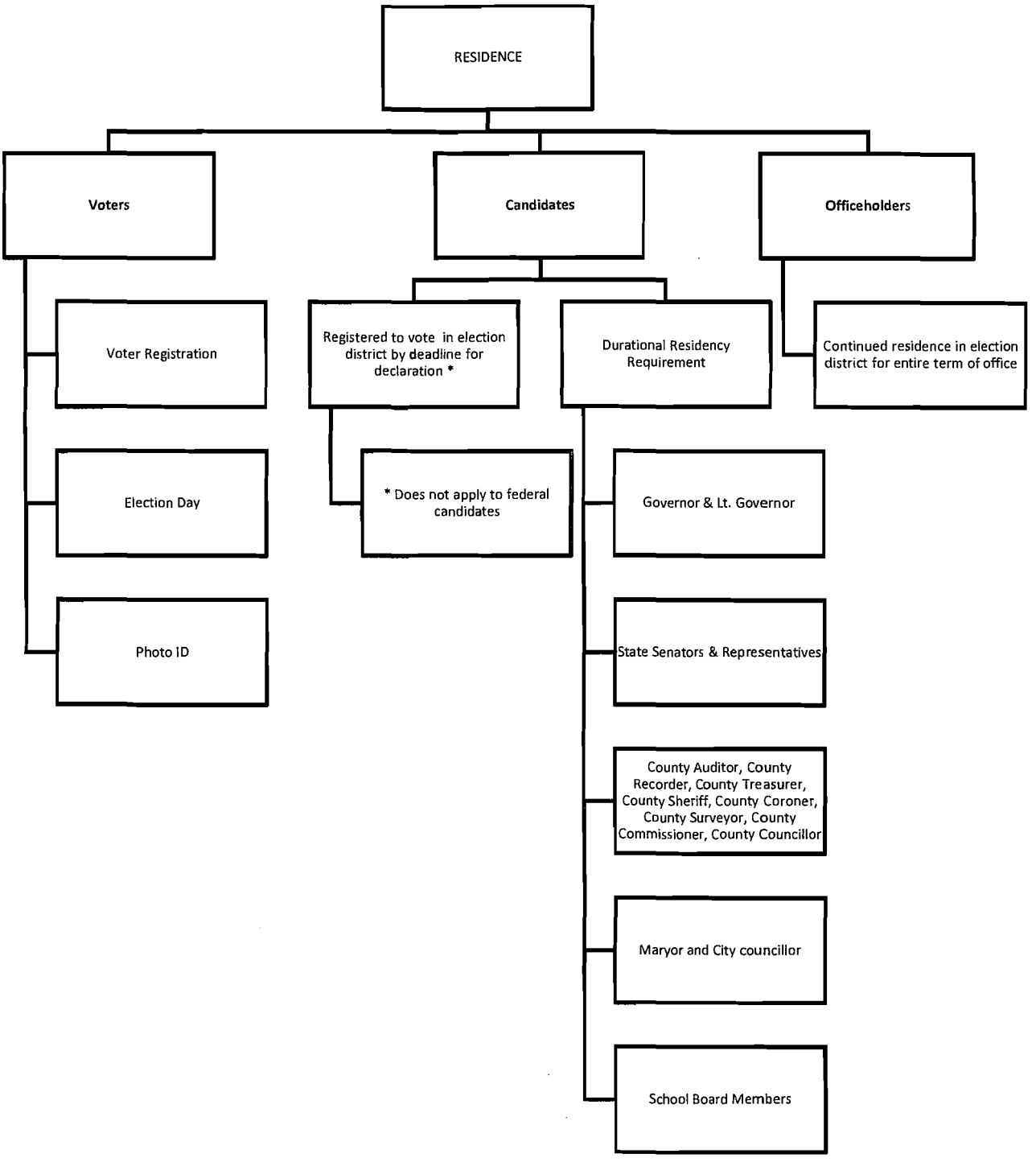


Exhibit A
Census Data Advisory Committee
Meeting #1 August 29, 2013

IC 3-5-5-0.5
"Immediate family"
Sec. 0.5. For purposes of this chapter, an individual's "immediate family" includes the spouse, children, stepchildren, parents, or grandparents of the individual.
As added by P.L.258-2013, SEC.6.

IC 3-5-5-6
Presumption of residence specified by individual under penalties for perjury; rebuttable presumptions
Sec. 6. (a) Sections 7 through 17 of this chapter establish presumptions regarding the residency of a person in a precinct. A person can rebut these presumptions by demonstrating intent to reside in another precinct and conduct taken to implement that intent.
(b) An individual who makes a statement regarding the residence of the individual, under the penalties for perjury, is presumed to reside at the location specified by the individual, as of the date of making the statement.
As added by P.L.12-1995, SEC.10. Amended by P.L.258-2013,SEC.9.

IC 3-5-5-7
Temporary residency
Sec. 7. Subject to section 6 of this chapter, a person does not gain residency in a precinct into which the person moves for:
(1) temporary employment;
(2) educational purposes;
(3) preparing to purchase or occupy a residence; or
(4) other purposes;
without the intent of making a permanent home in the precinct.
As added by P.L.12-1995, SEC.10. Amended by P.L.3-1997, SEC.18;P.L.164-2006, SEC.5; P.L.258-2013, SEC.10.

IC 3-8-1-1
Candidates must be registered voters
". . . (b) A person is not qualified to run for:
(1) a state office;
(2) a legislative office;
(3) a local office; or
(4) a school board office;
unless the person is registered to vote in the election district the person seeks to represent not later than the deadline for filing the declaration or petition of candidacy or certificate of nomination.
As added by P.L.5-1986, SEC.4. Amended by P.L.3-1987, SEC.80; P.L.4-1991, SEC.31; P.L.12-1992, SEC.2; P.L.3-1997, SEC.110; P.L.254-1999, SEC.1; P.L.194-2013, SEC.9.

VS.

IC 3-7-48-1
Certificate of error; proof of registration; eligibility to cast provisional ballot
" . . . (A) person whose name does not appear on the registration record may not vote, unless the county voter registration office issues a signed certificate of error immediately available for inspection in the county voter registration office showing that the voter is legally registered in the precinct where the voter resides. . . "

Testimony of Ruth Greenwood, Attorney, Chicago Lawyers' Committee for Civil Rights Under Law

Before the Census Data Advisory Commission

August 29, 2013

Good morning, distinguished Committee members. Thank you for the opportunity to speak at this very important hearing. My name is Ruth Greenwood, and I am an attorney at the Chicago Lawyers' Committee for Civil Rights Under Law.

The Chicago Lawyers' Committee for Civil Rights Under Law, Inc. is a non-partisan non-profit organization that aims to promote and protect civil rights, particularly the rights of poor, minority, and disadvantaged people in order to facilitate their participation in the social, economic, and political systems of our nation.

We work in Lake County, Indiana on a project called the Initiative for Northwest Indiana (INWIN). INWIN is a community economic development law project engaging community organizations, entrepreneurs, businesses, attorneys, and civic leaders for the greater good of the Northwest Indiana regional community.

We also operate a Voting Rights Project that works to prevent, reduce, and eliminate barriers to voting for minority and low-income residents throughout the Midwest region. We partner with area law firms and nonprofit organizations to provide Election Protection during early voting and on Election Day. Election Protection volunteers answer voter questions and respond to issues reported to the 1-866-OUR-VOTE hotline. In addition, teams of attorneys volunteer as poll watchers to monitor elections across the region. For the 2012 general election we placed approximately 15 poll monitors in Lake County, fielded over 800 calls from Indiana on our election protection hotline, and worked in coalition with Black Youth Vote an initiative of the National Coalition on Black Civic Participation, Indiana American Civil Liberties Union, Indiana League of Women Voters, and Indiana Common Cause to distribute thousands of "Know Your Rights" cards to voters across the state.

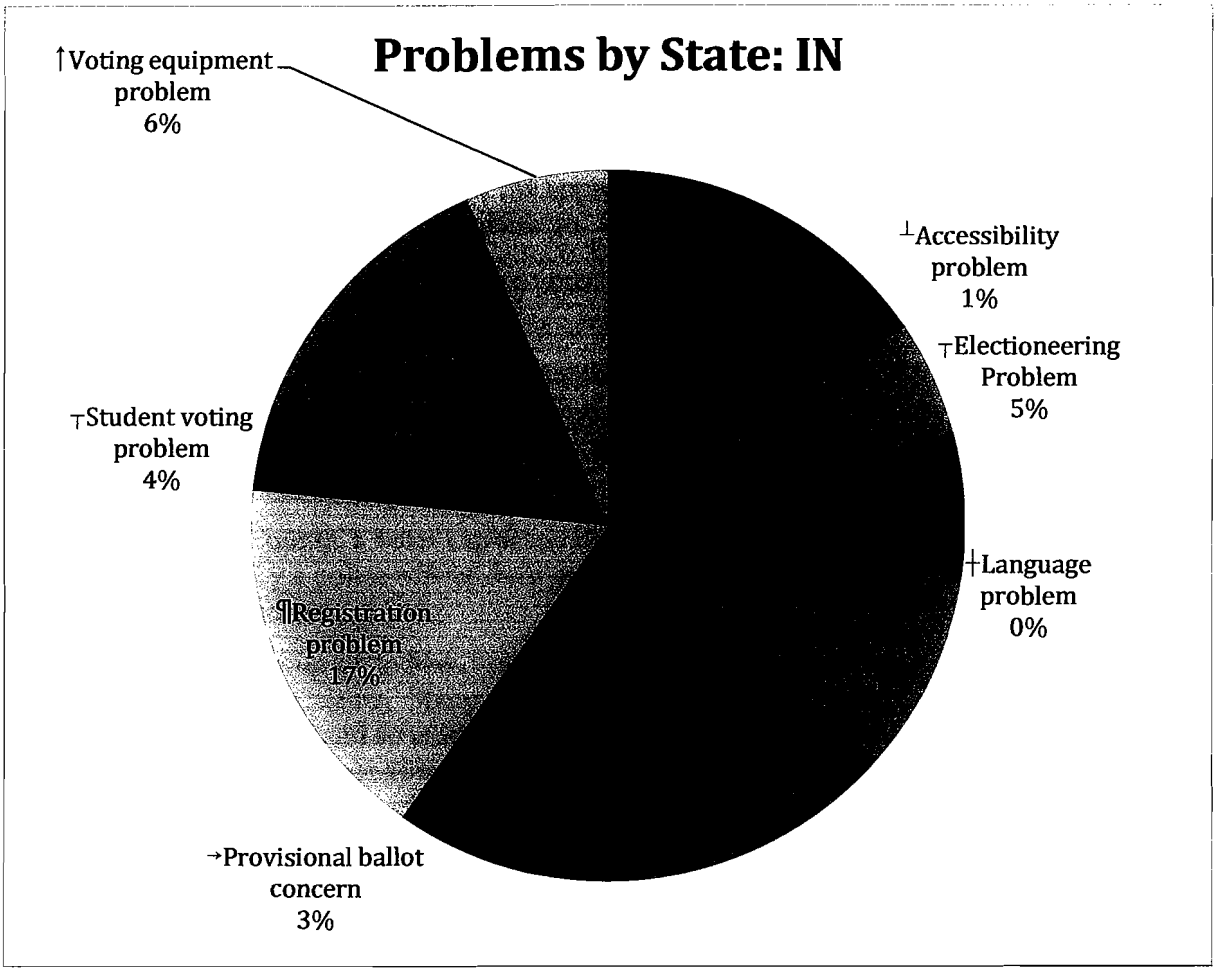
We are very pleased that the Committee has chosen to investigate the important issue of voter suppression in Indiana. In this testimony I set out a summary of the findings of our election protection efforts with respect to voter suppression, and then discuss some of the legal and administrative policies that cause voter suppression and disenfranchisement in Indiana.

Election Protection 2012: Findings

I set out below a chart showing the breakdown of the types of problems that Indiana voters who contacted the Election Protection Hotline or interacted with our poll monitors experienced during early voting and on Election Day in 2012.[i]

As you can see, what is traditionally considered voter suppression, what we call "voter intimidation" made up 13% of the problems. We believe that the photo ID law in Indiana also operates as a voter suppressive measure, and as you can see 7% of the problems identified to us concerned the photo ID law. Additionally, administrative problems (registration, absentee voting, poll worker, and polling place problems) also suppressed voters, and combined they constituted 61% of the issues identified. I outline below the

chart how each type of problem caused voter suppression and some specific examples of each of these problems.



Voter intimidation

The types of problems that are coded as "voter intimidation" include misleading information from the television, radio, newspapers, phone calls, text messages, emails, and signs placed in the community, as well as activities at a polling place that discourage someone from voting, perhaps by indicating that they are not eligible to vote or that the date or time of voting is different to the actual information. Some examples from 2012 include:

- A voter was told by a friend that she received an email instructing voters that if they wanted to vote a straight Democratic ticket they would need to both select "10" (the straight ticket operation on the voting machine) *and* select Obama in the President category. She later found out that doing both would actually invalidated the ballot;
- A voter explained that she had heard on a talk show that there was a recent law passed in Indiana limiting the voting time at a polling place to only 3 minutes. The caller was worried that she would not be able to vote in this short time, though there was no such law passed in Indiana; and

on the list at the polls and was told that "sometimes in DMV does not give names to us;" and

- In LaPorte County, a voter and her son knew that their names had been removed from the voting roll in 2009, so they re-registered in 2012 via mail. They never received voter registration cards and when they arrived at the polling place they were told their name was not on the list. They were not given provisional ballots.

Absentee voting problems

One solution to the problem presented for those unable to obtain a photo ID so they can vote at a polling place during early voting or Election Day, is for them to vote by absentee ballot (if they fit into one of the categories of person who may request one).[viii] This has the potential to reduce the suppressive effect of the Indiana photo ID law, but if absentee ballot requests are left unanswered then voters are at risk being entirely disenfranchised. Some examples of how this occurred in Indiana in 2012 are set out below:

- In Vanderburgh County, a voter faxed in an absentee ballot application on October 22, 2012. The voter did not receive an absentee ballot application, and called the Indiana Board of Elections on October 30 to determine why she did not receive it. They told her that her address information was incorrect on her absentee ballot application, and that they were planning to send her notice that her ballot application was not accepted. Follow up by an Election Protection volunteer with the Board of Elections confirmed that they were supposed to send notices by mail to voters informing them of problems with their application and to resubmit their request. Officials told our Election Protection volunteer that "because of capacity issues, many or all of those notices did not go out;" and

- In Marion County, a voter did not receive her absentee ballot and when she contacted us the deadline for receipt of completed absentee ballots had passed. The voter was not in Indiana on Election Day and so was unable to vote in the 2012 Election.

Poll worker problems

Precinct election officers (poll workers) represent the frontline between election administration and voters. While many are well trained, enthusiastic and capable, it only takes a few poll workers with incorrect information or practices to disenfranchise the hundreds of voters they come into contact with on Election Day. Some examples of poll worker problems identified to Election Protection were:

- In Marion County, a voter's designated polling place was co-located with a number of other precincts at a single polling place. The poll worker at the outside of the polling place would not let voters enter the location if they did not know their precinct number; and

- In Marion County, a voter cast a paper ballot, but the ballot machine would not accept her ballot (and would not accept ballots of some other voters in the polling place). The voter saw the poll worker set these ballots aside and did not put them in the machine. The voter was not able to confirm whether her vote was counted or not.

Polling place problems

These problems capture issues such as lack of resources (running out of ballots, machines breaking down without someone on hand to repair them), directions to an incorrect polling place by the state, and mismanagement of polling places, such as opening late or closing early. Each of these problems can result in many voters being unable to vote. The problems identified to Election Protection included:

- In Lake County, the Indiana Statewide Registration Database directed an entire precinct of voters to the wrong polling place. When those voters arrived at the suggested polling place, their names were not on the voter roll and they were given provisional ballots. It is unclear how many, if any, of those provisional ballot were counted;
- In Lake County, a voter's machine was not working, and only allowed her to vote for the presidential election. She said that there were not enough poll workers, they opened the polling place late, and that they did not know how to use the equipment. While she was at the machine she had told the poll worker she needed help, and the poll worker told her that they were going to help her, but were occupied assisting other voters. The voter could not wait for any longer and left without voting; and
- In Hammond in Lake County, a voter arrived before 6:00 p.m. and the polling place was closed, contrary to Indiana state law that polling places must remain open until 6:00 p.m;[ix] and
- In Johnson County, a voter was told if they weren't inside the building, they couldn't vote, contrary to Indiana law.[x]

<u>Voter suppression due to restrictive voting laws</u>

In addition to intentional efforts to suppress voting and indirect suppression from mal-administration or misinformation, there are two laws in Indiana that operate to suppress voting. Each is discussed below.

Photo ID Law

Requiring a photo ID to be shown before a voter can vote at a polling place has been shown to reduce overall turnout by at least 2-3%.[xi] As evidenced in the data set out above, this is because some people are unable to obtain ID and so cannot vote, while others are misinformed about the requirement either prior to going to the polls (and so may stay home), or at the polls (and so may be given a provisional ballot that may not be counted), or they may be simply turned away without the opportunity to vote.

While the intent of enacting the photo ID law may not have been to suppress voters, the effect of it is clear. Many other states, including the neighboring states of Illinois[xii] and Ohio,[xiii] have a less strict identification requirements– allowing non-photo IDs such as utility bills and bank statements to be used to prove identity at the polls– and yet there were no allegations of voter impersonation fraud in 2012 in either state. On this matter Indiana has historically been no different, even the United States Supreme Court found, in *Crawford v Marion County*, that there was "no evidence" of voter impersonation fraud having ever taken place in the state.[xiv]

The requirement that voters show a government issued photo ID before voting in Indiana

operates to suppress the vote and we would support a repeal of that law.

Excuse only absentee voting

While Indiana allows any person to utilize early voting, it allows only persons fitting a narrow category of reasons to vote by absentee ballot.[xv] Given that the photo ID law operates to prevent some eligible voters from being able to vote at their polling place due to not having the correct photo ID, having a restriction on the categories of person that can vote by absentee ballot becomes additionally suppressive. Introducing no-fault absentee voting was shown by a Pew study to increase turnout by approximately 3%, and though this effect does not vary across income or education groups, it does have a larger effect on older voters than on younger voters. [xvi]

The Pew study also found that the overwhelming majority of voters that utilize no-excuse absentee voting are doing so as an alternative to other methods of voting,[xvii] and so its introduction has the potential to reduce lines on Election Day and with this, allow pollworkers the time they need to get the right information to voters. The average time a voter waited in line in Indiana was 13 minutes, the 13th longest average wait time of all the states (and the longest in the Midwest).[xviii] Though this has improved considerably from 2008 (where the average wait time was over 20 minutes), it still lags far behind other states. It is important to note that while the *average* wait time is 13 minutes, the longest wait times were many hours long.[xix]

Professors Charles Stewart and Steven Ansolabehere estimate that nationally 500,000 to 700,000 votes are lost because of long lines, and the economic cost of long lines is approximately $500 million. As with other voter suppressing measures long lines are felt most acutely by minority voters, with African American voters likely to wait in line more than twice as long as white voters (23.3 versus 11.6 minutes, on average), and Latino voters also enduring almost double the average wait time (18.7 versus 11.6 minutes).[xx] One of the key recommendations that Stewart and Ansolabehere make to reduce long lines is to "increase opportunities to vote by mail, thus reducing the total number of people using all forms of in-person voting."[xxi]

Conclusion

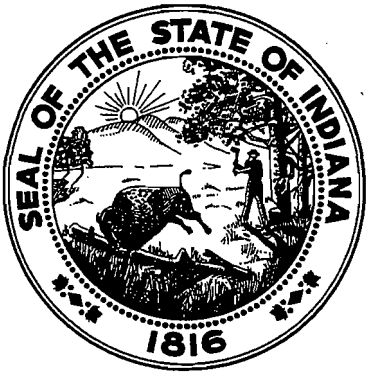
Indiana ranks 40th among the states in voter turnout, with a total turnout as a percent of eligible voters of only 56%, well below Minnesota (the state with the highest turnout) at 76.1%, and well below the Midwest average of 66.5%.[xxii] If Indiana were to remove its photo ID requirement, introduce no-excuse absentee voting, counteract the dissemination of mis-information by pollworkers, and encourage public assistance agencies and the DMV to offer voter registration to all customers and ensure those that agree to register are entered onto the voter roll, I feel confident that there would be less voter suppression in Indiana.

I thank you very much for your time. I am more than happy to answer any of your questions.

[i] The Indiana data was analyzed and coded by the national Lawyers' Committee for Civil Rights Under Law, and they produced the pie-chart set out on page 2.
[ii] Press release, IN.gov, Secretary of State Connie Lawson warns Hoosiers about over-the-phone voting scam, (Sept. 14, 2012). Available at http://www.in.gov/activecalendar/EventList.aspx?view=EventDetails&eventidn=58959&information_id=118983&type=&syndicate=syndicate (last visited August 26, 2013).
[iii] But *see*, I.C. § 3-5-2-40.5: a photo ID issued by the U.S. government with the voter's name and photo, and an expiry date is valid ID to vote.
[iv] Posting of University of Michigan Transportation Research Institute, Fewer young, but more elderly, have driver's licenses http://www.umtri.umich.edu/news.php?id=3006 ((December 1, 2011).
[v] Stats IN, College Enrollment and Migration http://www.stats.indiana.edu/sip/edu/edu2_18.html (last visited August 28, 2013).
[vi] United States Census Bureau, Voting and Registration in the Election of November 2012 – Detailed Tables: Table 10 http://www.census.gov/hhes/www/socdemo/voting/publications/p20/2012/tables.html (last visited August 27, 2013).
[vii] United States Election Assistance Commission, *The Impact of the National Voter Registration Act of 1993 on the Administration of Elections for Federal Office 2011-2012* A REPORT TO THE 113TH CONGRESS (June 30, 2013), 44. Available at: http://www.eac.gov/assets/1/Documents/EAC_NVRA%20Report_lowres.pdf (last visited August 27, 2013).
[viii] I.C. § 3-11-10-24.
[ix] I.C. 3-11-8-8.
[x] I.C. § 3-11-8-11.
[xi] Nicholas Stephanopoulos, *Elections and Alignment*, COLUMBIA L. REV. forthcoming. Available at http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2313941 (last visited August 27, 2013).
[xii] 10 ILCS § 5/1A-16.
[xiii] Ohio Rev. Code § 3505.18.
[xiv] *Crawford v. Marion Cty. Election Bd.*, 553 U.S. 181, 194 (2008).
[xv] *Supra* note viii.
[xvi] Jan E. Leighley and Jonathan Nagler, *The Effects of Non-Precinct Voting Reforms on Turnout 1972-2008* PEW CHARITABLE TRUSTS MAKING VOTING WORK (January 15, 2009), 2. Available at http://www.pewstates.org/uploadedFiles/PCS_Assets/2009/Leighley_Nagler%281%29.pdf (last visited August 28, 2013).
[xvii] *Id.*
[xviii] Charles Stewart and Stephen Ansolabehere, *Waiting in Line to Vote White Paper: Executive Summary*, Submission to the Presidential Commission on Election Administration (July 28, 2013), 7 . The list includes the District of Columbia but excludes Oregon and Washington as they are entirely vote-by-mail states. Available at https://www.supportthevoter.gov/files/2013/06/Charles-Stewart-Waiting-in-Line-to-Vote-White-Paper.pdf (last visited August 26, 2013).
[xix] *Id.* at 6.
[xx] *Id.* at 11.
[xxi] *Id.* at 15.
[xxii] The average was calculated including Indiana's turnout. If Indiana's turnout is excluded, the average Midwest turnout is 68.2% (MN: 76.1%; WI: 73.2%; IA: 70.2%; MI 65.3%; OH: 65.2%; IL: 59.3%). Sean Sullivan, *The States with the highest and lowest turnout in 2012, in 2 charts* THE WASHINGTON POST, March 12, 2013. Available at http://www.washingtonpost.com/blogs/the-fix/wp/2013/03/12/the-states-with-the-highest-and-lowest-turnout-in-2012-in-2-charts/ (last visited August 26, 2013).

INSTRUCTION MANUAL FOR THE INDIANA CAMPAIGN FINANCE ACT

1996 Edition



Issued under the authority of the

Indiana Election Commission

Evan Bayh, *Governor*
Jeffery M. Mallamad, *Chairman*
Dudley Cruea, *Member*
Butch Morgan, *Member*
Joseph M. Perkins, Jr., *Member*

Laurie P. Christie, *Co-Director*
John T.L. Koenig, *Co-Director*

Room E032, Indiana Government Center South
302 West Washington Street
Indianapolis, Indiana 46204-2738
317/232-3939

Exhibit C
Census Data Advisory Committee
Meeting #1 August 29, 2013

IC 3-9-5-15 Sec. 15. Notice of contributions received and expenditures made on behalf of a candidate by a committee other than the candidate's committee must be given to the candidate's committee as prescribed by the state election board. The amount of contributions and expenditures must be entered in the candidate's committee record books and reported in summary form as prescribed by the board.

IC 3-9-5-16 Sec. 16. The reports required to be filed by this chapter are cumulative during the year. If no contributions or expenditures have been accepted or made during a year, the treasurer of a committee or a candidate shall file a statement to that effect.

IC 3-9-5-17 *(Repealed by P.L.3-1993, SEC.282.)*

IC 3-9-5-18 Sec. 18. Each candidate shall file a statement that the candidate has turned over all contributions received by the candidate to the treasurer of the candidate's principal committee and that to the best of the candidate's knowledge and belief the reports of the candidate's committee are complete and accurate.

IC 3-9-5-19 *(Repealed by P.L.3-1995, SEC.157.)*
IC 3-9-6 *(Repealed by P.L.3-1995, SEC.157.)*
IC 3-9-7-1 *(Repealed by P.L.3-1995, SEC.157.)*

IC 3-9-7-2 Sec. 2. (a) This section applies to:
(1) an individual who makes an expenditure to influence an election within a year; or
(2) a corporation or labor organization that makes an expenditure to support or oppose the approval of a public question.
(b) The individual, corporation, or labor organization shall file with the state election board under IC 3-9-5-2 or IC 3-9-5-3 or county election boards under IC 3-9-5-3 or IC 3-9-5-4 a statement containing the information required by IC 3-9-5. This subsection does not require a corporation or labor organization to file a statement concerning a contribution to a political committee or an expenditure made to support or oppose a candidate or a political party.
(c) Statements required by this section are due on the same dates on which reports by political action committees are due.

IC 3-9-7-3 Sec. 3. An individual, a firm, or a partnership that:
(1) makes a contribution to a candidate or committee; and
(2) does not make an expenditure;
is not subject to section 2 of this chapter.

INDEPENDENT EXPENDITURE REPORT BY AN INDIVIDUAL (Summary Sheet)
State Form 46409 (R / 10-95)
Indiana Election Commission (IC 3-9-7-2)
Approved by the State Board of Accounts 1995

(CFA-6)

Total Number of Pages _____
(Including attached schedule(s))

INSTRUCTIONS: Please type or print legibly **IN INK** all information on this form. For assistance in completing this form see instructions on reverse side.
IS THIS AN AMENDMENT? ☐ No ☐ Yes

1. INDIVIDUAL THAT MADE AN INDEPENDENT EXPENDITURE	2. PERSON COMPLETING REPORT
Full Name :	Full Name and Title:
Mailing Address:	Mailing Address:
Daytime Telephone Number: ( )	Daytime Telephone Number: ( )
Evening Telephone Number: ( )	Evening Telephone Number: ( )

3. CANDIDATE INFORMATION (If more than one candidate attach additional sheets.)

Full Name of Candidate:

☐ Supported ☐ Opposed

Office Sought (Include district number, if any):

Candidate's County of Residence:

4. PUBLIC QUESTION INFORMATION

Enter Text of Public Question:

Type of Question: ☐ Statewide ☐ Local
Position: ☐ Supported ☐ Opposed

5. TYPE OF REPORT: (Check one)

☐ Pre-Primary ☐ Pre-Election ☐ Annual

6. REPORTING PERIOD From:	Through:	COLUMN A AMOUNT OF EXPENDITURES THIS PERIOD	COLUMN B CUMULATIVE EXPENDITURES YEAR-TO-DATE
7. ITEMIZED INDEPENDENT EXPENDITURES (Use Schedule A)		$	$
8. UNITEMIZED INDEPENDENT EXPENDITURES		$	$
9. ADD LINES 7 AND 8 IN BOTH COLUMNS	TOTAL	$	$

CERTIFICATION

I CERTIFY THAT I HAVE EXAMINED THIS STATEMENT. TO THE BEST OF MY KNOWLEDGE AND BELIEF IT IS TRUE, CORRECT AND COMPLETE.

Signature of Person Completing Report	Date

WARNING: Any information contained in this report may not be copied for sale or used for any commercial purpose. (IC 3-9-4-5) A person who knowingly files a fraudulent report commits a Class D Felony. (IC 3-14-1-13) A person who fails to file a complete or accurate report as required by the Indiana Campaign Finance Law commits a Class B Misdemeanor. (IC 3-14-1-14)

FOR OFFICE USE ONLY

INSTRUCTIONS FOR COMPLETING THIS FORM

An individual who makes an independent expenditure of more than $100 to influence the election of a candidate for state, state legislative, local or school board office, or the outcome of a public question within a year is required to file this form. This report is due on the same dates on which reports by political action committees are due. (IC 3-9-7-2)

All spaces on this form have been numbered for your convenience and easy reference to these instructions. The preparer should **type or print legibly IN INK** all information on this form. If more space is needed please attach additional sheets.

TOTAL NUMBER OF PAGES: Enter the total number of pages, including any attached schedule.

IS THIS AN AMENDMENT? Check "YES" if this report is to correct or change information submitted in a previous report; otherwise, check "NO".

ITEM 1 INDIVIDUAL THAT MADE AN INDEPENDENT EXPENDITURE: Enter the full name and mailing address (if known, include zip code plus four) of the individual that made the independent expenditure. Also enter the individual's daytime and evening telephone numbers, including area code.

ITEM 2 PERSON COMPLETING REPORT: Enter the full name, title and mailing address (if known, include zip code plus four) of the person completing this report. Also enter the person's daytime and evening telephone numbers, including area code. If this information is exactly the same as in ITEM 1, write "SAME AS ITEM 1" on the first line of ITEM 2.

ITEM 3 CANDIDATE INFORMATION: If an independent expenditure is made to a candidate enter the full name of the candidate. If making an independent expenditure to more than one candidate attach an additional sheet.

Check the appropriate box indicating if the expenditure is in support or opposition to the candidate's election to office.

Enter the full name of the office being sought by the candidate (include district number, if any). For example, "Indiana State Senator, District ___", "_____ County Sheriff", or _____ City Council, District ___".

Enter the candidate's county of residence.

ITEM 4 PUBLIC QUESTION INFORMATION: Enter the text of the public question as it appears on the ballot.

Check the appropriate box indicating whether the public question is statewide or local.

Check the appropriate box indicating whether the individual making the independent expenditure supports or opposes approval of the public question.

ITEM 5 TYPE OF REPORT: Check the appropriate box indicating the type of report.

ITEM 6 REPORTING PERIOD: Enter the appropriate dates for the type of report checked in Item 5. These reporting and filing dates are prescribed by Indiana Code 3-9-5.

ITEM 7 ITEMIZED INDEPENDENT EXPENDITURES (USE SCHEDULE A): All independent expenditures over $100 MUST be itemized on a Schedule A. (IC 3-9-5-14)

COLUMN A (AMOUNT OF EXPENDITURES THIS PERIOD): This column is for reporting total **itemized** independent expenditures for the current reporting period.

COLUMN B (CUMULATIVE EXPENDITURES YEAR-TO-DATE): This column is for reporting total **itemized** independent expenditures calendar year-to-date. If this is the individual's first report, this figure will be the same as the amount reported in Column A. If a previous report has been submitted, this figure will be calculated as follows:

COLUMN B (from the previous report)
PLUS
COLUMN A (from current report)
EQUALS
COLUMN B (current report)

ITEM 8 UNITEMIZED EXPENDITURES:
Enter the total of all independent expenditures **less** than $100. (These expenditures do not have to be listed on Schedule A.)

COLUMN A (AMOUNT OF EXPENDITURES THIS PERIOD): This column is for reporting the total of all **unitemized** independent expenditures for the current reporting period.

COLUMN B (CUMULATIVE EXPENDITURES YEAR-TO-DATE): This column is for reporting total **unitemized** independent expenditures calendar year-to-date. If this is the individual's first report, this figure will be the same as the amount reported in Column A. If a previous report has been submitted, this figure will be calculated as follows:

COLUMN B (from the previous report)
PLUS
COLUMN A (from current report)
EQUALS
COLUMN B (current report)

ITEM 9 TOTAL: Enter the sum of lines 7 and 8 in both columns.

CERTIFICATION: After reading the certification statement, the person completing this report must sign and date where indicated.

NOTICE: Read and understand the warning printed at the bottom of this form. Contact the Indiana Election Commission or your County Election Board if you have any questions.

OFFICE USE ONLY: The gray box at the bottom of this form is space for the received file mark stamp.

INDEPENDENT EXPENDITURE REPORT BY AN INDIVIDUAL

State Form 46409 (R / 10-95)
Indiana Election Commission (IC 3-9-7-2)
Approved by the State Board of Accounts 1995

(CFA-6 SCHEDULE A)

Page _____ of _____

INSTRUCTIONS: Please type or print legibly **IN INK** all information on this form. For assistance in completing this schedule see instructions on reverse side.

NOTE: All independent expenditures over $100 **MUST** be itemized on this schedule. (IC 3-9-5-14)

Full Name and Address of Person or Business that Received Funds	Purpose of Expenditure	Amount of Expenditure this Period	Cumulative Expenditure Year-to-Date	Date of Expenditure
SUBTOTAL THIS PAGE OF SCHEDULE A $				
TOTAL ALL PAGES OF SCHEDULE A ON THE LAST PAGE ONLY				

DEFINITIONS AND INSTRUCTIONS FOR COMPLETING THIS FORM

DEFINITIONS

An individual who makes an independent expenditure over $100 must list each expenditure on this schedule. (IC 3-9-5-14)

Definition of "Expenditure": (IC 3-5-2-23)

"Expenditure" means a disbursement (whether characterized as an advance, a deposit, a distribution, a gift, a loan, a payment, a purchase, or a contract or promise to make a disbursement) of property (as defined in IC 35-41-1) that is made for the purpose of influencing:

(A) The nomination or election to office of a candidate;
(B) The election of delegates to a state constitutional convention; or
(C) The outcome of a public question

INSTRUCTIONS

The preparer should **type or print legibly in ink** all information on this form.

PAGE_____ of _____ Indicate the number of pages being used. For example " Page 2 of 2". This means this particular page is the second page of two pages of this schedule.

FULL NAME AND ADDRESS OF PERSON OR BUSINESS THAT RECEIVED FUNDS: Enter the full name and mailing address (if known, include zip code plus four of the person, business, firm, etc. that received the funds that were spent.

PURPOSE OF EXPENDITURE: Describe the purpose of the expenditure. Be as specific as possible. For example, "Made an independent expenditure to purchase radio advertisement to support John Doe for State Senate."

AMOUNT OF EXPENDITURE THIS PERIOD: Enter the amount paid to the recipient for this period. For example, if a $200 expenditure was made to WIEC Radio Station, enter $200 in this column.

CUMULATIVE EXPENDITURE YEAR-TO-DATE: If more than one expenditure has been made to this recipient enter the total expenditure calendar year-to-date. For example, if a $200 expenditure was made to WIEC during a previous reporting period and a $200 expenditure was made to WIEC during this reporting period, enter $400 in this column.

DATE OF EXPENDITURE: Enter the month, day and year the expenditure was made. This should be the date a check was mailed or hand delivered.

SUBTOTAL THIS PAGE OF SCHEDULE A: If there is only one page of this schedule the figure on this line will be the same as the total.

TOTAL ALL PAGES OF SCHEDULE A: **ON THE LAST PAGE ONLY** enter the total of all pages of Schedule A. Enter this total on line 7 in Column A of the Summary Sheet.

INSTRUCTIONS FOR COMPLETING THIS FORM

A corporation or labor organization who makes an independent expenditure of more than $100 to influence the the outcome of a public question within a year is required to file this form. This report is due on the same dates on which reports by political action committees are due. (IC 3-9-7-2)

All spaces on this form have been numbered for your convenience and easy reference to these instructions. The preparer should **type or print legibly IN INK** all information on this form.

TOTAL NUMBER OF PAGES: Enter the total number of pages, including any attached schedules.

IS THIS AN AMENDMENT? Check "YES" if this report is to correct or change information submitted in a previous report; otherwise, check "NO".

ITEM 1 CORPORATION OR LABOR ORGANIZATION THAT MADE AN INDEPENDENT EXPENDITURE: Enter the full name and mailing address (if known, include zip code plus four) of the corporation or labor organization that made the independent expenditure. Also enter the corporation or labor organization business telephone numbers, including area code. Check the appropriate box indicating if this entity is a corporation or labor organization.

ITEM 2 PERSON COMPLETING REPORT: Enter the full name, title and mailing address (if known, include zip code plus four) of the person completing this report. Also enter the person's daytime and evening telephone numbers, including area code.

ITEM 3 PUBLIC QUESTION INFORMATION: Enter the text of the public question as it appears on the ballot.

Check the appropriate box indicating whether the public question is statewide or local.

Check the appropriate box indicating whether the corporation or labor organization making the independent expenditure supports or opposes approval of the public question.

ITEM 4 TYPE OF REPORT: Check the appropriate box indicating the type of report.

ITEM 5 REPORTING PERIOD: Enter the appropriate dates for the type of report checked in Item 5. These reporting and filing dates are prescribed by Indiana Code 3-9-5.

ITEM 6 ITEMIZED INDEPENDENT EXPENDITURES (USE SCHEDULE A): All independent expenditures over $100 **MUST** be itemized on a Schedule A. (IC 3-9-5-14)

COLUMN A (AMOUNT OF EXPENDITURES THIS PERIOD): This column is for reporting total **itemized** independent expenditures for the current reporting period.

COLUMN B (CUMULATIVE EXPENDITURES YEAR-TO-DATE): This column is for reporting total **itemized** independent expenditures for the calendar year-to-date. If this is the corporation's or labor organization's first report, this figure will be the same as the amount reported in Column A. If a previous report has been submitted, this figure will be calculated as follows:

COLUMN B (from the **previous** report)
PLUS
COLUMN A (from current report)
EQUALS
COLUMN B (current report)

ITEM 7 UNITEMIZED EXPENDITURES: Enter the total of all independent expenditures **less** than $100. (These expenditures **do not** have to be listed on Schedule A.)

COLUMN A (AMOUNT OF EXPENDITURES THIS PERIOD): This column is for reporting the total of all **unitemized** independent expenditures for the current reporting period.

COLUMN B (CUMULATIVE EXPENDITURES YEAR-TO-DATE): This column is for reporting total **unitemized** independent expenditures for the calendar year-to-date. If this is the corporation's or labor organization's first report, this figure will be the same as the amount reported in Column A. If a previous report has been submitted, this figure will be calculated as follows:

COLUMN B (from the **previous** report)
PLUS
COLUMN A (from current report)
EQUALS
COLUMN B (current report)

ITEM 8 TOTAL: Enter the sum of lines 6 and 7 in both columns.

CERTIFICATION: After reading the certification statement, the person completing this report must sign and date where indicated.

NOTICE: Read and understand the warning printed at the bottom of this form. Contact the Indiana Election Commission or your County Election Board if you have any questions.

OFFICE USE ONLY: The box at the bottom of this form is for the received file mark stamp.

INDEPENDENT EXPENDITURE REPORT BY A CORPORATION OR LABOR ORGANIZATION

State Form 46411 (R / 10-95)
Indiana Election Commission (IC 3-9-7-2)
Approved by the State Board of Accounts 1995

(CFA-7 SCHEDULE A)

Page _____ of _____

INSTRUCTIONS: Please type or print legibly **IN INK** all information on this form. For assistance in completing this schedule see instructions on reverse side.

NOTE: All independent expenditures over $100 **MUST** be itemized on this schedule. (IC 3-9-5-14)

Full Name and Address of Person or Business that Received Funds	Purpose of Expenditure	Amount of Expenditure this Period	Cumulative Expenditure Year-to-Date	Date of Expenditure
SUBTOTAL THIS PAGE OF SCHEDULE A		$		
TOTAL ALL PAGES OF SCHEDULE A ON THE LAST PAGE ONLY (Enter total on line 6 Column A of the Summary Sheet)		$		

INSTRUCTIONS FOR COMPLETING THIS FORM

DEFINITIONS

A corporation or labor organization who makes an independent expenditure over $100 must list each expenditure on this schedule. (IC 3-9-5-14)

Definition of "Expenditure": (IC 3-5-2-23)

"Expenditure" means a disbursement (whether characterized as an advance, a deposit, a distribution, a gift, a loan, a payment, a purchase, or a contract or promise to make a disbursement) of property (as defined in IC 35-41-1) that is made for the purpose of influencing the outcome of a public question.

INSTRUCTIONS

The preparer should **type or print legibly in ink** all information on this form.

PAGE_____ of _____ Indicate the number of pages being used. For example " Page 2 of 2". This means this particular page is the second page of two pages of this schedule.

FULL NAME AND ADDRESS OF PERSON OR BUSINESS THAT RECEIVED FUNDS: Enter the full name and mailing address (if known, include zip code plus four of the person, business, firm, etc. that received the funds that were spent.

PURPOSE OF EXPENDITURE: Describe the purpose of the expenditure. Be as specific as possible. For example, "Made an independent expenditure to purchase radio advertisement in support of a public question."

AMOUNT OF EXPENDITURE THIS PERIOD: Enter the amount paid to the recipient for this period. For example, if a $200 expenditure was made to WIEC Radio Station, enter $200 in this column.

CUMULATIVE EXPENDITURE YEAR-TO-DATE: If more than one expenditure has been made to this recipient enter the total expenditure calendar year-to-date. For example, if a $200 expenditure was made to WIEC during a previous reporting period and a $200 expenditure was made to WIEC during this reporting period, enter $400 in this column.

DATE OF EXPENDITURE: Enter the month, day and year the expenditure was made. This should be the date a check was mailed or hand delivered.

SUBTOTAL THIS PAGE OF SCHEDULE A: If there is only one page of this schedule the figure on this line will be the same as the total.

TOTAL ALL PAGES OF SCHEDULE A: **ON THE LAST PAGE ONLY** enter the total of all pages of Schedule A. Enter this total on line 6 in Column A of the Summary Sheet.

(A) specifies positive and negative aspects experienced in formulating a budget under this act;

(B) makes recommendations on how to remedy any perceived inadequacies in the provisions of this act; and

(C) analyzes the long term benefits of this act.

(2) Before October 1, 1999, a written report that:

(A) updates the report made under subdivision (1);

(B) outlines adjustments the school corporation made in the process of converting to formulating a budget under this act; and

(C) provides any other information related to the school corporation's experiences as a pilot school corporation under this act that the school corporation believes important to be made known to the general assembly or other school corporations before this act takes effect for all school corporations.

Each pilot school corporation shall provide the department of education with the information necessary for the department of education to complete the reports required under this subsection.

(b) The department of education shall send copies of the reports required by this SECTION to the following:

(1) The county auditor.

(2) The state board of tax commissioners.

(3) Each pilot school corporation.

(4) The Indiana School Boards Association.

(c) This SECTION expires July 1, 2000.

SECTION 96. [EFFECTIVE JULY 1, 1996 (RETROACTIVE)] **Notwithstanding P.L.209-1996, SECTION 12, IC 33-19-6-16 is repealed July 1, 1997.**

SECTION 97. [EFFECTIVE UPON PASSAGE] **(a) This act is intended to resolve technical conflicts among acts enacted by the general assembly and to correct other technical errors. This act is not intended to change the intended effective date of any statute or otherwise result in any substantive change in the law.**

(b) This act does not affect any:

(1) rights or liabilities accrued;

(2) penalties incurred;

(3) violations committed; or

(4) proceedings begun;

before the effective date of this act. Those rights, liabilities, penalties, offenses, and proceedings continue and shall be imposed and enforced under prior law as if this act had not been enacted.

(c) Any reference in any statute or rule to a statute that is repealed and replaced in the same or a different form in this act shall be treated after the effective date of the new provision as a reference to the new provision.

SECTION 98. **An emergency is declared for this act.**

P.L.3-1997

[H.1844. Approved May 13, 1997.]

AN ACT to amend the Indiana Code concerning elections.

Be it enacted by the General Assembly of the State of Indiana:

SECTION 1. IC 1-1-3.5-5, AS AMENDED BY P.L.6-1995, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The governor shall forward a copy of the executive order issued under section 3 of this chapter to:

(1) the director of the Indiana state library;

(2) the election division; and

(3) the Indiana Register.

(b) The director of the Indiana state library, or an employee of the Indiana state library designated by the director to supervise a state data center established under IC 4-23-7.1, shall notify each state agency using population counts as a basis for the distribution of funds or services of the effective date of the tabulation of population or corrected population count.

(c) The agencies that the director of the Indiana state library must notify under subsection (b) include the following:

(1) The auditor of state, for distribution of money from the

appropriate a sum sufficient to defray the cost of the ballots and to pay the expense of the election as prescribed by IC 3. The appropriation may be from the general fund or by transfer from the operating budget of the department.

SECTION 472. P.L.8-1995, SECTION 76, AS AMENDED BY P.L.4-1996, SECTION 109, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1997]: SECTION 76. (a) As used in this SECTION, "commission" refers to the Indiana election commission established by IC 3-6-4.1-1. ~~as added by this act.~~

(b) As used in this SECTION, "election division" refers to the election division of the secretary of state's office established by IC 3-6-4.1-1. ~~as added by this act.~~

(c) ~~On January 1, 1997, the appropriations, property, records, and office space of the commission are transferred to the election division.~~

~~(d)~~ An individual who, on December 31, 1996, serves as a co-director or an employee of the commission, serves as a co-director or an employee of the election division after December 31, 1996, with all the rights, duties, and conditions of employment the individual had as a co-director or an employee of the commission before January 1, 1997.

~~(e) This section expires July 1, 1997.~~

SECTION 473. P.L.4-1996, SECTION 114, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 1997 (RETROACTIVE)]: SECTION 114. (a) As used in this SECTION, "computer system" refers to the computer system described in IC 3-9-4-4. ~~as amended by this act.~~

(b) Notwithstanding IC 3-9-4-4, ~~as amended by this act,~~ the ~~Indiana~~ election ~~commission~~ **division** is not required to have the computer system operational before April 1, ~~1997.~~ **1998.**

(c) Notwithstanding IC 3-9-4-4, ~~as amended by this act, after March 31, 1997, and before January 1, 1998,~~ **not later than April 2, 1998,** the computer system is required **only** to ~~do only the following:~~

~~(1) Identify all candidates and committees that received contributions from a contributor during 1996.~~

~~(2) Identify all candidates and committees that received contributors to a candidate or committee during 1996.~~

make the annual reports required to be filed under IC 3-9-5-10 for calendar year 1997 in searchable, digital form available on the Internet.

(d) Notwithstanding IC 3-9-4-4, ~~as amended by this act,~~ after December 31, ~~1997,~~ **1998,** and before January 1, ~~1999,~~ **2000,** the computer system is required to do only the following:

(1) Identify all candidates and committees that received contributions from a contributor during ~~1996 and~~ 1997 **and 1998.**

(2) Identify all candidates and committees that received contributors to a candidate or committee during ~~1996 and~~ 1997 **and 1998.**

(e) This SECTION expires January 1, ~~1999.~~ **2000.**

SECTION 474. THE FOLLOWING ARE REPEALED [EFFECTIVE JANUARY 1, 1997 (RETROACTIVE)]: IC 3-6-4.1-15; IC 3-6-4.1-18.

SECTION 475. THE FOLLOWING ARE REPEALED [EFFECTIVE UPON PASSAGE]: IC 3-6-6-24; IC 3-7-23-4; IC 3-7-23-5; IC 3-7-26-15; IC 3-7-27-11; IC 3-7-27-13; IC 3-7-27-14; IC 3-8-2-22; IC 3-9-3-2; IC 3-9-3-3; IC 3-11-3-8; IC 3-11-5-6; IC 3-11-7.5-6; IC 3-14-1-4.

SECTION 476. THE FOLLOWING ARE REPEALED [EFFECTIVE JULY 1, 1997]: IC 3-9-7-2; IC 3-9-7-3; IC 3-11.5-1-2; IC 3-11.5-1-2.1; IC 3-11.5-1-3; IC 3-11.5-2-3; IC 3-11.5-2-4.

SECTION 477. IC 6-1.1-30-15 IS REPEALED [EFFECTIVE JULY 2, 1997].

SECTION 478. [EFFECTIVE JULY 1, 1997] **(a) The following rules are voided: 18 IAC 1-1; 18 IAC 1-3.**

(b) The publisher of the Indiana Register shall delete these rules from the Indiana Administrative Code.

(c) This SECTION expires July 2, 1997.

SECTION 479. [EFFECTIVE UPON PASSAGE] **(a) This SECTION applies to a form:**

(1) designated as an Indiana election commission form; and

(2) not designated as obsolete;

according to the records of forms management division of the Indiana public records commission.