



# The Foundation

A monthly publication for Members of the  
BUILDERS ASSOCIATION OF GREATER LAFAYETTE

Volume XIV, Issue 2

February 2012



## Attention: All BAGL Members

Your Officers & Board of Directors will meet at 8:00 AM, Friday, **February 10** at the BAGL office. Board Members are asked to call 423-4347 to **confirm** your attendance, as a quorum is necessary to complete the action items on the agenda.

Any association member is invited to sit in on our meetings. If you have an item for discussion and want to be placed on the agenda, you must contact either the president or the staff 2 days prior to the meeting.

## Builders Association of Greater Lafayette

### Mission Statement

The Builders Association Greater Lafayette is a dynamic organization of home builders and industry professionals, actively promoting the housing industry since 1967.

We are dedicated to:

- Promoting home ownership
- Professional development
- Community involvement
- Government interaction
- Vocational opportunities

## Paul Davis Restoration invites you to lunch to meet our State President



IBA President Will Wright has been invited to speak at the February 14th General membership Luncheon. We're hoping that he'll get to meet as many BAGL members as we can squeeze into the **Paul Davis Restoration** facility at 525 Wabash Avenue.

President Wright is the 60th president of the Indiana Builders Association and is a custom builder in the Carmel area. He started his building career in 1973 and has been responsible for its growth and success which has brought prestige and respect in the Greater Indianapolis area. Will and his wife, Joan have six children, seventeen grandchildren and four great-grandchildren. Accompanying President Wright to our meeting will be Carlie Hopper from the IBA staff who will update us on the activity from the Statehouse. You won't want to miss this important gathering.

**ATTENTION: BUILDERS....CA\$H drawing will be \$400. You'll want to be there if YOUR name is called.**

**Join us on February 14th at Paul Davis Restoration (525 Wabash Ave.) at 11:30 a.m. for a BAGL Lunch Meeting. Bacon-wrapped pork tenderloin with veggies and salad are on the day's menu and the cost will be \$15 per person. We ask that you RSVP no later than 2/10/12 by calling 423-4347 or emailing <bagl@bagl.info>.**

# Meeting & Event Dates for 2012

February 14—GMM Luncheon hosted by Paul Davis Restoration (11:30 am-525 Wabash Ave) IBA President Will Wright will be speaking.

February 25 & 26—Builder Show & EXPO

March 13—GMM sponsored by MCR Excavating at the Best Western

April 10—GMM sponsor needed

May 8—GMM sponsor needed

June 12—GMM sponsor needed

July Parade of Homes



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**Ryan Dietrich**  
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 Ryan.dietrich@oldnational.com  
 Recruited by Deb Plue

We are only two months into 2012 and I have two great reasons to be members or the Builders Association of Greater Lafayette. The 1<sup>st</sup> is we benefit greatly from our collaborative effort whether it be putting on the Parade of Homes, the Builders Show & EXPO, or pooling our talents to challenge something we feel isn't right.

The City of Lafayette's electrical ordinance is a perfect example. Though many of us don't see the need for this ordinance it is well on its way to happening. Without our collaborative efforts 1<sup>st</sup> in 2008 and again last month we would be stuck with something far worse than its current iteration. Last minute changes were made to improve the ordinance in large part I feel to our discussions with the city.

The 2<sup>nd</sup> is the Builders Show & EXPO right around the corner. Greater Lafayette is one

of 40 metro areas in the country with improved home starts, home pricing, and jobs for the last 6 months. This is in large part due to jobs in the area but also great events like the Expo. Last year's Expo was an exciting event in a new venue that led to many new home sales for our members. In our 2<sup>nd</sup> year in this venue I expect a better turnout as folks will know where to find us. We also for the 1<sup>st</sup> time in several years we won't be competing with Purdue basketball for attendees on either day of the show. The unusually warm weather for the early part of January saw more people out looking earlier than usual. Let's hope that weather graces us for the EXPO and in December we look back and can cite the Expo for helping us all to a wonderful 2012.

**Grant Giese**

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**A big, big  
 THANK YOU to  
 Andy Switzer  
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 difference that makes!**



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# NAHB--IBA--BAGL spikes

## Life Spikes:

- Phyllis Courser 32
- Tim Eckert 23
- Mary Ellis 159
- Pat Foley 98.5
- Eric Holt 103.5
- Brain Keene 28.5
- David Kovich 527.5
- Rick Laurie 37
- LeAnn Osborn 39
- Pat Richard 40
- S Schreckengast 164.5
- Kim Thonn 41.5
- Kristy Wozniak 54.5

## Spike Club

- Members:**
- Jay Andrew 10
  - Eric Crowell 6
  - Don Findlay 6
  - Tammy Foley 9
  - Grant Giese 17.5
  - Denise Guy 11.5
  - Doug Klooz 18.5
  - Greg Milakis 6.5
  - Deb Plue 9
  - Becky Taylor 12.5
  - Chad Todd 8.5

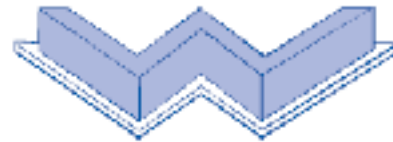
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## OSHA's top 10 most frequently cited standards across all industries in 2011

1. Scaffolding, general requirements (29 CFR 1926.451)
2. Fall protection (29 CFR 1926.501)
3. Hazard communication standard (29 CFR 1910.1200)
4. Respiratory protection (29 CFR 1910.134)
5. Control of hazardous energy (lockout/tagout) (29 CFR 1910.147)
6. Electrical, wiring methods, components and equipment (29 CFR 1910.305)
7. Powered industrial trucks (29 CFR 1910.178)
8. Ladders (29 CFR 1926.1053)
9. Electrical systems design, general requirements (29 CFR 1910.303)
10. Machines, general requirements (29 CFR 1910.212)



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## The many FACES and FACETS to our 2012 Associate Member of the Year, Tim Eckert



*Deb Plue, our 2010 Associate Member of the Year had this to say when she presented the 2011 award.....*

" I am very honored to be presenting this year's Associate Member of the Year award to one very dynamic and energetic member who joined our group only 3 years ago....but what an impact he has made on this organization.

Because his company is a member of several local associations in the state, he travels to many meetings and events with other builder groups, yet he proudly and consistently exclaims to other potential members that BAGL is one of the best associations that he visits regularly. He is BAGL's number one ambassador all over the state of Indiana.

As an IBA Area Vice President and the 2012 Membership Chairman, he has clout when he blows the BAGL horn to other builder associations...his words and prodamation of our greatness carries some weight to the prospective members he steers toward their affiliation with us. He was recently elected to serve as an Associate member on our Board of Directors and he works as a volunteer member for the EXPO, the Membership and the Parade of Homes committees.

This member is an industry '**heavy weight**' because of the business he's in.....local builders know and recognize his attention to details when he is working on their jobs....they know he'll '**pour**' everything into making them one very satisfied customer."

It was then announced that the 2011 Associate Member of the Year was **TIM ECKERT from WEBER CONCRETE CONSTRUCTION.**



**BAGL Committees Have Winning Attitudes**  
**Join one of these Teams!**

**Adopt-A Spot, David Kovich** (423-1510) Committee responsible for clean up and maintenance to landscaping for the median at the corner of Union & Erie Streets, fondly known as BAGL Island.

**Builder Show & EXPO 2012, Phyllis Courser** (412-0307) is again heading up this enthusiastic committee to plan, coordinate and execute this major event for members and consumers.

**Calling Committee, Cr. TBA** Committee responsible for contacting members prior to meetings, seminars, programs and events.

**Codes & Government Affairs, Pat Richard** (479-8060) Committee meets as governing issues/ subjects need to be addressed by our members.

**Education, Eric Holt** (404-3441) Committee organizes educational seminars and promotes industry certification and designations for members.

**Golf Outing, Samantha Stratman** (765/457-9137). Committee meets June thru September.

**Programs & Meetings, Stephanie Richeson** (447-9494) & **Andy Haste** (479-1365) Committee meets as needed and is responsible for securing sponsors, along with speakers/programs for all the year's General Membership Meetings.

**Marketing & Public Relations, Tom Andrew** (474-1388) Committee meets as needed to determine the marketing strategy and promotion of this association.

**Membership, Deb Plue & Kristy Wozniak, Co-chrs.** (479-2021) Committee meets as needed to establish membership goals and organize annual recruitment contest, retention strategies.

**Parade of Homes, Tammy Foley** (479-1216) Committee meets monthly beginning in March until July event ends.

**For more information on these Networking opportunities, call the BAGL office, 423-4347 and get involved!**



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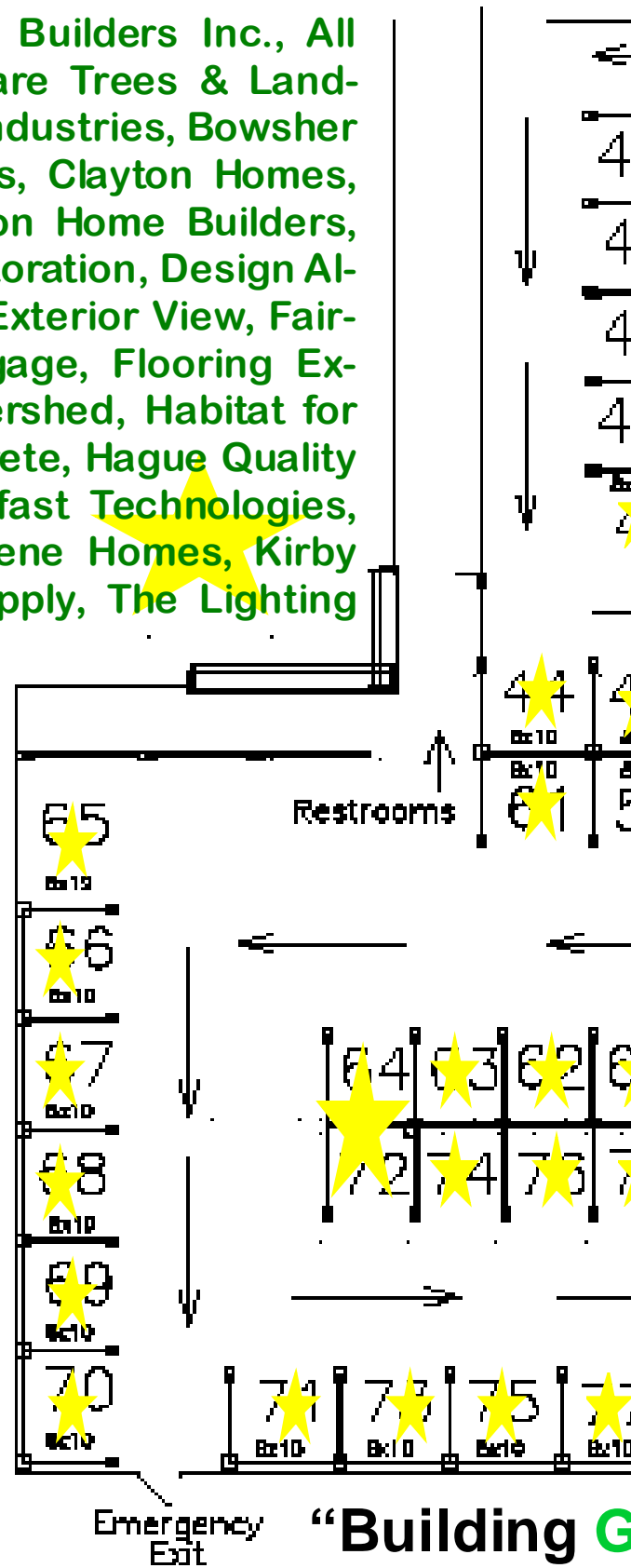
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# Join us at the 2012 Builder Show

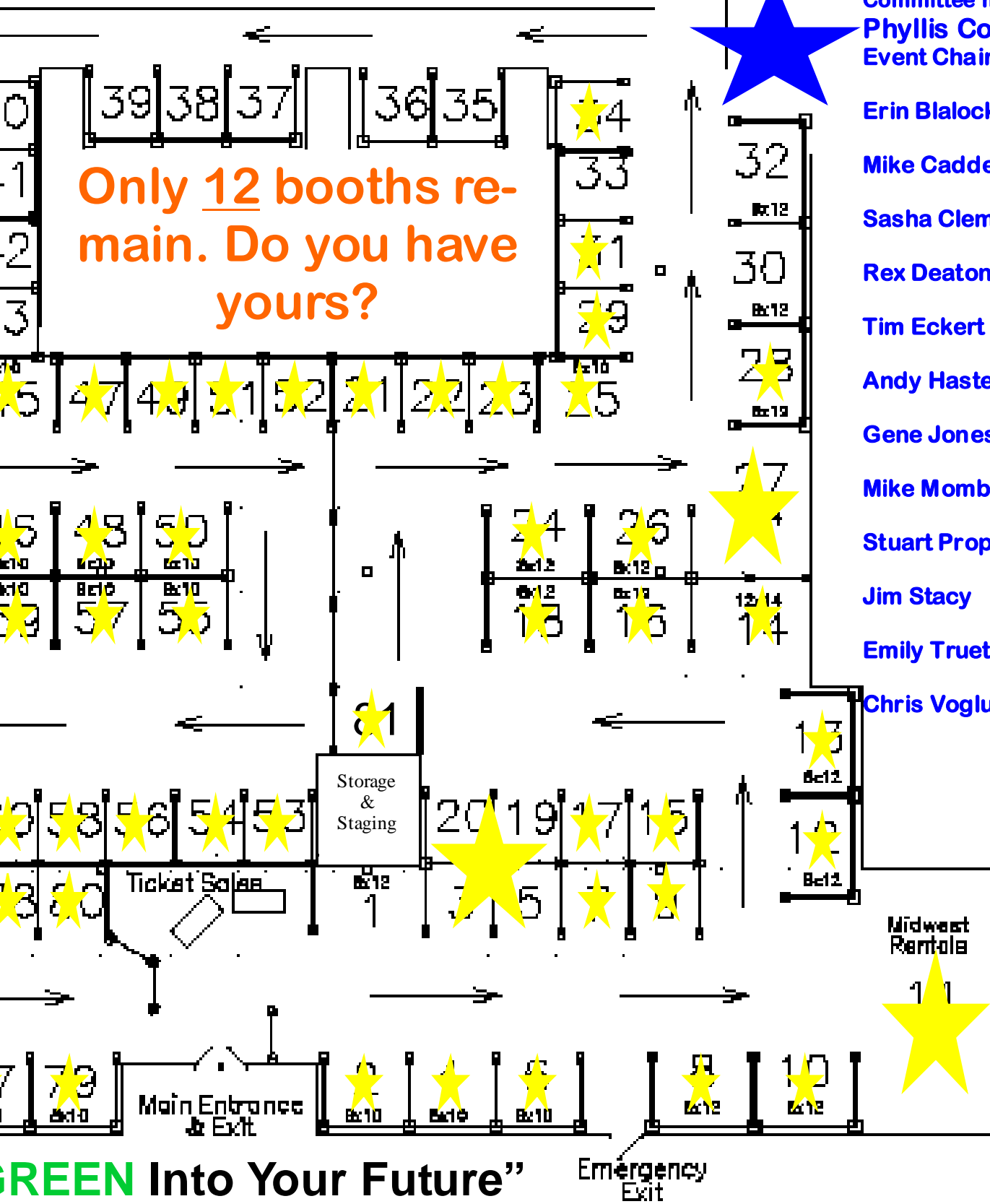
LAST CHANCE FOR A BOOTH

**Exhibitors:** ARKOR, Advanced Builders Inc., All Star Electronic Security, Arbor Care Trees & Landscaping, Artisan Electric, Bollock Industries, Bowsher Heating & Cooling, Citation Homes, Clayton Homes, Consolidated Insurance, Cornerston Home Builders, Crown Line Homes, Paul Davis Restoration, Design Alternatives, Enviro-Seal Insulation, Exterior View, Fairmount Door, First Republic Mortgage, Flooring Express, Green Goose Homes, Guttershed, Habitat for Humanity, Hamilton Creative Concrete, Hague Quality Water, Henry Poor Lumber, Holdfast Technologies, Huston Electric, J L Builders, Keene Homes, Kirby Risk Supply, Komark Ltd, Lee Supply, The Lighting

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# how & EXPO-February 25-26



Committee members:  
**Phyllis Courser,**  
 Event Chairperson

**Erin Blalock**

**Mike Caddell**

**Sasha Clements**

**Rex Deaton**

**Tim Eckert**

**Andy Haste**

**Gene Jones**

**Mike Momberger**

**Stuart Propes**

**Jim Stacy**

**Emily Truett**

**Chris Voglund**

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## Indiana Builders Association Regulatory & Legislative Report

### TAKE ACTION NOW ON RIGHT-TO-WORK

Right-to-work legislation was approved by a House Committee this week and it will be heard on the floor next week. The House will consider amendments on Tuesday and a final vote could happen on Wednesday. Please contact your state legislators to make sure they know you support the right-to-work and ask that they support it as well.

Unions have spent a lot of money and made thousands of phone calls in an attempt to pressure legislators into opposing the legislation. Our organization feels that this law, if enacted, would increase employment opportunities across the state and thus leading to the need for new housing.

Below is a schedule of Town Hall meetings being held on Saturday January 14. It would be helpful for IBA's membership to attend and vocalize support for the legislation as it is currently written. If you cannot make these meetings, please visit <http://www.votervoice.net/Groups/INBA/Advocacy/?IssueID=26997&SiteID=-1> to ask your state legislators to support right-to-work legislation as it is currently written.

A right-to-work law simply protects employees from being required to join and/or pay dues to a labor union as a condition of getting or keeping a job. It would prohibit the inclusion of "union security" provisions in labor contracts that force workers to join a labor union. A right-to-work law does not prohibit labor unions or collective bargaining. Workers would still have the right to join or support a labor union, only now it would be his or her decision to make. For more information on right-to-work, go to <http://www.moreindianajobs.com/>.

### NEWS

#### FEBRUARY 27-28 IBA'S LEGISLATIVE DAY, ENERGY CODE TRAINING, AND BOARD SESSION

Indiana Builders Association will host its annual Legislative Day and Board of Directors session on February 27-28, 2012 in downtown Indianapolis. Below is a snapshot of each day's events. Complete details and a registration form are available at <http://buildindiana.org/pdf/LegConf&BoardNotice-Feb2012.pdf>. Please register by calling Heather at (800) 377-6334 ext. 207, emailing [Heather@BuildIndiana.org](mailto:Heather@BuildIndiana.org), or by faxing the registration form to 317-917-0335. Special thanks to sponsors Marvin Windows and Doors and SuperFleet Association Fueling Program. If you are interested in sponsoring an event or program, please contact IBA at (800) 377-6334.

- February 27 Meet face-to-face with your legislators at the Legislative Briefing and Lunch. Grassroots political action is critical to the continued success of IBA's governmental affairs activities and your participation at this event is imperative. The briefing will be held at the Sheraton Indianapolis City Centre and the lunch will be held at the Statehouse. The cost to attend is \$20.

Residential Energy Code Training will also be offered on February 27 following the legislative activities. The new energy efficiency requirements will be effective April 5. IBA urges its members to participate in training. The training will be held at the Sheraton Indianapolis City Centre. The cost to attend is \$30.

- February 28-Committee and Board of Directors meetings will be held on

February 28 at the Sheraton Indianapolis City Centre. All members are encouraged to attend and the cost for the Board meeting lunch is \$20.

### LEGISLATIVE

#### HOUSE DEMOCRATS RETURN TO WORK, BOYCOTT AFTER COMMITTEE APPROVES BILL

Members of the Indiana House of Representatives Democrat caucus resumed work on Monday but did not show-up Tuesday after the House Labor Committee approved the bill 8-5 earlier that morning. House members were present again Wednesday through today.

#### AG ASKS STATE SUPREME COURT TO HEAR SOS DISPUTE

Indiana Attorney General Greg Zoeller asked the state Supreme Court this week to determine whether Secretary of State Charlie White can remain in office. Zoeller says he wants the state's highest court to settle the dispute which has been ongoing for the past year "with certainty and finality."

#### SENATOR WANTS TO REVISE AUTOMATIC TAX REFUND

Senate Appropriations Committee Chairman Luke Kenley (R-Noblesville) wants to revise the automatic tax refund that was approved during last year's session which is triggered once the state has an amount equal to 10% of its planned spending. Kenley believes the state should hold more money in reserves before refunding the money to tax payers. Governor Mitch Daniels proposed the automatic refund and announced late last year that based on budget cuts and tax collections each tax payer could receive an additional \$50 back.

### LEGISLATION OF INTEREST

*The deadline to file legislation for the 2012 legislative session has passed and bills are still going online for public viewing. Please contact the IBA Governmental Affairs Team with any questions or comments on legislation listed below.*

House Bill 1002 Eliminate commissions, boards, and committees (Wolkins R-Winona Lake)

Reenacts the public officers compensation advisory commission that was repealed in 2011. Decreases the membership of the Indiana war memorials commission from ten to nine members with one member from each congressional district. Sets December 31, 2013, as the termination date for the Indiana stadium and convention building authority and transfers powers, duties, and liabilities of the authority to the Indiana finance authority. Consolidates duplicative reporting required for the Indiana economic development corporation (IEDC). Repeals the electronic digital signature act. Consolidates reporting requirements imposed on the IEDC for various programs administered by the IEDC into the state economic incentives and compliance report. Repeals the chapter requiring the IEDC to study the steel industry and provide expertise to public officials regarding the steel industry.

<http://www.in.gov/legislative/bills/2012/PDF/IN/IN1002.1.pdf>

House Bill 1102 Real estate brokers (Davis R-Portland)

Provides for the licensure of real estate brokers and managing real estate brokers. Eliminates the license for real estate salesperson and the certification for principal real estate brokers. Provides that licenses issued under this article are issued for three years. (Currently licenses are issued for two years.) Revises continuing education requirements. Makes conforming changes.

<http://www.in.gov/legislative/bills/2012/PDF/IN/IN1102.1.pdf>



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House Bill 1111 Historic preservation tax credit (Clere R-New Albany)

Provides that the historic rehabilitation income tax credit may be assigned. Specifies that other than the permission to assign tax credits, the amendments to the credit apply to tax credits awarded for taxable years beginning after December 31, 2012. Provides that the credit applies to the preservation or rehabilitation of historic properties that have been vacant for at least one year. Establishes three new methodologies for determining the amount of the tax credit. (Current law provides that the credit equals 20% of the taxpayer's qualified expenses.) Provides that a property's adjusted basis is not reduced by the amount of the credit if a person is entitled to a federal low income housing credit. Provides that a project may not receive more than 20% of the annual statewide cap on the credit. Increases the minimum amount of expenditures to qualify for the credit from \$10,000 to \$25,000. Phases in increases to the annual statewide cap on the credit until the cap is \$10,000,000. Requires the division of historic preservation and archeology of the department of natural resources (division) to reserve 20% of the available credit for projects for which the approved qualified expenditures do not exceed \$250,000. Provides that the division may collect a fee of 2.5% of qualified expenses for projects with more than \$1,000,000 in qualified expenses. Establishes the historic rehabilitation credit fund for the deposit of the fee. Reverts the fund's balance exceeding \$1,000,000 to the state general fund at the end of a state fiscal year. Specifies that the division's power to adopt rules includes emergency rules. Voids a rule providing that the maximum amount of credits for a particular project is \$100,000. Prohibits the division from reallocating available tax credits from year to year. <http://www.in.gov/legislative/bills/2012/PDF/IN/IN1111.1.pdf>

The bill was heard in the House Ways and Means Committee this week and IBA staff provided testimony in support of expanding the program.

House Bill 1117 Regional water, sewage, or waste districts (Wolkins R-Winona Lake)

Requires notice and a hearing before a petition may be filed to establish a regional water, sewage, or solid waste district (district). Establishes requirements for appointment to the board of trustees of a district. Authorizes a property owner to apply for two 5-year extensions to an exemption from connecting to a district's sewer system. Provides that a district may not require a property owner to connect to the district's sewer under certain conditions. Establishes a procedure by which a ratepayer may object to initial rates and charges established by a district. Requires a local health department to notify an applicant for a residential septic system permit of the existence of a district. Provides that a homeowner may include in a residential sales disclosure form information relating to a district. <http://www.in.gov/legislative/bills/2012/PDF/IN/IN1117.1.pdf>

House Bill 1126 Extraterritorial water and sewer rates (Frizzell R-Indianapolis)

Provides that: (1) a municipality that operates a water, wastewater, or combined water and wastewater utility; or (2) users of the utility's works whose property is located outside the corporate boundaries of the municipality; may petition the utility regulatory commission (IURC) under certain circumstances for review and revision of the rates and charges imposed on the users. Requires the IURC to prescribe the form and content of the petition. Provides that a petition is considered approved if the IURC does not approve or disapprove the petition within 120 days. Authorizes the IURC to adopt rules.

<http://www.in.gov/legislative/bills/2012/PDF/IN/IN1126.1.pdf>

House Bill 1141 Home energy assistance (Welch D-Bloomington)

Establishes the connection assistance fund to pay utility deposits and connection fees charged to households eligible to acquire home energy through the low income home energy assistance

program (LIHEAP). Restores the sales tax exemption that expired in 2009 for home energy acquired through LIHEAP. Requires the treasurer of state to transfer money attributable to a utility deposit or refund that remains unclaimed after 25 years to the connection assistance fund. Makes appropriations.

<http://www.in.gov/legislative/bills/2012/PDF/IN/IN1141.1.pdf>

House Bill 1178 Various IOSHA matters (Ellspemann R-Ferdinand)

Provides that when an employee believes that a workplace violation of safety or health standards exists, the name of the complainant and any identifying information and the name and identifying information of other individual employees may be nondisclosable and confidential for purposes of public records law. Provides that neither the commissioner of the department of labor (department) nor any employee or former employee of the department is subject to subpoena for purposes of inquiry into any occupational safety and health inspection, except in enforcement proceedings brought under the Indiana Occupational Safety and Health Act. Provides that the annual tax imposed to finance the safety and health consultation services for the INsafe division of the department is due and payable on or before May 1 of each year when the tax is imposed. (Current law provides that the tax is due and payable on or before April 10 of each year when the tax is imposed.) Makes technical corrections.

<http://www.in.gov/legislative/bills/2012/PDF/IN/IN1173.1.pdf>

House Bill 1180 Soil and septic system education and research (Kersey D-Terre Haute)

Establishes the soil and septic system education and research council (council). Requires the dean of agriculture of Purdue University to establish and administer a soil and septic system education and research program. Establishes the soil and septic system education and research fund (fund). Provides that the council shall recommend expenditures from the fund for the soil and septic system education and research program. Requires the board of each county health department (and the Marion County health and

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hospital corporation) to impose a fee of \$25 on each permit issued by the county health department or the county for the operation, installation, construction, repair, or replacement of a septic system. Requires 80% of the fees to be paid to the treasurer of state for distribution to the fund and 20% of the fees to be placed into the county health fund for education and outreach activities related to soils and septic systems.

<http://www.in.gov/legislative/bills/2012/PDF/IN/IN1180.1.pdf>

House Bill 1199 Inheritance tax (Turner R-Cicero)

Provides for a phase-out of the inheritance tax.

<http://www.in.gov/legislative/bills/2012/PDF/IN/IN1199.1.pdf>

House Bill 1225 Septic tanks and sewer systems (Lehman R-Berne)

Provides that a not-for-profit sewer utility (sewer utility) may require a property owner to discontinue use of a sewage disposal system and connect to the sewer utility's sewer system only if the sewage disposal system is failing. (Under current law, a property owner is exempt from connecting to a sewer system if the source of the sewage is more than 500 feet from the connection point.) Requires the sewer utility to give the property owner 180 days to repair or replace the sewage disposal system. Provides that the governing board of a sewer utility or a regional sewage district (district) must be elected. Provides for the transition from an appointed to an elected governing board. Provides that a district may require a property owner to discontinue use of a sewage disposal system and connect to the district's sewer system only if the sewage disposal system is failing. (Under current law, a property owner is exempt from connecting to a sewer system if the property owner's septic tank soil absorption system is less than ten years old and satisfies other conditions.) Requires the district to give the property owner 180 days to repair or replace the sewage disposal system. Permits a property owner who connects to a sewer system to provide labor and materials to accomplish the connection. Provides that a district board may consider the need for a minimum service charge, rather than a flat connection charge, when determining rates and charges. Authorizes a board to exercise reasonable discretion in temporarily adjusting fees to reflect a user's nonuse of water, sewer, or solid waste services. Provides that a board may bill and collect rates and charges only for services actually provided. Requires a health officer to verify the existence of unlawful conditions that transmit, generate, or promote disease before ordering their abatement. Provides that a person who provides false information to a health officer commits a Class B misdemeanor. Specifies certain systems appurtenant to private residences to which a county ordinance imposing building standards does not apply. Makes technical corrections.

<http://www.in.gov/legislative/bills/2012/PDF/IN/IN1225.1.pdf>

House Bill 1236 Inheritance tax (VanNatter R-Kokomo)

Phases out the inheritance tax beginning July 1, 2013, by giving an increasing credit against the inheritance tax due. Provides that the inheritance tax does not apply to the transfer of property interests by a decedent whose death occurs after June 30, 2018. Phases out payments of the inheritance tax replacement amount to counties over a period between 2013 and 2018. Provides that the estate tax and generation skipping transfer tax do not apply after June 30, 2018. Makes technical corrections.

<http://www.in.gov/legislative/bills/2012/PDF/IN/IN1236.1.pdf>

House Bill 1237 Home improvement contracts (VanNatter R-Kokomo)

Amends the statute governing home improvement contracts to specify that "home improvement" includes work performed on a roof system. Defines "insured consumer" for purposes of the statute. Provides that before entering into a home improvement contract for a home improvement that is or may be covered by a personal line property and casualty insurance policy, a home improvement supplier must furnish the insured consumer: (1) a statement of the consumer's right to cancel the contract under the statute; and (2) a cancellation form that may be used by the consumer to cancel the contract. Provides that a home improvement supplier shall not advertise, offer, or promise to pay or rebate any part of an insurance deductible to induce a person to enter into a home improvement contract or otherwise purchase goods or services from the home improvement supplier. Provides that an insured consumer who enters into a home improvement contract may cancel the contract before midnight on the third business day after the insured consumer receives written notice from the insurance company that any part of the claim or contract is not a covered loss. Provides that within

10 days after a contract is cancelled, the home improvement supplier shall tender to the insured consumer: (1) any payment or deposit made by the insured consumer; and (2) any note or other evidence of indebtedness of the insured consumer. Provides that the home improvement supplier is entitled to the reasonable value of any emergency or other services actually performed. Prohibits a home improvement supplier from representing or negotiating on behalf of an insured consumer (or offering or advertising to do so) in connection with an insurance claim concerning any home improvement.

<http://www.in.gov/legislative/bills/2012/PDF/IN/IN1237.1.pdf>

House Bill 1238 Finding of abandonment for residential property (Burton R-Indianapolis)

Specifies that for purposes of the statute governing foreclosure prevention agreements for residential mortgages, the statute: (1) applies to a mortgage made with respect to a dwelling that is occupied by the debtor as the principal residence of the debtor; and (2) does not apply to a mortgage made with respect to a dwelling that is purchased by the debtor as a second home or a vacation home and is not occupied by the debtor as the debtor's principal residence. Provides a procedure that allows: (1) a creditor in a residential mortgage; or (2) an enforcement authority with jurisdiction in the location of the mortgaged property; to petition the court having jurisdiction over an existing or a potential mortgage foreclosure action to find that the mortgaged property is abandoned. Provides that the creditor or enforcement authority may petition the court for a determination of abandonment: (1) in connection with an existing foreclosure action; or (2) before any foreclosure action is filed; by filing a complaint or a motion with the court, as appropriate. Specifies that if: (1) a petition is filed outside an existing foreclosure action; or (2) a petition is filed at the same time a foreclosure action is filed; the petitioner must include a notice containing certain information about the requested abandonment determination on the first page of the summons that is served on the debtor in conjunction with the complaint. Requires the housing and community development authority (authority), in consultation with the division of state court administration, to prescribe, not later than June 1, 2012, language for the notice required to be included on the first page of the summons that is served on the debtor. Provides that upon receiving a petition for a determination of abandonment, the court shall issue an order to show cause as to why the property should or should not be found to be abandoned and to direct the appropriate parties to appear before the court on a date and time specified in the order. Provides that a party subject to the order has the right to: (1) present oral or written evidence or objections on the issue of abandonment to the court; and (2) be represented by an attorney when appearing before the court. Provides that the court shall hold a hearing on the issue of abandonment on the specified appearance date, subject to the court's right to cancel the hearing if the court: (1) receives a request for a settlement conference by the debtor before the specified appearance date; or (2) finds that a hearing would be of limited value based on written evidence or objections received by the court before the appearance date. Provides that after considering all evidence and objections presented on the issue of abandonment, the court shall issue an order finding that the mortgaged property is abandoned if the court determines that certain conditions apply with respect to the mortgaged property. Provides that either or both of the following constitute conclusive evidence that the mortgaged property is abandoned: (1) Failure by the debtor to present evidence or objections on the issue of abandonment or to appear before the court on the specified appearance date. (2) The existence of one or more written statements, including documents of conveyance, that are executed by the debtor and indicate a clear intent to abandon the property. Changes cross references. Makes technical changes.

<http://www.in.gov/legislative/bills/2012/PDF/IN/IN1238.1.pdf>

House Bill 1243 Complete streets guidelines (Dembowski D-Knox)

Requires the Indiana department of transportation (INDOT) to do the following: (1) Adopt guidelines for INDOT projects regarding street design that enables safe, comfortable, and convenient access for all users (complete streets guidelines). (2) Include a requirement to comply with complete streets guidelines in INDOT contracts entered into after December 31, 2012. (3) Include complete streets guidelines in INDOT's approved design manual (manual). (4) Report to the general assembly on INDOT's progress

in incorporating complete streets guidelines into INDOT's manual and projects.

<http://www.in.gov/legislative/bills/2012/PDF/IN/IN1243.1.pdf>

House Bill 1261 County recorders (Heuer R-Columbia City)

Requires the county auditor to record a copy of a certificate of sale within 30 days after a tax sale. Allows the county auditor to charge a fee of \$25, to be collected from the proceeds of the tax sale, for the cost of recording a certificate of sale. Provides that the notice of a tax sale or sale of a certificate of sale required to obtain a tax deed must include the instrument number of the certificate of sale and the date the certificate was recorded. Increases from \$2 per page to \$5 per page the fee for providing copies of records on paper larger than legal size. Provides the following: (1) Establishes inclusive fees for recording mortgages, deeds, assignments, affidavits, satisfactions, releases, and tax sale certificates. (2) Requires that after certain fees are deducted, the remainder of the fees collected for recording these documents must be deposited in the recorder's records perpetuation fund. Provides that the county identification security protection fee for recording a document is included in the fee charged for recording a mortgage, deed, assignment, affidavit, satisfaction, release, or tax sale certificate. Provides that with regard to recording a nonconforming document: (1) requires (rather than allows) the recorder to attach additional pages as needed; and (2) requires the recorder to collect an additional \$25 fee for the entire document (instead of an additional fee of \$1 for each nonconforming page). Maintains the following requirements: (1) \$5 of each deed recording fee is deposited in the surveyor's corner perpetuation fund. (2) \$2.50 of each mortgage recording fee is deposited in the state general fund and the homeowner protection unit account. Provides that a county ordinance adopted before, on, or after July 1, 2012, that authorizes the collection of a fee on each document recorded, a part of which is deposited into the county's affordable housing fund or housing trust fund, authorizes the county recorder to charge the fee as part of the fee collected for each mortgage, deed, assignment, affidavit, satisfaction, release, or tax sale certificate recorded. Provides that for purposes of recording, a document should conform to the standards set forth in statute, but may not be rejected unless the document is considered to be illegible by the county recorder or is incapable of being archived.

<http://www.in.gov/legislative/bills/2012/PDF/IN/IN1261.1.pdf>

House Bill 1262 Municipal drainage and utilities (Morris R-Fort Wayne)

Provides that a municipality may acquire exclusive authority over storm water collection and disposal systems within its jurisdictional boundaries through the adoption of an ordinance. Requires a municipality to provide advance notice of the meeting at which the final vote on the ordinance will be taken to: (1) owners of lots and parcels within the municipality who are subject to storm water user fees; and (2) certain boards. Provides that a municipality adopting an ordinance is liable for outstanding bonds issued and indebtedness incurred on the storm water collection and disposal systems located within its jurisdictional boundaries over which it is acquiring exclusive authority. Requires a municipality acquiring exclusive authority to pay any amounts related to outstanding unpaid bonds and obligations until the indebtedness is fully paid. Requires a political subdivision ceding authority over storm water collection and disposal systems to transfer to the municipality acquiring the authority any unencumbered balances accrued before the effective date of the ordinance. Provides a municipality acquiring authority over the systems with the same duties, right of entry, and right-of-way powers upon private land that are given to county surveyors. Excludes a municipality establishing exclusive authority over storm water collection and disposal systems from certain drainage laws. Requires the drainage board of a county to relinquish jurisdiction over ditches and drains located in a municipality that is acquiring exclusive authority over storm water collection and disposal systems within the municipality.

<http://www.in.gov/legislative/bills/2012/PDF/IN/IN1262.1.pdf>

House Bill 1296 Employee's right to work (McClain R-Logansport)

Makes it a Class A misdemeanor to require an individual to: (1) become or remain a member of a labor organization; (2) pay dues, fees, or other charges to a labor organization; or (3) pay to a charity or another third

party an amount that represents dues, fees, or other charges required of members of a labor organization; as a condition of employment or continuation of employment. Establishes a separate private right of action for violations or threatened violations. Provides that the statute does not apply to federal employees, employees subject to certain federal laws, certain employees over whom the federal government has jurisdiction, state employees, and employees of a political subdivision. Provides that the statute does not apply to the extent it is in conflict with or preempted by federal law. Provides that the statute applies only if the voters of Indiana approve a public question. Requires a public question to be placed on the 2012 general election ballot asking the voters of Indiana whether it should be unlawful for an employer to require an individual to become or remain a member of a labor organization or pay dues, fees, assessments, or other charges of any kind or amount to a labor organization as a condition of employment or continuation of employment.

<http://www.in.gov/legislative/bills/2012/PDF/IN/IN1296.1.pdf>

<http://www.in.gov/legislative/bills/2012/PDF/IN/IN1332.1.pdf>

House Bill 1349 Drainage boards (Dodge R-Pleasant Lake)

Provides that for purposes of the drainage law, a mutual drain or a private drain may be a natural surface watercourse. Requires that a drainage board of a county (board) must include every tract of land within a watershed affected by a drain that is constructed, reconstructed, or maintained when the board determines benefits or damages attributed to the drain. Provides that a board may use all or part of certain interest generated instead of fees to fund the services provided by the board.

<http://www.in.gov/legislative/bills/2012/PDF/IN/IN1349.1.pdf>

Senate Bill 226 School corporation financial management (Miller R-Indianapolis)

Requires a school corporation that has provided school bus service to students to continue the bus service unless the department of education grants the school corporation a waiver. Requires the state school bus committee to adopt rules that permit paid advertisements on buses. Establishes the financially distressed school corporation appeals board to evaluate and authorize emergency relief to school corporations that the board determines are unable to carry out their public education responsibilities. Establishes the distressed school fund. Permits a loan or advance from the counter-cyclical revenue and economic stabilization fund, the distressed school fund, or the common school fund to a distressed school corporation. Permits money in a school general fund to be used, in addition to any money in a school transportation fund, to pay costs attributable to transportation. Permits a loan from the common school fund for costs attributable to transportation.

<http://www.in.gov/legislative/bills/2012/PDF/IN/IN0226.1.pdf>

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