

February 17, 1998

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# ENGROSSED HOUSE BILL No. 1028

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DIGEST OF HB1028 (Updated February 11, 1998 4:26 pm - DI 87)

**Citations Affected:** IC 8-1.5-5-4.

**Synopsis:** Storm water management board of directors. Provides that a second class city with a department of public sanitation may appoint the members of the board of sanitary commissioners as the board of directors of the department of storm water management.

**Effective:** July 1, 1998.

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**Bodiker**

(SENATE SPONSOR — PAUL)

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January 6, 1998, read first time and referred to Committee on Local Government.  
January 14, 1998, reported — Do Pass.  
January 20, 1998, read second time, ordered engrossed. Engrossed.  
January 21, 1998, read third time, passed. Yeas 95, nays 0.

SENATE ACTION

January 30, 1998, read first time and referred to Committee on Governmental and Regulatory Affairs.  
February 16, 1998, reported favorably — Do Pass.

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EH 1028—LS 6277/DI 87+



February 17, 1998

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

## ENGROSSED HOUSE BILL No. 1028

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

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

- 1 SECTION 1. IC 8-1.5-5-4 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 4. (a) This section  
3 applies to all municipalities except a consolidated city.  
4 (b) If the legislative body of a municipality adopts the provisions of  
5 this chapter by ordinance, a department of storm water management is  
6 established and is controlled by a board of directors.  
7 (c) **Except as provided in subsection (f)**, the board consists of  
8 three (3) directors. The executive of the municipality shall appoint the  
9 directors, not more than two (2) of whom may be of the same political  
10 party.  
11 (d) **Except as provided in subsection (f)**, the legislative body shall  
12 prescribe, by ordinance, the terms of the directors. However, the  
13 legislative body must prescribe the initial terms of the directors so that  
14 they will be staggered.  
15 (e) The executive may remove a director at any time when, in the  
16 judgment of the executive, it is for the best interest of the department.

**EH 1028—LS 6277/DI 87+**



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1           **(f) If a second class city has a department of public sanitation**  
2           **under IC 36-9-25, the executive of the city may appoint the**  
3           **members of the board of sanitary commissioners as the board of**  
4           **directors of the department of storm water management. The**  
5           **terms of the members of the board of directors are the same as the**  
6           **terms of the members of the board of sanitary commissioners**  
7           **under IC 36-9-25-4.**

8           **(g) A member of the board of directors of the department of**  
9           **storm water management appointed under subsection (f) is not**  
10          **entitled to a salary for serving as a member of the board of**  
11          **directors of the department of storm water management. However,**  
12          **a member shall be reimbursed for necessary expenses incurred by**  
13          **the member in the performance of official duties.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1028, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

STEVENSON, Chair

Committee Vote: yeas 13, nays 0.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Governmental and Regulatory Affairs, to which was referred House Bill 1028, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to House Bill 1028 as printed January 15, 1998.)

MERRITT, Chairperson

Committee Vote: Yeas 6, Nays 0.

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