

Adopted Rejected

COMMITTEE REPORT

YES:	14
NO:	0

MR. SPEAKER:

*Your Committee on Local Government, to which was referred House Bill 1034, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 5-11-10-1, AS AMENDED BY P.L.45-1997,
- 4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 5 JULY 1, 1998]: Sec. 1. (a) This section applies to the state and its
- 6 political subdivisions. However, this section does not apply to the
- 7 following:
- 8 (1) The state universities.
- 9 (2) Ivy Tech State College.
- 10 (3) A municipality (as defined in IC 36-1-2-11).
- 11 (4) A county.
- 12 (5) An airport authority operating in a consolidated city.
- 13 (6) A capital improvements board of managers operating in a
- 14 consolidated city.
- 15 (7) A board of directors of a public transportation corporation
- 16 operating in a consolidated city.

- 1 (8) A municipal corporation organized under IC 16-22-8-6.
 2 (9) A public library.
 3 (10) A library services authority.
 4 (11) A hospital organized under IC 16-22 or a hospital organized
 5 under IC 16-23.
 6 (12) A school corporation (as defined in IC 36-1-2-17).
 7 (13) A regional water or sewer district organized under IC 13-26
 8 or under IC 13-3-2 (before its repeal).
 9 (14) A municipally owned utility (as defined in IC 8-1-2-1).
 10 (15) A board of an airport authority under IC 8-22-3.
 11 (16) A conservancy district.
 12 (17) A board of aviation commissioners under IC 8-22-2.
 13 (18) A public transportation corporation under IC 36-9-4.
 14 (19) A commuter transportation district under IC 8-5-15.
 15 (20) A solid waste management district established under
 16 IC 13-21 or IC 13-9.5 (before its repeal).
 17 **(21) A levee authority established under IC 14-27-6.**
 18 (b) No warrant or check shall be drawn by a disbursing officer in
 19 payment of any claim unless the same has been fully itemized and its
 20 correctness properly certified to by the claimant or some authorized
 21 person in the claimant's behalf, and filed and allowed as provided by
 22 law.
 23 (c) The certificate provided for in subsection (b) is not required
 24 for:
 25 (1) claims rendered by a public utility for electric, gas, steam,
 26 water, or telephone services, the charges for which are regulated
 27 by a governmental body;
 28 (2) a warrant issued by the auditor of state under IC 4-13-2-7(b);
 29 (3) a check issued by a special disbursing officer under
 30 IC 4-13-2-20(g); or
 31 (4) a payment of fees under IC 36-7-11.2-49(b) or
 32 IC 36-7-11.3-43(b).
 33 (d) The disbursing officer shall issue checks or warrants for all
 34 claims which meet all of the requirements of this section. The
 35 disbursing officer does not incur personal liability for disbursements:
 36 (1) processed in accordance with this section; and
 37 (2) for which funds are appropriated and available.
 38 (e) The certificate provided for in subsection (b) must be in the

1 following form:

2 I hereby certify that the foregoing account is just and correct,
3 that the amount claimed is legally due, after allowing all just
4 credits, and that no part of the same has been paid.

5 SECTION 2. IC 5-11-10-1.6, AS AMENDED BY
6 P.L.253-1997(ss), SECTION 3, IS AMENDED TO READ AS
7 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 1.6. (a) As used in this
8 section, "governmental entity" refers to any of the following:

- 9 (1) A municipality (as defined in IC 36-1-2-11).
- 10 (2) A school corporation (as defined in IC 36-1-2-17).
- 11 (3) A county.
- 12 (4) A regional water or sewer district organized under IC 13-26
13 or under IC 13-3-2 (before its repeal).
- 14 (5) A municipally owned utility that is subject to IC 8-1.5-3 or
15 IC 8-1.5-4.
- 16 (6) A board of an airport authority under IC 8-22-3.
- 17 (7) A board of aviation commissioners under IC 8-22-2.
- 18 (8) A conservancy district.
- 19 (9) A public transportation corporation under IC 36-9-4.
- 20 (10) A commuter transportation district under IC 8-5-15.
- 21 (11) The state.
- 22 (12) A solid waste management district established under
23 IC 13-21 or IC 13-9.5 (before its repeal).

24 **(13) A levee authority established under IC 14-27-6.**

25 (b) As used in this section, "claim" means a bill or an invoice
26 submitted to a governmental entity for goods or services.

27 (c) The fiscal officer of a governmental entity may not draw a
28 warrant or check for payment of a claim unless:

- 29 (1) there is a fully itemized invoice or bill for the claim;
- 30 (2) the invoice or bill is approved by the officer or person
31 receiving the goods and services;
- 32 (3) the invoice or bill is filed with the governmental entity's
33 fiscal officer;
- 34 (4) the fiscal officer audits and certifies before payment that the
35 invoice or bill is true and correct; and
- 36 (5) payment of the claim is allowed by the governmental entity's
37 legislative body or the board or official having jurisdiction over
38 allowance of payment of the claim.

1 This subsection does not prohibit a school corporation, with prior
 2 approval of the board having jurisdiction over allowance of payment of
 3 the claim, from making payment in advance of receipt of services as
 4 allowed by guidelines developed under IC 20-10.1-25-3.

5 (d) The fiscal officer of a governmental entity shall issue checks
 6 or warrants for claims by the governmental entity that meet all of the
 7 requirements of this section. The fiscal officer does not incur personal
 8 liability for disbursements:

- 9 (1) processed in accordance with this section; and
- 10 (2) for which funds are appropriated and available.

11 (e) The certification provided for in subsection (c)(4) must be on
 12 a form prescribed by the state board of accounts."

13 Page 3, line 10, delete ":".

14 Page 3, line 10, reset in roman "fiscal body".

15 Page 3, line 10, after "body" insert "**of the unit the official**
 16 **represents.**".

17 Page 3, delete lines 11 through 14.

18 Page 3, line 17, before "equal" insert "**in an amount**".

19 Page 3, line 17, strike "lodging allowance provided to state".

20 Page 3, strike lines 18 through 19.

21 Page 3, line 20, strike "for state employees in travel status." and
 22 insert "**single room rate.**".

23 Page 3, line 29, strike "per diem" and insert "**lodging**".

24 Page 6, line 1, strike "Two (2)" and insert "**A majority of the**".

25 Page 6, line 2, strike "constitute" and insert "**constitutes**".

26 Page 8, after line 18, begin a new paragraph and insert:

27 "SECTION 9. IC 36-9-12-4 IS AMENDED TO READ AS
 28 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 4. (a) **Except as**
 29 **provided in section 4.1 of this chapter**, a municipality must provide,
 30 by ordinance, that:

31 (1) all license fees collected from parking meters shall be
 32 deposited with the municipal fiscal officer;

33 (2) the fees shall be deposited to the credit of the municipality in
 34 a special fund; and

35 (3) disbursements from the special fund may be made only on
 36 orders of the municipal works board, or board of transportation,
 37 and only for the purposes listed in subsection (b).

38 (b) Disbursements from the special fund may be made only to pay:

- 1 (1) the purchase price, rental fees, and cost of installation of the
- 2 parking meters;
- 3 (2) the cost of maintenance, operation, and repair of the parking
- 4 meters;
- 5 (3) incidental costs and expenses in the operation of the parking
- 6 meters, including the cost of clerks and bookkeeping;
- 7 (4) the cost of traffic signal devices used in the municipality;
- 8 (5) the cost of repairing and maintaining any of the public ways,
- 9 curbs, and sidewalks where the parking meters are in use, and all
- 10 public ways connected with them in the municipality;
- 11 (6) the cost of acquiring, by lease or purchase, suitable land for
- 12 offstreet parking facilities to be operated or leased by the
- 13 municipality;
- 14 (7) the principal and interest on bonds issued to acquire parking
- 15 facilities and devices;
- 16 (8) the cost of improving and maintaining land for parking
- 17 purposes and purchasing, installing, and maintaining parking
- 18 meters on that land; and
- 19 (9) the cost of providing approved school crossing protective
- 20 facilities, including the costs of purchase, maintenance,
- 21 operation, and repair, and all other incidental costs.

22 SECTION 10. IC 36-9-12-4.1 IS ADDED TO THE INDIANA
 23 CODE AS A NEW SECTION TO READ AS FOLLOWS
 24 [EFFECTIVE JULY 1, 1998]: **Sec. 4.1. (a) If in carrying out the**
 25 **purposes of this chapter, a municipality has an operating deficit**
 26 **caused by specified expenditures exceeding revenue dedicated to**
 27 **cover the expenditures, the municipality may provide by ordinance**
 28 **that:**

- 29 (1) license fees collected from parking meters shall be
- 30 deposited with the municipal fiscal officer;
- 31 (2) the municipal fiscal officer shall deposit license fees
- 32 collected from parking meters in the municipality's general
- 33 fund; and
- 34 (3) the specified expenditures shall be disbursed on the order
- 35 of the municipal works board or board of transportation as
- 36 budgeted.

37 (b) License fees deposited in the general fund under this
 38 section may be used only to pay for the items described in section

- 1 **4(b) of this chapter."**
- 2 Renumber all SECTIONS consecutively.
 (Reference is to HB 1034 as introduced.)

and when so amended that said bill do pass.

Representative Stevenson