

SENATE BILL No. 181

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-10-3-4.

Synopsis: Town park board membership. Requires that a member of a town park and recreation board be a resident of the park and recreation district. Permits a person designated by the governing body of a school corporation to serve as an ex officio member of a town park and recreation board if the creating ordinance provides for the appointment of ex officio members.

Effective: July 1, 1998.

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January 6, 1998, read first time and referred to Committee on Governmental and Regulatory Affairs.



Introduced

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.

SENATE BILL No. 181

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

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

1 SECTION 1. IC 36-10-3-4, AS AMENDED BY P.L.2-1995,
2 SECTION 138, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 1998]: Sec. 4. (a) A municipal board consists
4 of four (4) members to be appointed by the executive of the
5 municipality. The members shall be appointed on the basis of their
6 interest in and knowledge of parks and recreation, but no more than
7 two (2) members may be affiliated with the same political party.
8 **Members of a town board must be residents of the district.** In
9 addition, the creating ordinance may provide for one (1) or two (2) ex
10 officio members, those being:
11 (1) a member:
12 (A) of the governing body of the school corporation selected
13 by that body; or
14 (B) **designated by the governing body of the school**
15 **corporation if the board is in a town;**
16 (2) a member of the governing body of the library district selected
17 by that body; or

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- 1 (3) both (1) and (2).
- 2 (b) A county board shall be appointed as follows:
- 3 (1) Two (2) members shall be appointed by the judge of the
- 4 circuit court.
- 5 (2) One (1) member shall be appointed by the county executive.
- 6 (3) Two (2) members shall be appointed by the county fiscal
- 7 body.
- 8 The members appointed under subdivisions (1), (2), and (3) shall be
- 9 appointed on the basis of their interest in and knowledge of parks and
- 10 recreation, but no more than one (1) member appointed under
- 11 subdivisions (1) and (3) may be affiliated with the same political party.
- 12 In a county having at least one (1) first or second class city, the creating
- 13 ordinance must provide for one (1) ex officio board member to be
- 14 appointed by the executive of that city. The member appointed by the
- 15 city executive must be affiliated with a different political party than the
- 16 member appointed by the county executive. However, if a county has
- 17 more than one (1) such city, the executives of those cities shall agree
- 18 on the member. The member serves for a term coterminous with the
- 19 term of the appointing executive or executives.
- 20 (c) Ex officio members have all the rights of regular members,
- 21 including the right to vote. A vacancy in an ex officio position shall be
- 22 filled by the appointing authority.
- 23 (d) Neither a municipal executive nor a member of a county fiscal
- 24 body, county executive, or municipal fiscal body may serve on a board.
- 25 (e) The creating ordinance in any county may provide for:
- 26 (1) the county cooperative extension coordinator;
- 27 (2) the county extension educator; or
- 28 (3) a member of the county extension committee selected by the
- 29 committee;
- 30 to serve as an ex officio member of the county board, in addition to the
- 31 members provided for under subsection (b).
- 32 (f) The creating ordinance in a county having no first or second
- 33 class cities may provide for a member of the county board to be
- 34 selected by the board of supervisors of a soil and water conservation
- 35 district in which a facility of the county board is located. The member
- 36 selected under this subsection is in addition to the members provided
- 37 for under subsections (b) and (e).
- 38 **SECTION 2. [EFFECTIVE JULY 1, 1998] (a) Notwithstanding**
- 39 **IC 36-10-3-4, as amended by this act, a member of a town board**
- 40 **who is not a resident of the district may finish the remainder of the**
- 41 **member's current unexpired term. At the conclusion of the**
- 42 **member's current term, the appointing authority shall appoint a**



1 **member to the town board who meets the requirements of**
2 **IC 36-10-3-4(a), as amended by this act.**
3 **(b) This SECTION expires December 31, 2004.**

