

# SENATE BILL No. 386

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 36-10-9-4.

**Synopsis:** Marion County capital improvement board. Changes the membership of the Marion County capital improvement board.

**Effective:** July 1, 1998.

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January 9, 1998, read first time and referred to Committee on Governmental and Regulatory Affairs.

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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.

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# SENATE BILL No. 386



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 36-10-9-4, AS AMENDED BY P.L.116-1995,  
2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 1998]: Sec. 4. (a) The board is composed of ~~nine (9)~~ **seven (7)**  
4 members ~~Six (6)~~ **appointed in the following manner:**  
5 (1) **Four (4)** members shall be appointed by the executive of the  
6 consolidated city, ~~two (2)~~ **members shall be appointed by the**  
7 **board of commissioners of the county, and one (1) member**  
8 **subject to the approval of:**  
9 (A) **the county chairman of the same political party with**  
10 **which the executive of the consolidated city is affiliated;**  
11 **and**  
12 (B) **the president or minority leader of the legislative body**  
13 **of the consolidated city, whichever is affiliated with the**  
14 **same political party as the executive of the consolidated**  
15 **city.**  
16 (2) **Three (3) members** shall be appointed by the **president or**  
17 **minority leader of the legislative body of the consolidated city,**



1           **whichever is not affiliated with the same political party as the**  
 2           **executive of the consolidated city. Appointments under this**  
 3           **subsection are subject to the approval of the county chairman**  
 4           **of the major political party (as defined in IC 3-5-2-30) other**  
 5           **than the political party with which the executive of the**  
 6           **consolidated city is affiliated.**

7           **The members appointed under subdivision (2) must be appointed**  
 8           from among the members of the legislative body. One (1) of the  
 9           members appointed by the executive must be engaged in the hotel or  
 10          motel business in the county. Not more than ~~four (4)~~ **two (2)** of the  
 11          members appointed by the executive may be affiliated with the same  
 12          political party and not more than ~~one (1) member~~ **two (2) of the**  
 13          **members** appointed by the ~~board of commissioners~~ **president or**  
 14          **minority leader of the legislative body** may be affiliated with the  
 15          same political party.

16          (b) The terms of members are for two (2) years beginning on  
 17          January 15 and until a successor is appointed and qualified. A member  
 18          may be reappointed after the member's term has expired.

19          (c) If a vacancy occurs on the board, the appointing authority shall  
 20          appoint a new member. That member serves for the remainder of the  
 21          vacated term.

22          (d) A board member may be removed for cause by the appointing  
 23          authority who appointed the member.

24          (e) Each member, before entering upon the duties of office, shall  
 25          take and subscribe an oath of office in the usual form. The oath shall  
 26          be endorsed upon the member's certificate of appointment, which shall  
 27          be promptly filed with the records of the board.

28          (f) A member does not receive a salary, but is entitled to  
 29          reimbursement for any expenses necessarily incurred in the  
 30          performance of the member's duties.

31          SECTION 2. [EFFECTIVE JULY 1, 1998] **(a) This SECTION**  
 32          **applies to a capital improvement board established by IC 36-10-9.**

33          **(b) Notwithstanding IC 36-10-9-4, as amended by this act, the**  
 34          **members of the capital improvement board serving on a capital**  
 35          **improvement board on June 30, 1998, continue to serve on the**  
 36          **board until the expiration of their terms of office. When those**  
 37          **terms of office expire, appointments to the board shall be made in**  
 38          **accordance with the following priority:**

39                 **(1) The first three (3) appointments shall be made by the**  
 40                 **president or minority leader of the legislative body of the**  
 41                 **consolidated city, as provided by IC 36-10-9-4(a)(2), as**  
 42                 **amended by this act.**



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1           **(2) The next four (4) appointments shall be made by the**  
2           **executive of the consolidated city, as provided by**  
3           **IC 36-10-9-4(a)(1), as amended by this act.**  
4           **(c) This SECTION expires July 1, 2001.**

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