

# HOUSE BILL No. 1028

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## DIGEST OF INTRODUCED BILL

**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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January 6, 1998, read first time and referred to Committee on Local Government.

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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.

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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 FOLLOWS  
2 [EFFECTIVE JULY 1, 1998]: Sec. 4. (a) This section applies to all  
3 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 three  
8 (3) directors. The executive of the municipality shall appoint the directors,  
9 not more than two (2) of whom may be of the same political party.  
10 (d) **Except as provided in subsection (f)**, the legislative body shall  
11 prescribe, by ordinance, the terms of the directors. However, the  
12 legislative body must prescribe the initial terms of the directors so that  
13 they will be staggered.  
14 (e) The executive may remove a director at any time when, in the  
15 judgment of the executive, it is for the best interest of the department.  
16 (f) **If a second class city has a department of public sanitation**  
17 **under IC 36-9-25, the executive of the city may appoint the members**

1998

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1 of the board of sanitary commissioners as the board of directors of  
2 the department of storm water management. The terms of the  
3 members of the board of directors are the same as the terms of the  
4 members of the board of sanitary commissioners under  
5 IC 36-9-25-4.

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

