

January 30, 1998

SENATE BILL No. 181

DIGEST OF SB0181 (Updated January 28, 1998 6:13 pm - DI 87)

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.

Lanane, Gard

January 6, 1998, read first time and referred to Committee on Governmental and Regulatory Affairs.
January 29, 1998, reported favorably — Do Pass.

SB 181—LS 6726/DI 94



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January 30, 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.

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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(3) both (1) and (2).

(b) A county board shall be appointed as follows:

(1) Two (2) members shall be appointed by the judge of the circuit court.

(2) One (1) member shall be appointed by the county executive.

(3) Two (2) members shall be appointed by the county fiscal body.

The members appointed under subdivisions (1), (2), and (3) shall be appointed on the basis of their interest in and knowledge of parks and recreation, but no more than one (1) member appointed under subdivisions (1) and (3) may be affiliated with the same political party. In a county having at least one (1) first or second class city, the creating ordinance must provide for one (1) ex officio board member to be appointed by the executive of that city. The member appointed by the city executive must be affiliated with a different political party than the member appointed by the county executive. However, if a county has more than one (1) such city, the executives of those cities shall agree on the member. The member serves for a term coterminous with the term of the appointing executive or executives.

(c) Ex officio members have all the rights of regular members, including the right to vote. A vacancy in an ex officio position shall be filled by the appointing authority.

(d) Neither a municipal executive nor a member of a county fiscal body, county executive, or municipal fiscal body may serve on a board.

(e) The creating ordinance in any county may provide for:

(1) the county cooperative extension coordinator;

(2) the county extension educator; or

(3) a member of the county extension committee selected by the committee;

to serve as an ex officio member of the county board, in addition to the members provided for under subsection (b).

(f) The creating ordinance in a county having no first or second class cities may provide for a member of the county board to be selected by the board of supervisors of a soil and water conservation district in which a facility of the county board is located. The member selected under this subsection is in addition to the members provided for under subsections (b) and (e).

SECTION 2. [EFFECTIVE JULY 1, 1998] (a) Notwithstanding IC 36-10-3-4, as amended by this act, a member of a town board who is not a resident of the district may finish the remainder of the member's current unexpired term. At the conclusion of the member's current term, the appointing authority shall appoint a

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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.

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SENATE MOTION

Mr. President: I move that Senator Gard be added as second author
of Senate Bill 181.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Governmental and Regulatory Affairs, to which was referred Senate Bill 181, 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 Senate Bill 181 as introduced.)

GARD, Chairperson

Committee Vote: Yeas 10, Nays 0.

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