

HOUSE BILL No. 1215

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-7-4-208.

Synopsis: Area plan commission membership. Removes the following members from an area plan commission: (1) A school superintendent representative. (2) The county agricultural extension educator. Adds two citizen members appointed by the county executive and the county fiscal body to an area plan commission. Requires an area plan commission to appoint the two new citizen members by October 1, 1999. Requires the two members removed from the commission to serve until the two citizen members are appointed.

Effective: July 1, 1999.

Stilwell

January 11, 1999, read first time and referred to Committee on Local Government.

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First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

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HOUSE BILL No. 1215



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 36-7-4-208 IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 208. (a) ADVISORY.
- 3 The county plan commission consists of nine (9) members, as follows:
- 4 (1) One (1) member appointed by the county executive from its
- 5 membership.
- 6 (2) One (1) member appointed by the county fiscal body from its
- 7 membership.
- 8 (3) The county surveyor or a qualified deputy surveyor appointed
- 9 by the surveyor.
- 10 (4) The county agricultural extension educator.
- 11 (5) Five (5) citizen members, of whom no more than three (3)
- 12 may be of the same political party and all five (5) of whom must
- 13 be residents of unincorporated areas of the county, appointed by
- 14 the county executive.
- 15 (b) ADVISORY. The metropolitan plan commission consists of nine
- 16 (9) members, as follows:
- 17 (1) One (1) member appointed by the county legislative body



- 1 from its membership.
- 2 (2) One (1) member appointed by the second class city legislative
- 3 body from its membership.
- 4 (3) Three (3) citizen members who are residents of
- 5 unincorporated areas of the county, of whom no more than two (2)
- 6 may be of the same political party, appointed by the county
- 7 legislative body. One (1) of these members must be actively
- 8 engaged in farming.
- 9 (4) Four (4) citizen members, of whom no more than two (2) may
- 10 be of the same political party, appointed by the second class city
- 11 executive. One (1) of these members must be from the
- 12 metropolitan school authority or community school corporation
- 13 and a resident of that school district, and the other three (3)
- 14 members must be residents of the second class city.
- 15 (c) AREA. When there are six (6) county representatives, they are:
- 16 (1) one (1) member appointed by the county executive from its
- 17 membership;
- 18 (2) one (1) member appointed by the county fiscal body from its
- 19 membership;
- 20 (3) the county superintendent of schools; or if that office does not
- 21 exist, a representative appointed by the school corporation
- 22 superintendents within the jurisdiction of the area plan
- 23 commission;
- 24 (4) the county agricultural extension educator;
- 25 (5) ~~(1)~~ **two (2)** citizen ~~member members~~ who is a resident
- 26 **are residents** of the unincorporated area of the county, appointed
- 27 by the county executive; and
- 28 (6) ~~(4) one (1)~~ **two (2)** citizen ~~member members~~ who is a resident
- 29 **are residents** of the unincorporated area of the county, appointed
- 30 by the county fiscal body.
- 31 When there are five (5) county representatives, they are the
- 32 representatives listed in subdivisions (3) **and** (4) ~~(5); and (6)~~ of this
- 33 subsection and the county surveyor.
- 34 (d) AREA. The appointing authority may appoint an alternate
- 35 member to participate on a commission established under section 204
- 36 of this chapter in a hearing or decision if the regular member it has
- 37 appointed is unavailable. An alternate member shall have all of the
- 38 powers and duties of a regular member while participating on the
- 39 commission.
- 40 SECTION 2. [EFFECTIVE JULY 1, 1999] (a) **The county**
- 41 **executive and the county fiscal body shall appoint the two members**
- 42 **added to the area plan commission under IC 36-7-4-208(c)(3) and**

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1 **IC 36-7-4-208(c)(4), as amended by this act, not later than October**
2 **1, 1999.**
3 **(b) Notwithstanding IC 36-7-4-208, as amended by this act, the**
4 **member described in IC 36-7-4-208(c)(3), before amendment by**
5 **this act, shall serve on the area plan commission until the county**
6 **executive appoints the member added to the area plan commission**
7 **under IC 36-7-4-208(c)(3), as amended by this act.**
8 **(c) Notwithstanding IC 36-7-4-208, as amended by this act, the**
9 **member described in IC 36-7-4-208(c)(4), before amendment by**
10 **this act, shall serve on the area plan commission until the county**
11 **fiscal body appoints the member added to the area plan**
12 **commission under IC 36-7-4-208(c)(4), as amended by this act.**
13 **(d) This SECTION expires October 2, 1999.**

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