

HOUSE BILL No. 1407

DIGEST OF INTRODUCED BILL

Citations Affected: IC 36-7-4-311.

Synopsis: Appointment of executive director. Allows the county executive to appoint an executive director for a county advisory plan commission. Provides that the executive director of a county advisory or area plan commission may be removed for cause by a majority vote of the county executive.

Effective: July 1, 1999.

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January 12, 1999, read first time and referred to Committee on Rules and Legislative Procedures.

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Introduced

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.

HOUSE BILL No. 1407

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 36-7-4-311 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 311. (a) ADVISORY.
3 **Except as provided in subsection (b)**, the advisory plan commission
4 may appoint, prescribe the duties, and fix the compensation of such
5 employees as are necessary for the discharge of the duties of the
6 commission. This compensation must be in conformity with salaries
7 and compensation fixed up to that time by the fiscal body of the
8 municipality or county, as the case may be. The commission may
9 contract for special or temporary services and any professional counsel.
10 **(b) ADVISORY-AREA. The county executive may appoint an**
11 **executive director for a county plan commission and fix the**
12 **director's compensation. The executive director may be removed**
13 **for cause by a majority vote of the county executive.**
14 ~~(b)~~ (c) AREA.
15 (1) Except as provided in subdivision (2); the area plan
16 commission shall appoint an executive director for the planning
17 department and fix the director's compensation. ~~To be qualified~~



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1 for the position; the executive director must have training and
2 experience in the field of planning and zoning. The commission
3 may not give any consideration to political affiliation in the
4 appointment of the executive director.
5 ~~(2) This subdivision applies to an area plan commission of a~~
6 ~~county in which the largest city has a population of less than~~
7 ~~twenty-five thousand (25,000) or to a county that has no cities.~~
8 When there is a vacancy in the position of executive director of
9 the planning department, the area plan commission shall give to
10 the county commissioners the name of a person recommended for
11 the position. The county commissioners shall appoint an
12 executive director who may be the person recommended by the
13 area plan commission. The county commissioners may remove
14 the executive director **as set forth in subsection (b)**. The county
15 commissioners shall fix the director's compensation. To be
16 qualified for the position, an executive director must have training
17 and experience in the field of planning and zoning. In making the
18 appointment, the county commissioners may not give any
19 consideration to political affiliation of the executive director.

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