



January 22, 1999

# SENATE BILL No. 46

DIGEST OF SB 46 (Updated January 21, 1999 2:05 pm - DI 84)

**Citations Affected:** IC 8-1.

**Synopsis:** REMC Board of Directors. Provides that a corporation's board of directors must be composed of members of the corporation or, if the member of the corporation is a not a natural person, that the member's officers, directors, partners, or sole proprietors may be directors of the rural electric membership corporation.

**Effective:** July 1, 1999.

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January 6, 1999, read first time and referred to Committee on Rules and Legislative Procedure.  
January 21, 1999, amended; reassigned to Committee on Commerce and Consumer Affairs.

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SB 46—LS 6443/DI 13+



January 22, 1999

Second Regular Session 110th 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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## SENATE BILL No. 46

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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 8-1-13-6 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE: JULY 1, 1999]: Sec. 6. (a) Each corporation formed  
3 under this chapter shall have a board of directors that constitutes the  
4 governing body of the corporation. The directors must be members, **or**  
5 **if the corporation's bylaws so provide, a member's officers,**  
6 **directors, partners, or owners of sole proprietorships may be**  
7 **directors** of the corporation. ~~and, other than those Directors other~~  
8 **than those** named in ~~its~~ the corporation's articles of incorporation shall  
9 be elected by the members entitled to vote for the directors. Unless the  
10 bylaws of the corporation provide otherwise, the directors shall be  
11 elected annually. The bylaws may provide that:  
12 (1) the directors may hold office for any stated period not  
13 exceeding three (3) years;  
14 (2) the directors be elected so that the terms of only part of the  
15 directors expire at any one time; and  
16 (3) only enough directors to succeed those whose terms are about  
17 to expire are elected in any year.

SB 46—LS 6443/DI 13+



1           (b) The bylaws may provide that the territory where the members of  
2 the corporation reside be apportioned into districts and prescribe the  
3 procedure by which the members residing in any one (1) district may  
4 nominate a director.  
5           (c) The bylaws may specify a fair remuneration for the time actually  
6 spent by its officers, directors, and members of its executive committee  
7 in the performance of their duties and provide that the remuneration be  
8 paid to the officers, directors, and members of the executive committee.  
9 The officers, directors, and members of the executive committee are  
10 entitled to reimbursement for expenses incurred in the performance of  
11 their duties whether or not the bylaws provide that they be remunerated  
12 for their time spent in the performance of those duties. The board shall  
13 annually designate and elect those officers it considers necessary.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 46, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Commerce and Consumer Affairs.

(Reference is to SB 46 as introduced.)

GARTON, Chairperson

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