

SENATE MOTION

MR. PRESIDENT:

I move that Engrossed House Bill 1241 be amended to read as follows:

- 1 Page 3, between lines 17 and 18, begin a new paragraph and insert:
2 "SECTION 4. IC 20-14-2.5-4 IS AMENDED TO READ AS
3 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 4. **Except as provided**
4 **in section 9.5 of this chapter, and** subject to section 10 of this chapter,
5 seven (7) members of a library board shall be appointed as follows:
6 (1) One (1) member appointed by the executive of the county in
7 which the library district is located, or if the district is located in
8 more than one (1) county, jointly by the executives of the
9 respective counties.
10 (2) One (1) member appointed by the fiscal body of the county in
11 which the library district is located, or if the district is located in
12 more than one (1) county, jointly by the fiscal bodies of the
13 respective counties.
14 (3) Three (3) members appointed by the school board of the
15 school corporation serving the library district. However, if there
16 is more than one (1) school corporation serving the library
17 district:
18 (A) two (2) members shall be appointed by the school board
19 of the school corporation in which the principal offices of the
20 public library are located; and
21 (B) one (1) member shall be appointed by a majority vote of
22 the presidents of the school boards of the other school
23 corporations.
24 (4) One (1) member appointed under section 5(1), 6(b)(1), 7(1),
25 8(1), or 9(1), of this chapter, as applicable.
26 (5) One (1) member appointed under section 5(2), 6(b)(2), 7(2),
27 8(2), or 9(2) of this chapter, as applicable.
28 SECTION 5. IC 20-14-2.5-9.5 IS ADDED TO THE INDIANA
29 CODE AS A NEW SECTION TO READ AS FOLLOWS
30 [EFFECTIVE JULY 1, 2000]: **Sec. 9.5. (a) This section applies to the**
31 **library board of a library district:**
32 (1) **located in a county having a population of more than**

1 **forty-five thousand (45,000) but less than forty-seven**
2 **thousand (47,000); and**
3 **(2) containing all or part of the territory of each school**
4 **corporation in the county.**

5 **(b) Notwithstanding section 4 of this chapter, the library board**
6 **has the following members:**

7 **(1) One (1) member appointed by the executive of the county**
8 **in which the library district is located and who is not a**
9 **member of the county executive.**

10 **(2) One (1) member appointed by the fiscal body of the county**
11 **in which the library district is located and who is not a**
12 **member of the county fiscal body.**

13 **(3) One (1) member appointed by the legislative body of the**
14 **most populous city in the library district and who is not a**
15 **member of the city legislative body.**

16 **(4) One (1) member appointed by the school board of each**
17 **school corporation having territory in the library district and**
18 **who is not a member of a governing body of a school**
19 **corporation.**

20 **(c) A person who is appointed under subsection (b) to serve as**
21 **a member of a library board must annually before March 1 of each**
22 **year report to the member's appointing authority concerning the**
23 **work of the library board and finances of the library during the**
24 **prior calendar year, including the rate of taxation determined**
25 **under IC 20-14-3-10.**

26 SECTION 6. IC 20-14-2.5-12 IS AMENDED TO READ AS
27 FOLLOWS [EFFECTIVE JULY 1, 2000]: Sec. 12. (a) Subject to
28 subsection (b), the term of a library board member is four (4) years. A
29 member may continue to serve on a library board after his term has
30 expired until his successor is qualified under section 13 of this chapter.
31 The term of the member's successor is not extended by the time that has
32 elapsed before the successor's appointment and qualification. If a
33 member is appointed to fill a vacancy on a library board, his term is the
34 unexpired term of the member being replaced.

35 **(b) Except for a library board whose membership is established**
36 **under section 9.5 of this chapter, for the purposes of establishing**
37 **staggered terms for the members of a library board, the initial members**
38 **shall serve the following terms:**

39 **(1) One (1) year for one (1) member appointed under section 4(1),**
40 **4(5), 10(b)(1), 10(b)(2), or 11(1) of this chapter.**

41 **(2) Two (2) years for one (1) member appointed under section**
42 **4(3)(A), 4(4), 10(b)(3), 10(b)(4), or 11(2) of this chapter.**

43 **(3) Three (3) years for one (1) member appointed under section**
44 **4(2), 4(3)(A), 10(b)(4), 10(b)(5), or 11(1) of this chapter.**

45 **(4) Four (4) years for one (1) member appointed under section**
46 **4(3)(B), 10(b)(6), or 11(2) of this chapter.**

47 **(c) When an appointing authority appoints members to terms of**
48 **different length under subsection (b), he shall designate which**
49 **appointee serves each term.**

50 SECTION 7. [EFFECTIVE JULY 1, 2000] **(a) This SECTION**
51 **applies to a library district subject to IC 20-14-2.5-9.5, as added by**
52 **this act.**

1 **(b) This SECTION provides the procedure for the transition to**
2 **a library board with membership appointed under**
3 **IC 20-14-2.5-9.5, as added by this act.**

4 **(c) Notwithstanding IC 20-14-2.5-9.5, as added by this act, each**
5 **member of the library board who was appointed before July 1,**
6 **2000, may continue to serve on the library board until the normal**
7 **expiration of the member's term. However, upon the expiration of**
8 **a member's term, the vacancy shall be filled by appointment as**
9 **follows:**

10 **(1) When the term of a member appointed by the executive of**
11 **a county expires, the vacancy shall be filled by appointment**
12 **under IC 20-14-2.5-9.5(b)(1), as added by this act.**

13 **(2) When the term of a member appointed by the fiscal body**
14 **of a county expires, the vacancy shall be filled by appointment**
15 **under IC 20-14-2.5-9.5(b)(2), as added by this act.**

16 **(3) When the term of a member appointed by the executive of**
17 **a municipality expires, the vacancy shall be filled by**
18 **appointment under IC 20-14-2.5-9.5(b)(3), as added by this**
19 **act.**

20 **(4) When the term of a member appointed by the legislative**
21 **body of a municipality expires, the vacancy shall be filled by**
22 **appointment under IC 20-14-2.5-9.5(b)(4), as added by this**
23 **act, by the school board of the school corporation in the**
24 **library district having the second greatest number of students**
25 **in average daily membership (as defined in IC 21-3-1.6-1.1).**

26 **(5) When the term of the first of the three (3) members**
27 **appointed by a school board expires, the vacancy shall be**
28 **filled by appointment under IC 20-14-2.5-9.5(b)(4), as added**
29 **by this act, by the school board of the school corporation in**
30 **the library district having the third greatest number of**
31 **students in average daily membership (as defined in**
32 **IC 21-3-1.6-1.1).**

33 **(6) When the term of the second of the three (3) members**
34 **appointed by a school board expires, the vacancy shall be**
35 **filled by appointment under IC 20-14-2.5-9.5(b)(4), as added**
36 **by this act, by the school board of the school corporation in**
37 **the library district having the fourth greatest number of**
38 **students in average daily membership (as defined in**
39 **IC 21-3-1.6-1.1).**

40 **(7) When the term of the last of the three (3) members**
41 **appointed by a school board expires, the vacancy shall be**
42 **filled by appointment under IC 20-14-2.5-9.5(b)(4), as added**

1 **by this act, by the school board of the school corporation in**
2 **the library district having the greatest number of students in**
3 **average daily membership (as defined in IC 21-3-1.6-1.1).**
4 **(d) This SECTION expires December 31, 2005."**
5 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1241 as printed February 18, 2000.)

Senator GARD