



Reprinted
February 1, 2000

SENATE BILL No. 355

DIGEST OF SB 355 (Updated January 31, 2000 4:48 PM - DI 87)

Citations Affected: IC 8-22; noncode.

Synopsis: Meetings of airport boards. Allows a board of aviation commissioners to hold regular or special meetings at the office of the board or at another public place in any county in which the board owns or operates an airport. Allows a board of an airport authority to hold regular or special meetings at the office of the board or at another public place in any county in which the board owns or operates an airport. Allows the county commissioners of Morgan County to appoint an advisory member to the airport authority board established for Marion County.

Effective: July 1, 2000; January 1, 2001.

Bowser, Riegsecker, Antich

January 10, 2000, read first time and referred to Committee on Governmental and Regulatory Affairs.
January 27, 2000, reported favorably — Do Pass.
January 31, 2000, read second time, amended, ordered engrossed.

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Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

SENATE BILL No. 355

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 8-22-2-4 IS AMENDED TO READ AS FOLLOWS
2 [EFFECTIVE JULY 1, 2000]: Sec. 4. The board shall choose, annually,
3 at its first regular meeting in January, one (1) of its members president,
4 and another of its members vice president to perform the duties of the
5 president during the absence or disability of the president. The eligible
6 entity shall provide a suitable office for the board in the entity, or, at
7 the option of the board, at the airport, at the expense of the department
8 of aviation, where its maps, plans, documents, records, and accounts
9 shall be kept, subject to public inspection at all reasonable times.
10 Before February 2 each year the board shall make a report to the
11 executive of its proceedings with a full statement of its receipts and
12 disbursements for the preceding year, including a report of the
13 acquisition of air navigation facilities and of other property that has
14 come under the control of the board, improvements made, general
15 character of the work of the board, and progress of aviation and air
16 commerce under its control. Money received by the board shall be paid
17 into the entity's treasury and credited to the department of aviation, and

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1 all expenditures relating to the property and business under the control
 2 of the department, except as otherwise provided, may be provided for
 3 by special levy of taxes under section 7 of this chapter, and shall be
 4 paid from the entity's treasury when ordered by the board. A majority
 5 of the members constitutes a quorum, and an action of the board must
 6 be taken by a majority of the members at a regular or duly called
 7 special meeting. In case of a tie vote on any question, the executive
 8 shall decide. The board shall fix a time for holding regular meetings.

9 **Regular or special meetings shall be held at the office of the board**
 10 **or at another public place in any county where the board owns or**
 11 **operates an airport.** Special meetings of the board may be called at
 12 any time by its president, or by any two (2) of its members, upon a
 13 written request to the secretary. Whenever in the opinion of the
 14 president or of any two (2) members, a special meeting is necessary, he
 15 or they shall cause the secretary to notify the members by mailing
 16 written notice of the time of the meeting, at least one (1) day before the
 17 meeting. A member may waive notice in writing and the presence of a
 18 member at a special meeting is considered a waiver of notice.

19 SECTION 2. IC 8-22-3-4 IS AMENDED TO READ AS FOLLOWS
 20 [EFFECTIVE JANUARY 1, 2001]: Sec. 4. (a) The board consists of
 21 four (4) members, whenever the fiscal body of an eligible entity, acting
 22 individually, establishes an authority. The members of the board shall
 23 be appointed by the executive of the entity, and not more than two (2)
 24 members of the board may be of the same political party.

25 (b) In the event that two (2) cities or one (1) city and one (1) town
 26 act jointly to establish an authority under this chapter, the board
 27 consists of five (5) members. The executive of each city or town shall
 28 each appoint two (2) members to the board. The county executive shall
 29 appoint one (1) member to the board. Each member appointed by an
 30 executive must be of a different political party than the other appointed
 31 member.

32 (c) In the event that an authority is established by a city or town and
 33 a county, acting jointly, the board consists of six (6) members. The
 34 executive of each entity shall appoint three (3) members. Not more
 35 than two (2) members appointed by each executive may be of the same
 36 political party.

37 (d) In the event that an authority was established under IC 19-6-3
 38 (before its repeal on April 1, 1980) the board consists of five (5)
 39 members. Three (3) members of the board shall be appointed by the
 40 mayor of the city, and two (2) members of the board shall be appointed
 41 by the board of commissioners of the county. Not more than two (2)
 42 members representing the city may be members of the same political



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1 party, and not more than one (1) member representing the county may
2 be a member of the same political party.

3 (e) Except as provided in section 4.1(b)(3) of this chapter, the
4 county executive of each Indiana county that is adjacent to a county
5 establishing an authority under this chapter and in which the authority
6 owns real property may appoint one (1) advisory member to the board.
7 An advisory member who is appointed under this subsection:

- 8 (1) must be a resident of the adjacent county;
9 (2) may not vote on any matter before the board;
10 (3) serves at the pleasure of the appointing authority; and
11 (4) serves without compensation or payment for expenses.

12 **(f) This subsection applies to an airport authority board**
13 **established under section 4.1 of this chapter. In addition to the**
14 **advisory members appointed to the board by adjacent counties**
15 **under subsection (e), the county executive of a county with a**
16 **population of more than fifty thousand (50,000) but less than sixty**
17 **thousand (60,000) may appoint one (1) advisory member to the**
18 **board. An advisory member who is appointed under this**
19 **subsection:**

- 20 (1) **must be a resident of the appointing county;**
21 (2) **may not vote on any matter before the board;**
22 (3) **serves at the pleasure of the appointing authority; and**
23 (4) **serves without compensation or payment for expenses.**

24 SECTION 3. IC 8-22-3-9 IS AMENDED TO READ AS FOLLOWS
25 [EFFECTIVE JULY 1, 2000]: Sec. 9. (a) The board shall elect, at its
26 first regular meeting to be conducted on the first July 1 or January 1
27 after appointment of the board members, and annually thereafter, one
28 (1) of its members president, and another of its members vice
29 president, who performs the duties of the president during the absence
30 of or disability of the president. The board shall keep a suitable office
31 at the airport where its maps, plans, documents, records, and accounts
32 shall be kept, subject to public inspection at all reasonable times.

33 (b) The board shall provide by rule for regular meetings to be held
34 not less than at monthly intervals throughout the year.

35 (c) The board shall convene in a special meeting when one is called.
36 The president or a majority of the members of the board may call a
37 special meeting. The board shall establish by rule a procedure for
38 calling special meetings.

39 (d) **Regular or special** meetings shall be held at the office of the
40 board **except that public hearings and similar meetings for which the**
41 **office facilities are inadequate may be held or** at another public place
42 **in the district that is designated by any county where the board owns**



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1 **or operates an airport.** The board may adjourn any regular or special
 2 meeting to a specific day designated at the time of adjournment, and
 3 that meeting is a continuation of the meeting so adjourned. This
 4 subsection does not apply to an authority that was established under
 5 IC 19-6-3 (before its repeal on April 1, 1980).

6 (e) A majority of the members of the board constitutes a quorum for
 7 a meeting. The board may act officially by an affirmative vote of a
 8 majority of those present at the meeting at which the action is taken.

9 (f) The board shall keep a written record of its proceedings, which
 10 shall be available for public inspection in the office of the board. The
 11 board shall record the aye and nay tally of the vote for each ordinance
 12 or resolution.

13 (g) The board shall adopt a system of rules of procedure under
 14 which its meetings are to be held. The board may suspend the rules of
 15 procedure by unanimous vote of the members of the board who are
 16 present at the meeting. The board may not suspend the rules of
 17 procedure beyond the duration of the meeting at which the suspension
 18 of rules occurs.

19 (h) The board may supervise its internal affairs as do local
 20 legislative and administrative bodies.

21 SECTION 4. [EFFECTIVE JULY 1, 2000] (a) **This SECTION**
 22 **applies only to the board of an airport authority established for a**
 23 **county having a consolidated city.**

24 (b) **Before January 1, 2001, the county executive of a county**
 25 **with a population of more than (50,000) but less than sixty**
 26 **thousand (60,000) shall appoint an advisory member of the board**
 27 **as required by IC 8-22-3-4(f), as amended by this act.**

28 (c) **An individual appointed under this SECTION takes office**
 29 **January 1, 2001.**

30 (d) **This SECTION expires January 1, 2002.**

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SENATE MOTION

Mr. President: I move that Senator Riegsecker be added as coauthor of Senate Bill 355.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Governmental and Regulatory Affairs, to which was referred Senate Bill No. 355, 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 355 as introduced.)

MERRITT, Chairperson

Committee Vote: Yeas 9, Nays 0.

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SENATE MOTION

Mr. President: I move that Senator Antich be added as coauthor of Senate Bill 355.

BOWSER

 SENATE MOTION

Mr. President: I move that Senate Bill 355 be amended to read as follows:

Page 2, between lines 18 and 19, begin a new paragraph and insert:
 "SECTION 2. IC 8-22-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2001]: Sec. 4. (a) The board consists of four (4) members, whenever the fiscal body of an eligible entity, acting individually, establishes an authority. The members of the board shall be appointed by the executive of the entity, and not more than two (2) members of the board may be of the same political party.

(b) In the event that two (2) cities or one (1) city and one (1) town act jointly to establish an authority under this chapter, the board consists of five (5) members. The executive of each city or town shall each appoint two (2) members to the board. The county executive shall appoint one (1) member to the board. Each member appointed by an executive must be of a different political party than the other appointed member.

(c) In the event that an authority is established by a city or town and a county, acting jointly, the board consists of six (6) members. The executive of each entity shall appoint three (3) members. Not more than two (2) members appointed by each executive may be of the same political party.

(d) In the event that an authority was established under IC 19-6-3 (before its repeal on April 1, 1980) the board consists of five (5) members. Three (3) members of the board shall be appointed by the mayor of the city, and two (2) members of the board shall be appointed by the board of commissioners of the county. Not more than two (2) members representing the city may be members of the same political party, and not more than one (1) member representing the county may be a member of the same political party.

(e) Except as provided in section 4.1(b)(3) of this chapter, the county executive of each Indiana county that is adjacent to a county establishing an authority under this chapter and in which the authority owns real property may appoint one (1) advisory member to the board.

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An advisory member who is appointed under this subsection:

- (1) must be a resident of the adjacent county;
- (2) may not vote on any matter before the board;
- (3) serves at the pleasure of the appointing authority; and
- (4) serves without compensation or payment for expenses.

(f) This subsection applies to an airport authority board established under section 4.1 of this chapter. In addition to the advisory members appointed to the board by adjacent counties under subsection (e), the county executive of a county with a population of more than fifty thousand (50,000) but less than sixty thousand (60,000) may appoint one (1) advisory member to the board. An advisory member who is appointed under this subsection:

- (1) must be a resident of the appointing county;**
- (2) may not vote on any matter before the board;**
- (3) serves at the pleasure of the appointing authority; and**
- (4) serves without compensation or payment for expenses."**

Page 3, after line 15, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE JULY 1, 2000] (a) This SECTION applies only to the board of an airport authority established for a county having a consolidated city.

(b) Before January 1, 2001, the county executive of a county with a population of more than (50,000) but less than sixty thousand (60,000) shall appoint an advisory member of the board as required by IC 8-22-3-4(f), as amended by this act.

(c) An individual appointed under this SECTION takes office January 1, 2001.

(d) This SECTION expires January 1, 2002."

Re-number all SECTIONS consecutively.

(Reference is to SB 355 as printed January 28, 2000)

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