



Reprinted
March 22, 2005

ENGROSSED HOUSE BILL No. 1200

DIGEST OF HB 1200 (Updated March 21, 2005 2:21 pm - DI 52)

Citations Affected: IC 13-21.

Synopsis: Solid waste district board. Allows a county that does not contain a city to change the composition of the county solid waste district board if the county executive and the county fiscal body agree to the change.

Effective: July 1, 2005.

Thompson, Moses, Whetstone

(SENATE SPONSORS — LAWSON C, HARRISON)

January 6, 2005, read first time and referred to Committee on Local Government.
January 27, 2005, amended, reported — Do Pass.
January 31, 2005, read second time, ordered engrossed. Engrossed.
February 1, 2005, read third time, passed. Yeas 86, nays 0.

SENATE ACTION

February 14, 2005, read first time and referred to Committee on Energy and Environmental Affairs.
March 14, 2005, reported favorably — Do Pass.
March 21, 2005, read second time, amended, ordered engrossed.

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First Regular Session 114th General Assembly (2005)

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 2004 Regular Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1200

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

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

- 1 SECTION 1. IC 13-21-3-5 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2005]: Sec. 5. (a) Except as
3 provided in subsections (b) through ~~(d)~~, (e), the board of a county
4 district consists of the following members:
5 (1) Two (2) members appointed by the county executive from the
6 membership of the county executive.
7 (2) One (1) member appointed by the county fiscal body from the
8 membership of the fiscal body.
9 (3) One (1) member:
10 (A) who is the executive of the municipality having the largest
11 population in the county if that municipality is a city; or
12 (B) appointed from the membership of the legislative body of
13 a town if the town is the municipality having the largest
14 population in the county.
15 (4) One (1) member of the legislative body of the municipality
16 with the largest population in the county appointed by the
17 legislative body of that municipality.

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- 1 (5) One (1) member:
- 2 (A) who is the executive of a city in the county that is not the
- 3 municipality having the largest population in the county; or
- 4 (B) who is a member of the legislative body of a town that is
- 5 not the municipality having the largest population in the
- 6 county;
- 7 and who is appointed by the executive of that county to represent
- 8 the municipalities in the county other than the municipality
- 9 having the largest population.
- 10 (6) One (1) additional member appointed by the county executive
- 11 from the membership of the county executive.
- 12 (b) If a county having a population of more than four hundred
- 13 thousand (400,000) but less than seven hundred thousand (700,000) is
- 14 designated as a county district, the executives of the three (3) cities in
- 15 the county having the largest populations each serve as a member of
- 16 the board or may appoint a member of the legislative body of their city
- 17 to serve as a member of the board. If a county having a population of
- 18 more than two hundred thousand (200,000) but less than three hundred
- 19 thousand (300,000) is designated as a county district, the executives of
- 20 the two (2) cities in the county having the largest populations each
- 21 serve as a member of the board. If a county having a population of
- 22 more than two hundred thousand (200,000) but less than three hundred
- 23 thousand (300,000) is designated as a county district, the board of that
- 24 county district must include the following:
- 25 (1) One (1) member of the legislative body of the city having the
- 26 second largest population in the county, appointed by the
- 27 president of the city legislative body.
- 28 (2) One (1) member of the legislative body of a town located in
- 29 the county, appointed by the judge of the circuit court in the
- 30 county.
- 31 (c) If a county having a consolidated city is designated a county
- 32 district, the board of public works established under IC 36-3-5-6
- 33 constitutes the board of the county district.
- 34 (d) If a county designated as a county district has a population of
- 35 more than four hundred thousand (400,000) but less than seven
- 36 hundred thousand (700,000), the board of the district consists of the
- 37 following members:
- 38 (1) One (1) member appointed by the county executive from the
- 39 membership of the county executive.
- 40 (2) Two (2) members appointed from the county fiscal body
- 41 appointed from the membership of the county fiscal body.
- 42 (3) The executive of each second or third class city or a member

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- 1 of the legislative body of their city appointed by the executive.
- 2 (4) One (1) member of the legislative body of each town
- 3 appointed by the legislative body.
- 4 (5) One (1) member of the legislative body of the municipality
- 5 with the largest population in the county appointed by the
- 6 legislative body of that municipality.
- 7 (6) If a local government unit in the county has an operating final
- 8 disposal facility located within the unit's jurisdiction, one (1)
- 9 member of the unit's board of public works appointed by the
- 10 board of public works.
- 11 **(e) This subsection applies only to a county that does not contain**
- 12 **a city. If the county executive and the county fiscal body of a**
- 13 **county designated as a county district agree, the board of the**
- 14 **district shall consist of the following nine (9) or ten (10) members:**
- 15 **(1) The three (3) members of the county executive.**
- 16 **(2) Two (2) members of the county fiscal body, chosen by the**
- 17 **county fiscal body.**
- 18 **(3) One (1) member of each of the town legislative bodies of**
- 19 **the four (4) or five (5) towns in the county having the largest**
- 20 **population, chosen by each town legislative body.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1200, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 12, delete "Except as provided in subsection (e), if" and insert "If".

Page 2, line 32, delete "Except as provided in subsection (e), if" and insert "If".

Page 2, line 36, delete "Except as provided in subsection (e), if" and insert "If".

Page 3, line 13, after "(e)" insert "**This subsection applies only to a county that does not contain a city.**".

Page 3, delete lines 16 through 26, begin a new line block indented and insert:

- "(1) The three (3) members of the county executive.**
- (2) Two (2) members of the county fiscal body, chosen by the county fiscal body.**
- (3) One (1) member of each of the town legislative bodies of the four (4) towns in the county having the largest population, chosen by each town legislative body."**

and when so amended that said bill do pass.

(Reference is to HB 1200 as introduced.)

HINKLE, Chair

Committee Vote: yeas 9, nays 1.

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COMMITTEE REPORT

Madam President: The Senate Committee on Energy and Environmental Affairs, to which was referred House Bill No. 1200, 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 House Bill 1200 as printed January 28, 2005.)

GARD, Chairperson

Committee Vote: Yeas 9, Nays 0.

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SENATE MOTION

Madam President: I move that Engrossed House Bill 1200 be amended to read as follows:

Page 3, line 14, after "(9)" insert "**or ten (10)**".

Page 3, line 19, after "(4)" insert "**or five (5)**".

(Reference is to EHB 1200 as printed March 15, 2005.)

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