

SENATE BILL No. 193

DIGEST OF INTRODUCED BILL

Citations Affected: IC 10-18-1-18.

Synopsis: War Memorials Foundation. Authorizes the war memorials commission to establish a nonprofit corporation to promote public support for war memorials, to preserve and promote the historical and educational activities of the commission, and to operate for the benefit of the purposes of the commission. Authorizes the commission to transfer money and personal property to the corporation. Legalizes establishment of Indiana War Memorials Foundation, Inc., as the corporation the commission is authorized to establish. Legalizes any transfer of money and personal property from the commission to the foundation before April 30, 2005. Authorizes the commission to transfer the operation of the Indiana War Memorial gift shop and all property associated with the gift shop to the foundation.

Effective: Upon passage.

Paul

January 4, 2005, read first time and referred to Committee on Homeland Security, Utilities, and Public Policy.

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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.

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SENATE BILL No. 193



A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

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

- 1 SECTION 1. IC 10-18-1-18, IS AMENDED TO READ AS
- 2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18. The
- 3 commission may do the following:
- 4 (1) Make and execute contracts and other instruments that may be
- 5 required in connection with the erection and maintenance of a
- 6 suitable structure or structures upon or within Memorial Place.
- 7 (2) Adopt rules for the following:
- 8 (A) The proper management, government, and use of
- 9 Memorial Place and the structures situated on Memorial Place.
- 10 (B) The government of employees.
- 11 (3) Acquire by condemnation the right to limit the kind, character,
- 12 and height of buildings upon and the use of real estate or
- 13 buildings located within three hundred (300) feet of the outside
- 14 boundaries.
- 15 (4) Adopt reasonable rules as are proper to limit the kind,
- 16 character, and height of buildings located or erected within three
- 17 hundred (300) feet of the outside boundaries of Memorial Place



1 and the use of the buildings or real estate. A building constructed
2 or maintained or business conducted in violation of any rule may
3 be abated as a nuisance in an action begun and prosecuted by the
4 commission.

5 (5) Receive donations, gifts, devises, and bequests and use them
6 in connection with the purposes of this chapter.

7 **(6) Establish a nonprofit corporation to do the following:**

8 **(A) Promote public support for the purposes of the**
9 **commission and this chapter.**

10 **(B) Preserve and promote the historical and educational**
11 **activities of the commission.**

12 **(C) Operate for the benefit of the purposes of the**
13 **commission and this chapter.**

14 **The commission may transfer money and personal property**
15 **under the commission's control to a corporation established**
16 **under this subdivision without complying with IC 5-22-21 and**
17 **IC 5-22-22.**

18 SECTION 2. [EFFECTIVE UPON PASSAGE] (a) As used in this
19 SECTION, "commission" refers to the Indiana war memorials
20 commission established by IC 10-18-1-2.

21 (b) As used in this SECTION, "corporation" refers to the
22 Indiana War Memorials Foundation, Inc., a nonprofit corporation
23 incorporated by articles of incorporation dated November 22,
24 2000.

25 (c) The incorporation of the corporation is legalized and is
26 considered done under IC 10-18-1-18(6), as added by this act.

27 (d) The transfer of money and personal property from the
28 commission to the corporation before April 30, 2005, is legalized.

29 (e) The commission may transfer the operation of the Indiana
30 War Memorial gift shop and all personal property associated with
31 the gift shop to the corporation.

32 (f) This SECTION expires July 1, 2007.

33 SECTION 3. An emergency is declared for this act.

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