



January 15, 2010

HOUSE BILL No. 1069

DIGEST OF HB 1069 (Updated January 13, 2010 4:11 pm - DI 96)

Citations Affected: IC 8-5.

Synopsis: Commuter transportation district board membership. Adds three members to the board of trustees of a commuter transportation district.

Effective: Upon passage.

**Candelaria Reardon, Stevenson,
Soliday**

January 5, 2010, read first time and referred to Committee on Roads and Transportation.
January 14, 2010, reported — Do Pass.

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HB 1069—LS 6225/DI 51+



January 15, 2010

Second Regular Session 116th General Assembly (2010)

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 2009 Regular and Special Sessions of the General Assembly.

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HOUSE BILL No. 1069



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 8-5-15-3, AS AMENDED BY P.L.182-2009(ss),
2 SECTION 263, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The district shall be
4 supervised and managed by a board of trustees, which consists of the
5 following:

6 (1) Four (4) members, one (1) from each county that is a member
7 of the district, appointed by that county's board of county
8 commissioners. In the case of a member appointed or reappointed
9 under this subdivision after December 31, 2009, the member must
10 be a member of the board of county commissioners of the county
11 that the member represents.

12 (2) Four (4) members, one (1) from each county that is a member
13 of the district, each of whom is the president of that county's
14 county council or another council member designated by the
15 president as a board member.

16 (3) **After June 30, 2010**, one (1) member representing the rest of
17 the state, appointed by the governor. ~~The term of a member~~

HB 1069—LS 6225/DI 51+



1 ~~appointed or reappointed under this subdivision ends December~~
2 ~~31, 2009.~~
3 **(4) After June 30, 2010,** one (1) passenger member appointed by
4 the governor. The member appointed under this subdivision must
5 be selected from passengers who have submitted a letter of
6 interest to the governor. To be considered for this position, a
7 passenger must submit a letter of interest to the governor during
8 a two (2) week period that begins, **in 2010, on May 2, 2010, and,**
9 **in any year after 2010 in which the term of a member**
10 **appointed under this subsection expires,** sixty (60) days before
11 the expiration of the term of the member appointed under this
12 subdivision. A member of the board serving under this
13 subdivision is not required to submit a letter of interest to be
14 eligible for appointment to a successive term. ~~The term of a~~
15 ~~member appointed or reappointed under this subdivision ends~~
16 ~~December 31, 2009.~~
17 **(5) After June 30, 2010,** one (1) member who is an employee of
18 the district, appointed by the governor from a list of names
19 submitted by the labor unions representing the employees of the
20 district. Each labor union representing employees of the district
21 may submit one (1) name to be included on the list of names
22 under this subdivision. ~~The term of a member appointed or~~
23 ~~reappointed under this subdivision ends December 31, 2009.~~
24 (b) A member shall serve for a term of two (2) years from the
25 beginning of the term for which the member was appointed and until
26 a successor has qualified for the office. Each member shall serve at the
27 pleasure of the appointing authority but is eligible for reappointment
28 for successive terms.
29 (c) The members of the board shall elect for a one (1) year term:
30 (1) one (1) member as chairman;
31 (2) one (1) member to serve as vice chairman;
32 (3) one (1) member to serve as secretary; and
33 (4) one (1) member to serve as treasurer.
34 (d) **Not later than:**
35 **(1) April 1, 2010; and**
36 **(2) in any year after 2010 in which the term of a member**
37 **appointed under subsection (a)(4) expires,** ninety (90) days
38 before the expiration of the term of the board member appointed
39 under subsection (a)(4);
40 the district shall post in each commuter station in the district a notice
41 of the opening on the board of trustees. The notice must announce the
42 opening for a passenger member on the board of trustees and provide

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1 information on submitting a letter of interest. The notice must state the
2 period in which the passenger must submit a letter of interest. The
3 notice must remain posted until, **in 2010, May 15, 2010, and, in any**
4 **subsequent year in which the term of a member appointed under**
5 **subsection (a)(4) expires**, the expiration of the two (2) week period
6 described in subsection (a)(4).

7 (e) A member appointed under subsection (a)(4) or (a)(5) may not:
8 (1) vote on issues involving perceived or actual financial conflicts
9 of interest, including personnel issues, collective bargaining, and
10 assessment or levy of taxes; or

11 (2) participate in an executive session of the board under
12 IC 5-14-1.5-6.1, on issues regarding:

13 (A) the discussion of strategy for:
14 (i) collective bargaining; or
15 (ii) the initiation of litigation or litigation that is either
16 pending or has been threatened specifically in writing;

17 as described in IC 5-14-1.5-6.1(b)(2); or
18 (B) the discussion of job performance evaluation of individual
19 employees, except for a discussion of the salary,
20 compensation, or benefits of employees during a budget
21 process, as described in IC 5-14-1.5-6.1(b)(9).

22 (f) The members appointed under subsection (a)(4) and (a)(5) must
23 reside in different counties.

24 **SECTION 2. An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1069, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

AUSTIN, Chair

Committee Vote: yeas 7, nays 0.

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