



Reprinted  
January 15, 2010

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## SENATE BILL No. 110

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DIGEST OF SB 110 (Updated January 14, 2010 2:11 pm - DI 75)

**Citations Affected:** IC 14-33.

**Synopsis:** Conservancy district elections. Provides that if there is only one nominee for election to a conservancy district board of directors to represent an area of the conservancy district, the nominee is considered elected. Provides that if there is only one nominee for election to the board of directors for each area for which a director is to be elected, the election is not required to be held and each of the board members is considered to have been elected as if the election had been held. Authorizes a conservancy district board to enter into leases with persons providing cell phone services, including leases of real property owned by the district.

**Effective:** July 1, 2010.

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### Lawson C, Gard

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January 5, 2010, read first time and referred to Committee on Energy and Environmental Affairs.  
January 11, 2010, reported favorably — Do Pass.  
January 14, 2010, read second time, amended, ordered engrossed.

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SB 110—LS 6383/DI 75+



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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## SENATE BILL No. 110

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A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

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

1 SECTION 1. IC 14-33-5-11.5 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2010]: **Sec. 11.5. (a) Notwithstanding the**  
4 **other provisions of this chapter, if there is only one (1) nominee for**  
5 **election to the board to represent an area, the nominee for election**  
6 **to the board to represent that area is considered elected.**

7 **(b) Notwithstanding the other provisions of this chapter, if there**  
8 **is only one (1) nominee for election to the board for each area for**  
9 **which a director is to be elected, the following apply:**

10 **(1) The election otherwise required to be held under this**  
11 **chapter is not required to be held.**

12 **(2) Each of the nominees for election to the board is**  
13 **considered elected as if the election had been held and each**  
14 **nominee was elected as provided in this chapter.**

15 SECTION 2. IC 14-33-5-18 IS AMENDED TO READ AS  
16 FOLLOWS [EFFECTIVE JULY 1, 2010]: **Sec. 18. (a) The board may**  
17 **appoint, prescribe the duties, and fix the compensation of the**



- 1 following:
- 2 (1) A secretary.
- 3 (2) A financial clerk.
- 4 (3) An engineer.
- 5 (4) Employees that are necessary for the discharge of duties and
- 6 responsibilities of the board.
- 7 (b) A financial clerk shall execute a surety bond in the manner
- 8 prescribed by IC 5-4-1.
- 9 (c) The board may make contracts for **the following:**
- 10 (1) Special and temporary services, including professional
- 11 counsel.
- 12 (2) **Leases with persons providing cell phone services,**
- 13 **including leases of real property owned by the district.**
- 14 SECTION 3. IC 14-33-5.4-7.5 IS ADDED TO THE INDIANA
- 15 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 16 [EFFECTIVE JULY 1, 2010]: **Sec. 7.5. (a) Notwithstanding the other**
- 17 **provisions of this chapter, if there is only one (1) nominee for**
- 18 **election to the board to represent an area, the nominee for election**
- 19 **to the board to represent that area is considered elected.**
- 20 (b) **Notwithstanding the other provisions of this chapter, if there**
- 21 **is only one (1) nominee for election to the board for each area for**
- 22 **which a director is to be elected, the following apply:**
- 23 (1) **The election otherwise required to be held under this**
- 24 **chapter is not required to be held.**
- 25 (2) **Each of the nominees for election to the board is**
- 26 **considered elected as if the election had been held and each**
- 27 **nominee was elected as provided in this chapter.**

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COMMITTEE REPORT

Madam President: The Senate Committee on Energy and Environmental Affairs, to which was referred Senate Bill No. 110, 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 110 as introduced.)

GARD, Chairperson

Committee Vote: Yeas 9, Nays 0.

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SENATE MOTION

Madam President: I move that Senate Bill 110 be amended to read as follows:

Page 1, line 5, delete "following apply:" and insert "**nominee for election to the board to represent that area is considered elected.**".

Page 1, delete lines 6 through 10.

Page 2, line 6, delete "following apply:" and insert "**nominee for election to the board to represent that area is considered elected.**".

Page 2, delete lines 7 through 11.

(Reference is to SB 110 as printed January 12, 2010.)

LAWSON C

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SENATE MOTION

Madam President: I move that Senate Bill 110 be amended to read as follows:

Page 2, between lines 1 and 2, begin a new paragraph and insert:

"SECTION 2. IC 14-33-5-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2010]: Sec. 18. (a) The board may appoint, prescribe the duties, and fix the compensation of the following:

- (1) A secretary.
- (2) A financial clerk.
- (3) An engineer.
- (4) Employees that are necessary for the discharge of duties and responsibilities of the board.



(b) A financial clerk shall execute a surety bond in the manner prescribed by IC 5-4-1.

(c) The board may make contracts for **the following:**

(1) Special and temporary services, including professional counsel.

(2) **Leases with persons providing cell phone services, including leases of real property owned by the district."**

Renumber all SECTIONS consecutively.

(Reference is to SB 110 as printed January 12, 2010.)

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