

SENATE MOTION

MADAM PRESIDENT:

I move that Engrossed House Bill 1126 be amended to read as follows:

- 1 Page 7, between lines 32 and 33, begin a new paragraph and
2 insert:
3 "SECTION 5. IC 14-13-2-6, AS AMENDED BY HEA 1264-2012,
4 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2012]: Sec. 6. (a) Except as provided in subsection (b) and
6 ~~section sections~~ **18.5 and 18.6** of this chapter, the commission may
7 operate in the manner provided in this chapter only in the geographic
8 area within and extending one (1) mile from the bank of the west arm
9 of the Little Calumet River and Burns Waterway in Lake County and
10 Porter County.
11 (b) The commission does not have the power of eminent domain
12 for the construction of marina facilities north of U.S. Highway 12 or
13 south of that point where the west arm of the Little Calumet River
14 meets Burns Waterway. The commission's activities north of U.S.
15 Highway 12 and within and adjacent to Burns Waterway are restricted
16 to those activities that the commission determines to be necessary for
17 the following:
18 (1) Channeling and maintenance.
19 (2) Construction of breakwaters.
20 SECTION 6. IC 14-13-2-7, AS AMENDED BY HEA 1264-2012,
21 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
22 JULY 1, 2012]: Sec. 7. (a) The commission has:
23 (1) before July 1, 2012, five (5) members appointed by the
24 governor; and
25 (2) after June 30, 2012, nine (9) members appointed by the
26 governor.
27 (b) The following requirements apply to the governor's
28 appointments under subsection (a)(1):
29 (1) One (1) member must be a representative of the department
30 of natural resources. The member may not be an employee or
31 elected official of a city, town, or county governmental unit.
32 (2) The remaining four (4) members must meet the following

- 1 requirements:
- 2 (A) Four (4) members must reside in a:
- 3 (i) city;
- 4 (ii) town; or
- 5 (iii) township (if the member resides in an
- 6 unincorporated area of the county);
- 7 that borders the Little Calumet River.
- 8 (B) At least three (3) of the members must have a
- 9 background in:
- 10 (i) construction;
- 11 (ii) project management; or
- 12 (iii) flood control;
- 13 or a similar professional background.
- 14 (C) A member may not be an employee or elected official
- 15 of a city, town, or county governmental unit.
- 16 (c) The following apply to the membership of the commission after
- 17 June 30, 2012:
- 18 (1) Before August 1, 2012, the governor shall appoint four (4)
- 19 additional members to the commission for four (4) year terms as
- 20 follows:
- 21 (A) One (1) member nominated by the mayor of a city
- 22 having a population of more than eighty thousand five
- 23 hundred (80,500) but less than one hundred thousand
- 24 (100,000).
- 25 (B) One (1) member nominated by the mayor of a city
- 26 having a population of more than eighty thousand (80,000)
- 27 but less than eighty thousand four hundred (80,400).
- 28 (C) Two (2) members nominated by the board of county
- 29 commissioners of Lake County.
- 30 (2) Notwithstanding section 8 of this chapter, the term of the
- 31 member described in subsection (b)(1) expires January 7, 2013.
- 32 The governor shall appoint one (1) member nominated by the
- 33 department of natural resources for a four (4) year term
- 34 beginning January 7, 2013.
- 35 (3) Notwithstanding section 8 of this chapter, the terms of the
- 36 members described in subsection (b)(2) expire January 1, 2014.
- 37 The governor shall appoint for four (4) year terms beginning
- 38 January 1, 2014, four (4) members, each of whom must have
- 39 been nominated by the executive of a municipality located in the
- 40 watershed other than a city described in subdivision (1).
- 41 (4) A member appointed to succeed a member appointed under
- 42 subdivision (1) or (2) must be nominated by the nominating
- 43 authority that nominated the member's predecessor, and a
- 44 member appointed to succeed a member appointed under
- 45 subdivision (3) must be nominated by the executive of a
- 46 municipality located in the watershed other than a city described
- 47 in subdivision (1).
- 48 (d) The following apply to a member appointed under subsection
- 49 (c) and to any member appointed to succeed a member appointed under
- 50 subsection (c):
- 51 (1) After July 31, 2012, not more than five (5) members of the

- 1 commission may belong to the same political party.
 2 (2) Each member must have a background in:
 3 (A) construction;
 4 (B) project management;
 5 (C) flood control; or
 6 (D) a similar professional background.
 7 (3) A member may not be an employee or elected official of a
 8 city, town, or county governmental unit.
 9 (4) ~~Neither the two (2) members appointed under subsection~~
 10 ~~(c)(3) nor any two (2) members appointed to succeed them may~~
 11 ~~be from the same municipality. The members:~~
 12 **(A) appointed under subsection (c)(3); or**
 13 **(B) appointed to succeed members appointed under**
 14 **subsection (c)(3);**
 15 **must be from different municipalities.**
 16 (5) Neither the two (2) members appointed under subsection
 17 (c)(1)(C) nor any two (2) members appointed to succeed them
 18 may be from the same district created under IC 36-2-2-4(b)."
 19 Renumber all SECTIONS consecutively.
 (Reference is to EHB 1126 as printed February 24, 2012.)

Senator LANANE