

SENATE MOTION

MADAM PRESIDENT:

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

- 1 Page 33, delete lines 14 through 42, begin a new paragraph and
2 insert:
3 "SECTION 25. IC 36-9-27-5 IS AMENDED TO READ AS
4 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) Except in a
5 county having a consolidated city **or as provided in subsection (d)**,
6 the drainage board consists of either:
7 (1) the county executive; or
8 (2) three (3) or five (5) persons, at least one (1) of whom must be
9 a member of the executive, appointed by the executive;
10 at the option of the executive. Appointees under subdivision (2) must
11 be resident freeholders of the county who are knowledgeable in
12 drainage matters. Freeholders appointed to the board serve for terms of
13 three (3) years, with their initial appointments made so as to provide for
14 staggering of terms on an annual basis. In addition, the county surveyor
15 serves on the board as an ex officio, nonvoting member.
16 (b) In a county having a consolidated city, the board of public works
17 of the consolidated city comprises the drainage board, subject to
18 IC 36-3-4-23.
19 (c) In a county having a consolidated city, the department of public
20 works of the consolidated city has all the powers, duties, and
21 responsibilities of the county surveyor under this chapter, subject to
22 IC 36-3-4-23.
23 **(d) The following apply in a county that is subject to**
24 **IC 36-2-2.5:**
25 **(1) The drainage board consists of:**
26 **(A) the single county commissioner; and**
27 **(B) two (2) or four (4) persons (as determined by the**
28 **county council) who are appointed by the county council.**
29 **A member appointed under this clause may be a member**
30 **of the county council.**

- 1 **(2) Appointees under subdivision (1)(B) must be resident**
- 2 **freeholders of the county who are knowledgeable in drainage**
- 3 **matters.**
- 4 **(3) The freeholders appointed to the drainage board serve for**
- 5 **terms of three (3) years, with the freeholders' initial**
- 6 **appointments made so as to provide for staggering of terms**
- 7 **on an annual basis.**
- 8 **(4) The county surveyor serves on the drainage board as an ex**
- 9 **officio, nonvoting member.**
- 10 **(5) The terms of members serving on the drainage board at**
- 11 **the time the first single county commissioner is elected under**
- 12 **IC 36-2-2.5 expire on January 1 of the year following that**
- 13 **election, and the county council shall make the appointments**
- 14 **to the board as provided in this subsection."**

15 Page 34, delete lines 1 through 8.
16 Re-number all SECTIONS consecutively.
 (Reference is to SB 110 as reprinted January 20, 2012.)

Senator HOLDMAN