

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 621 be amended to read as follows:

- 1 Page 1, line 13, delete "subject to IC 3-11.5-4-0.5;" and insert "**in**
- 2 **which at least a majority of voters vote "yes" on a public question**
- 3 **under IC 3-11.5-4-0.5;"**.
- 4 Page 2, delete lines 2 through 18, begin a new paragraph and insert:
- 5 "SECTION 4. IC 3-11.5-4-0.5 IS ADDED TO THE INDIANA
- 6 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 7 [EFFECTIVE JULY 1, 2013]: **Sec. 0.5. (a) This section applies only**
- 8 **to a county with a population of more than three hundred**
- 9 **twenty-five thousand (325,000).**
- 10 **(b) The voters of the county may initiate a public question on**
- 11 **the question of requiring the counting of absentee ballots at a**
- 12 **central location unless a resolution is adopted by a unanimous vote**
- 13 **of the entire membership of the county election board requiring**
- 14 **ballots to be counted at individual precincts. The public question**
- 15 **is initiated by filing a written petition with the county clerk that is**
- 16 **signed by at least five percent (5%) of the voters of the county, as**
- 17 **determined by the vote cast in the county for secretary of state at**
- 18 **the most recent general election.**
- 19 **(c) The clerk of the political subdivision shall certify the petition**
- 20 **to the county legislative body.**
- 21 **(d) A petition under this section must be filed with the circuit**
- 22 **court clerk not later than January 1, 2015.**
- 23 **(e) If a petition is filed under subsection (b), the following**
- 24 **question shall be submitted to the registered voters of the county**

1 at the general election in November 2015:

2 "Shall the county count absentee ballots at a central location
3 unless the county election board adopts a resolution, by a
4 unanimous vote of the entire membership of the board, that
5 requires ballots to be counted at individual precincts? (A
6 "yes" vote on the public question results in the counting of
7 absentee ballots at a central location unless the county
8 election board adopts a resolution requiring absentee ballots
9 to be counted at individual precincts. A "no" vote on the
10 public question retains the requirement that absentee ballots
11 are counted at individual precincts unless the county election
12 board adopts a resolution for absentee ballots to be counted
13 at a central location.)".

14 (f) The county auditor shall certify a public question described
15 in subsection (e) under IC 3-10-9-3 to the county election board of
16 the county. After the public question is certified, the public
17 question shall be placed on the ballot at the general election in
18 November 2015.

19 (g) Only the registered voters who are residents of the county
20 may vote on the public question.

21 (h) The circuit court clerk shall certify the results of a public
22 question under this section to the following:

- 23 (1) The county auditor.
- 24 (2) The state board of accounts.
- 25 (3) The election division.

26 (i) If a majority of the voters voting on a public question under
27 this section vote "yes" to the public question, after December 31,
28 2015, the county shall count absentee ballots at a central location
29 unless the county election board adopts a resolution under
30 subsection (j).

31 (j) If the county election board adopts a resolution, by the
32 unanimous vote of the entire membership of the board, that:

- 33 (1) requires absentee ballots to be counted at individual
34 precincts instead of at a central location; and
- 35 (2) states the board's basis for adopting the requirement
36 described in subdivision (1);

37 all absentee ballots shall be counted at individual precincts instead
38 of at a central location as of the effective date of the resolution.

39 (k) A copy of a resolution adopted under subsection (j) shall be
40 filed with the election division."

41 Page 2, line 22, delete "that is subject to IC 3-11.5-4-0.5;" and insert
42 "in which at least a majority of voters vote "yes" on a public
43 question under IC 3-11.5-4-0.5;"

44 Page 2, line 37, delete "that is subject to IC 3-11.5-4-0.5;" and insert
45 "in which at least a majority of voters vote "yes" on a public
46 question under IC 3-11.5-4-0.5;"

47 Page 3, line 13, delete "The consolidated law".

1 Page 3, delete lines 14 through 16, begin a new paragraph and
2 insert:

3 **"(b) This subsection applies after December 31, 2015, only if a**
4 **majority of voters vote "yes" on a public question under**
5 **IC 36-3-8-3(1). The consolidated law enforcement department must**
6 **be a division of the department of public safety under the direction**
7 **and control of a director of public safety."**

8 Page 3, line 17, strike "(b)" and insert "(c)".

9 Page 3, line 24, strike "(c)" and insert "(d)".

10 Page 3, line 26, strike "(d)" and insert "(e)".

11 Page 3, line 39, strike "(e)" and insert "(f)".

12 Page 5, delete lines 41 through 42, begin a new paragraph and
13 insert:

14 "SECTION 8. IC 36-3-2-10, AS AMENDED BY P.L.146-2008,
15 SECTION 701, IS AMENDED TO READ AS FOLLOWS
16 [EFFECTIVE JULY 1, 2013]: Sec. 10. (a) The general assembly finds
17 the following:

18 (1) That the tax base of the consolidated city and the county have
19 been significantly eroded through the ownership of tangible
20 property by separate municipal corporations and other public
21 entities that operate as private enterprises yet are exempt or whose
22 property is exempt from property taxation.

23 (2) That to restore this tax base and provide a proper allocation of
24 the cost of providing governmental services the legislative body
25 of the consolidated city and county should be authorized to collect
26 payments in lieu of taxes from these public entities.

27 (3) That the appropriate maximum payments in lieu of taxes
28 would be the amount of the property taxes that would be paid if
29 the tangible property were not subject to an exemption.

30 (b) As used in this section, the following terms have the meanings
31 set forth in IC 6-1.1-1:

32 (1) Assessed value.

33 (2) Exemption.

34 (3) Owner.

35 (4) Person.

36 (5) Personal property.

37 (6) Property taxation.

38 (7) Tangible property.

39 (8) Township assessor.

40 (c) As used in this section, "PILOTS" means payments in lieu of
41 taxes.

42 (d) As used in this section, "public entity" means **the following:**

43 **(1) Except as provided in subdivision (2), any of the following**
44 **government entities in the county:**

45 **(+) (A) An airport authority operating under IC 8-22-3.**

46 **(2) (B) A capital improvement board of managers under**

- 1 IC 36-10-9.
 2 ~~(3)~~ (C) A building authority operating under IC 36-9-13.
 3 ~~(4)~~ (D) A wastewater treatment facility.
 4 **(2) If at least a majority of the voters vote "yes" on a public**
 5 **question under IC 36-3-8-3(6), any of the following**
 6 **government entities in the county:**
 7 **(A) An airport authority operating under IC 8-22-3.**
 8 **(B) A building authority operating under IC 36-9-13.**
 9 **(C) A wastewater treatment facility.**
 10 (e) The legislative body of the consolidated city may adopt an
 11 ordinance to require a public entity to pay PILOTS at times set forth in
 12 the ordinance with respect to:
 13 (1) tangible property of which the public entity is the owner or the
 14 lessee and that is subject to an exemption;
 15 (2) tangible property of which the owner is a person other than a
 16 public entity and that is subject to an exemption under IC 8-22-3;
 17 or
 18 (3) both.
 19 The ordinance remains in full force and effect until repealed or
 20 modified by the legislative body.
 21 (f) The PILOTS must be calculated so that the PILOTS may be in
 22 any amount that does not exceed the amount of property taxes that
 23 would have been levied by the legislative body for the consolidated city
 24 and county upon the tangible property described in subsection (e) if the
 25 property were not subject to an exemption from property taxation.
 26 (g) PILOTS shall be imposed as are property taxes and shall be
 27 based on the assessed value of the tangible property described in
 28 subsection (e). Except as provided in subsection (l), the township
 29 assessor, or the county assessor if there is no township assessor for the
 30 township, shall assess the tangible property described in subsection (e)
 31 as though the property were not subject to an exemption. The public
 32 entity shall report the value of personal property in a manner consistent
 33 with IC 6-1.1-3.
 34 (h) Notwithstanding any law to the contrary, a public entity is
 35 authorized to pay PILOTS imposed under this section from any legally
 36 available source of revenues. The public entity may consider these
 37 payments to be operating expenses for all purposes.
 38 (i) PILOTS shall be deposited in the consolidated county fund and
 39 used for any purpose for which the consolidated county fund may be
 40 used.
 41 (j) PILOTS shall be due as set forth in the ordinance and bear
 42 interest, if unpaid, as in the case of other taxes on property. PILOTS
 43 shall be treated in the same manner as taxes for purposes of all
 44 procedural and substantive provisions of law.
 45 (k) PILOTS imposed on a wastewater treatment facility may be paid
 46 only from the cash earnings of the facility remaining after provisions

- 1 have been made to pay for current obligations, including:
- 2 (1) operating and maintenance expenses;
- 3 (2) payment of principal and interest on any bonded indebtedness;
- 4 (3) depreciation or replacement fund expenses;
- 5 (4) bond and interest sinking fund expenses; and
- 6 (5) any other priority fund requirements required by law or by any
- 7 bond ordinance, resolution, indenture, contract, or similar
- 8 instrument binding on the facility.

9 (l) If the duties of the township assessor have been transferred to the
 10 county assessor as described in IC 6-1.1-1-24, a reference to the
 11 township assessor in this section is considered to be a reference to the
 12 county assessor."

13 Delete pages 6 through 7.

14 Page 8, delete lines 1 through 26, begin a new paragraph and insert:

15 "SECTION 11. IC 36-3-5-2, AS AMENDED BY P.L.227-2005,
 16 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2013]: Sec. 2. (a) **This subsection does not apply after**
 18 **December 31, 2015, if at least a majority of voters vote "yes" on a**
 19 **public question under IC 36-3-8-3(4).** The executive shall subject to
 20 the approval of the city-county legislative body, appoint each of the
 21 executive's deputies and the director of each department of the
 22 consolidated city. A deputy or director is appointed for a term of one
 23 (1) year and until a successor is appointed and qualified, but serves at
 24 the pleasure of the executive.

25 (b) **This subsection does not apply after December 31, 2015, if at**
 26 **least a majority of voters vote "yes" on a public question under**
 27 **IC 36-3-8-3(4).** When making an appointment under subsection (a),
 28 the executive shall submit the name of an appointee to an office to the
 29 legislative body for its approval as follows:

- 30 (1) When the office has an incumbent, not more than forty-five
- 31 (45) days before the expiration of the incumbent's one (1) year
- 32 term.
- 33 (2) When the office has been vacated, not more than forty-five
- 34 (45) days after the vacancy occurs.

35 (c) **This subsection applies after December 31, 2015, only if a**
 36 **majority of voters vote "yes" on a public question under**
 37 **IC 36-3-8-3(4).** The executive shall appoint each of the executive's
 38 deputies and the director of each department of the consolidated
 39 city. A deputy or director is appointed for a term of one (1) year
 40 and until a successor is appointed and qualified, but serves at the
 41 pleasure of the executive.

42 (d) The executive may appoint an acting deputy or acting
 43 director whenever the incumbent is incapacitated or the office has been
 44 vacated. An acting deputy or acting director has all the powers of the
 45 office.

46 (e) The executive shall appoint:

- 1 (1) a controller;
 2 (2) two (2) deputy controllers, only one (1) of whom may be from
 3 the same political party as the executive; and
 4 (3) a corporation counsel;
 5 each of whom serves at the pleasure of the executive.
- 6 (e) (f) The corporation counsel and every attorney who is a city
 7 employee working for the corporation counsel must be a resident of the
 8 county and admitted to the practice of law in Indiana."
- 9 Page 8, line 29, delete "As used in this section, "office, department,
 10 or" and insert "**This section applies after December 31, 2015, only if**
 11 **a majority of voters in the county vote "yes" on a public question**
 12 **under IC 36-3-8-3(2).**
- 13 (b) As used in this section, "office, department, or agency"
 14 means any office, department, or agency of the consolidated city or
 15 the county having a consolidated city."
- 16 Page 8, delete lines 30 through 31.
 17 Page 8, line 32, delete "(b)" and insert "(c)".
 18 Page 8, line 38, delete "(c)" and insert "(d)".
 19 Page 8, line 38, delete "(d)," and insert "(e),".
 20 Page 8, line 42, delete "(d)" and insert "(e)".
 21 Page 9, line 7, delete "(e)" and insert "(f)".
 22 Page 9, line 17, delete "(h)." and insert "(i)".
 23 Page 9, line 19, delete "(f)" and insert "(g)".
 24 Page 9, line 23, delete "(g)" and insert "(h)".
 25 Page 9, line 25, delete "(e)(1)(A)" and insert "(f)(1)(A)".
 26 Page 9, line 32, delete "(h)" and insert "(i)".
 27 Page 10, line 1, delete "(i)" and insert "(j)".
 28 Page 10, line 3, delete "(j)" and insert "(k)".
 29 Page 10, line 13, delete "(k)" and insert "(l)".
 30 Page 10, delete lines 15 through 42, begin a new paragraph and
 31 insert:
 32 "SECTION 13. IC 36-3-8 IS ADDED TO THE INDIANA CODE
 33 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 34 JULY 1, 2013]:
 35 **Chapter 8. Local Public Question on Marion County Issues**
 36 **Sec. 1. This chapter applies only to Marion County.**
 37 **Sec. 2. (a) The voters of the county may petition to place a public**
 38 **question on the ballot at the November 2015 general election by**
 39 **filing a written petition with the circuit court clerk that meets the**
 40 **following requirements:**
 41 (1) States a public question from the list in section 3 of this
 42 chapter. A separate petition is required for each public
 43 question. Each petition must meet the requirements of this
 44 section.
 45 (2) Each petition must be signed by at least five percent (5%)
 46 of the voters of the county, as determined by the vote cast in

1 the county for secretary of state at the most recent general
2 election.

3 **(b) A petition under this section must be filed with the circuit**
4 **court clerk not later than January 1, 2015.**

5 **(c) If a petition meets the requirements of this section, the**
6 **circuit court clerk shall certify the petition to the city-county**
7 **council.**

8 **Sec. 3. A petition may be filed to place any of the following**
9 **public questions on the ballot at the general election in November**
10 **2015:**

11 **(1) "Shall state law require the consolidated law enforcement**
12 **department to be a division of the department of public safety**
13 **under the direction and control of a director of public safety?**
14 **(A "yes" vote on the public question would require, as a**
15 **matter of state law, that the consolidated law enforcement**
16 **department be a division of the department of public safety**
17 **under the direction and control of the director of public**
18 **safety. A "no" vote on the public question would retain the**
19 **city-county council's authority to adopt an ordinance**
20 **regarding the organization of the consolidated law**
21 **enforcement department.)"**

22 **(2) "Shall the controller of the consolidated city and county**
23 **have the power to allot amounts that are appropriated by the**
24 **city-county council to an office, department, or agency of a**
25 **consolidated city or the county? (A "yes" vote on the public**
26 **question would result in the controller having this authority**
27 **beginning January 1, 2016. A "no" vote on the public question**
28 **would result in the controller not having this authority.)"**

29 **(3) "Shall all township boards in Marion County be reduced**
30 **from seven (7) to five (5) members? (A "yes" vote on the**
31 **public question would result in a reduction in membership of**
32 **each township board in the county to five (5) members**
33 **beginning January 1, 2016. A "no" vote on the public question**
34 **would result in each township board retaining a membership**
35 **of seven (7) members.)"**

36 **(4) "Shall the mayor have the authority to appoint the**
37 **mayor's deputies and directors of departments of the**
38 **consolidated city without the approval of the city-county**
39 **council? (A "yes" vote on the public question would allow the**
40 **mayor to have the appointment authority beginning January**
41 **1, 2016. A "no" vote on the public question would result in the**
42 **city-county council retaining the authority to approve the**
43 **mayor's appointments.)"**

44 **(5) "Shall the mayor appoint two (2) additional members to**
45 **the metropolitan development commission and shall the**
46 **appointments of the board of county commissioners (the**
47 **county auditor, county assessor, and county treasurer) to the**

1 metropolitan development commission be eliminated? (A
 2 "yes" vote on the public question means that beginning
 3 January 1, 2016, the mayor would appoint two (2) additional
 4 members to the commission and the board of commissioners
 5 would lose its authority to appoint two (2) members to the
 6 commission. A "no" vote on the public question would result
 7 in the board of county commissioners retaining the board's
 8 appointments to the metropolitan development commission
 9 and the mayor retaining the same number of appointments.)".

10 (6) "Shall the city-county council's authority to require the
 11 capital improvement board of managers to make payments in
 12 lieu of taxes (PILOTS) for deposit in the consolidated county
 13 fund be eliminated? (A "yes" vote on the public question
 14 would eliminate the city-county council's authority beginning
 15 January 1, 2016. A "no" vote on the public question would
 16 result in the city-county council retaining this authority.)".

17 Sec. 4. (a) The county auditor shall certify a public question
 18 described in section 3 of this chapter under IC 3-10-9-3 to the
 19 county election board of the county. After the public question is
 20 certified, the public question shall be placed on the ballot at the
 21 general election in November 2015.

22 (b) Only the registered voters who are residents of Marion
 23 County may vote on the public question.

24 Sec. 5. The circuit court clerk shall certify the results of a public
 25 question under this chapter to the following:

- 26 (1) The county auditor.
- 27 (2) The state board of accounts.
- 28 (3) The election division.

29 Sec. 6. (a) If a majority of the voters in the county voting on a
 30 public question under section 3(1) of this chapter vote "yes" to the
 31 public question, after December 31, 2015, as a matter of state law,
 32 the consolidated law enforcement department is a division of the
 33 department of public safety under the direction and control of the
 34 director of public safety.

35 (b) If a majority of the voters in the county voting on a public
 36 question under section 3(2) of this chapter vote "yes" to the public
 37 question, after December 31, 2015, the controller of the
 38 consolidated city and county has the authority under IC 36-3-6-10
 39 to allot amounts appropriated to an office, department, or agency
 40 of a consolidated city or county having a consolidated city.

41 (c) If a majority of the voters in the county voting on a public
 42 question under section 3(3) of this chapter vote "yes" to the public
 43 question, after December 31, 2015, each township board in the
 44 county consists of five (5) members instead of seven (7) members.

45 (d) If a majority of the voters in the county voting on a public
 46 question under section 3(4) of this chapter vote "yes" to the public
 47 question, after December 31, 2015, the mayor of the consolidated

1 city may appoint each of the mayor's deputies and the director of
 2 each department of the consolidated city without the city-county
 3 council's approval.

4 (e) If a majority of the voters in the county voting on a public
 5 question under section 3(5) of this chapter vote "yes" to the public
 6 question, after December 31, 2015, the board of county
 7 commissioners' appointments to the metropolitan development
 8 commission are eliminated and the mayor's appointments to the
 9 metropolitan development commission are increased by two (2).

10 (f) If a majority of the voters in the county voting on a public
 11 question under section 3(6) of this chapter vote "yes" to the public
 12 question, after December 31, 2015, the city-county council may not
 13 require the capital improvement board of managers to make
 14 payments in lieu of taxes (PILOTS) for deposit in the consolidated
 15 county fund.

16 SECTION 14. IC 36-6-6-2, AS AMENDED BY P.L.240-2005,
 17 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 18 JULY 1, 2013]: Sec. 2. (a) Except as provided in subsection (b) and
 19 section 2.1 of this chapter, a three (3) member township board shall be
 20 elected under IC 3-10-2-13 by the voters of each township.

21 (b) The township board in a county containing a consolidated city
 22 shall consist of:

23 (1) seven (7) members elected under IC 3-10-2-13 by the voters
 24 of each township; or

25 (2) after December 31, 2016, five (5) members elected under
 26 IC 3-10-2-13 by the voters of each township, only if at least a
 27 majority of the voters vote "yes" on a public question under
 28 IC 36-3-8-3(3).

29 (c) The township board is the township legislative body.

30 (d) The term of office of a township board member is four (4) years,
 31 beginning January 1 after election and continuing until a successor is
 32 elected and qualified.

33 SECTION 15. IC 36-6-6-4, AS AMENDED BY P.L.240-2005,
 34 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 35 JULY 1, 2013]: Sec. 4. (a) Except as provided in subsections (b) and
 36 (c), two (2) members of the legislative body constitute a quorum.

37 (b) Four (4) members of the legislative body in a county containing
 38 a consolidated city constitute a quorum. **However, if at least a**
 39 **majority of the voters vote "yes" on a public question under**
 40 **IC 36-3-8-3(3), after December 31, 2016, three (3) members of the**
 41 **legislative body in a county having a consolidated city constitute a**
 42 **quorum.**

43 (c) This subsection applies to a township government that:

44 (1) is created by a merger of township governments under
 45 IC 36-6-1.5; and

46 (2) elects a township board under section 2.1 of this chapter.

1 A majority of the members of the legislative body constitute a quorum.
2 If a township board has an even number of members, the township
3 executive shall serve as an ex officio member of the township board for
4 the purpose of casting the deciding vote to break a tie.

5 SECTION 16. IC 36-7-4-207, AS AMENDED BY P.L.146-2008,
6 SECTION 718, IS AMENDED TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2013]: Sec. 207. (a) ADVISORY. In a city
8 having a park board and a city civil engineer, the city plan commission
9 consists of nine (9) members, as follows:

- 10 (1) One (1) member appointed by the city legislative body from
- 11 its membership.
- 12 (2) One (1) member appointed by the park board from its
- 13 membership.
- 14 (3) One (1) member or designated representative appointed by the
- 15 city works board.
- 16 (4) The city civil engineer or a qualified assistant appointed by the
- 17 city civil engineer.
- 18 (5) Five (5) citizen members, of whom no more than three (3)
- 19 may be of the same political party, appointed by the city
- 20 executive.

21 (b) ADVISORY. If a city lacks either a park board or a city civil
22 engineer, or both, subsection (a) does not apply. In such a city or in any
23 town, the municipal plan commission consists of seven (7) members,
24 as follows:

- 25 (1) The municipal legislative body shall appoint three (3) persons,
- 26 who must be elected or appointed municipal officials or
- 27 employees in the municipal government, as members.
- 28 (2) The municipal executive shall appoint four (4) citizen
- 29 members, of whom no more than two (2) may be of the same
- 30 political party.

31 (c) AREA. To provide equitable representation of rural and urban
32 populations, representation on the area plan commission is determined
33 as follows:

- 34 (1) Seven (7) representatives from each city having a population
- 35 of more than one hundred five thousand (105,000).
- 36 (2) Six (6) representatives from each city having a population of
- 37 not less than seventy thousand (70,000) nor more than one
- 38 hundred five thousand (105,000).
- 39 (3) Five (5) representatives from each city having a population of
- 40 not less than thirty-five thousand (35,000) but less than seventy
- 41 thousand (70,000).
- 42 (4) Four (4) representatives from each city having a population of
- 43 not less than twenty thousand (20,000) but less than thirty-five
- 44 thousand (35,000).
- 45 (5) Three (3) representatives from each city having a population
- 46 of not less than ten thousand (10,000) but less than twenty

- 1 thousand (20,000).
- 2 (6) Two (2) representatives from each city having a population of
- 3 less than ten thousand (10,000).
- 4 (7) One (1) representative from each town having a population of
- 5 more than two thousand one hundred (2,100), and one (1)
- 6 representative from each town having a population of two
- 7 thousand one hundred (2,100) or less that had a representative
- 8 before January 1, 1979.
- 9 (8) Such representatives from towns having a population of not
- 10 more than two thousand one hundred (2,100) as are provided for
- 11 in section 210 of this chapter.
- 12 (9) Six (6) county representatives if the total number of municipal
- 13 representatives in the county is an odd number, or five (5) county
- 14 representatives if the total number of municipal representatives is
- 15 an even number.
- 16 (d) METRO. The metropolitan development commission consists
- 17 of nine (9) citizen members, as follows:
- 18 (1) Four (4) members, of whom no more than two (2) may be of
- 19 the same political party, appointed by the executive of the
- 20 consolidated city, **or if at least a majority of the voters vote**
- 21 **"yes" on a public question under IC 36-3-8-3(5), after**
- 22 **December 31, 2015, six (6) members, no more than three (3)**
- 23 **of whom may be of the same political party, appointed by the**
- 24 **executive of the consolidated city.**
- 25 (2) Three (3) members, of whom no more than two (2) may be of
- 26 the same political party, appointed by the legislative body of the
- 27 consolidated city.
- 28 (3) Two (2) members, who must be of different political parties,
- 29 appointed by the board of commissioners of the county, **unless**
- 30 **the voters of the county vote "yes" on a public question under**
- 31 **IC 36-3-8-3(5), in which case after December 31, 2015, the**
- 32 **board of commissioners of the county may not make any**
- 33 **appointments to the metropolitan development commission.**
- 34 (e) METRO. The legislative body of the consolidated city shall
- 35 appoint an individual to serve as a nonvoting adviser to the
- 36 metropolitan development commission when the commission is acting
- 37 as the redevelopment commission of the consolidated city under
- 38 IC 36-7-15.1. If the duties of the metropolitan development
- 39 commission under IC 36-7-15.1 are transferred to another entity under
- 40 IC 36-3-4-23, the individual appointed under this subsection shall serve
- 41 as a nonvoting adviser to that entity. A nonvoting adviser appointed
- 42 under this subsection:
- 43 (1) must also be a member of the school board of a school
- 44 corporation that includes all or part of the territory of the
- 45 consolidated city;
- 46 (2) is not considered a member of the metropolitan development

1 commission for purposes of IC 36-7-15.1 but is entitled to attend
2 and participate in the proceedings of all meetings of the
3 metropolitan development commission (or any successor entity
4 designated under IC 36-3-4-23) when it is acting as a
5 redevelopment commission under IC 36-7-15.1;
6 (3) is not entitled to a salary, per diem, or reimbursement of
7 expenses;
8 (4) serves for a term of two (2) years and until a successor is
9 appointed; and
10 (5) serves at the pleasure of the legislative body of the
11 consolidated city."
12 Delete pages 11 through 13.
13 Renumber all SECTIONS consecutively.
(Reference is to ESB 621 as printed April 2, 2013.)

Representative Pryor