

Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	1

MR. SPEAKER:

*Your Committee on Roads and Transportation, to which was referred House Bill 1011, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:*

- 1 Page 23, line 27, delete "county; or" and insert "**county and the**
- 2 **county does not contain a consolidated city;**".
- 3 Page 23, line 29, after "county;" insert "**or**
- 4 **(3) the city-county council, if the county contains a**
- 5 **consolidated city;**".
- 6 Page 23, line 30, delete "may" and insert "**shall**".
- 7 Page 23, delete lines 35 through 40, begin a new line block indented
- 8 and insert:
- 9 **"(1) The county economic development income tax rate**
- 10 **imposed under subsection (a) may not exceed the maximum**
- 11 **rate approved in the local public question under**
- 12 **IC 36-9.1-2-2."**
- 13 Page 24, between lines 12 and 13, begin a new paragraph and insert:
- 14 "SECTION 13. IC 34-6-2-110, AS AMENDED BY P.L.2-2007,
- 15 SECTION 371, IS AMENDED TO READ AS FOLLOWS
- 16 [EFFECTIVE JULY 1, 2013]: Sec. 110. "Political subdivision", for

1 purposes of IC 34-13-3, means a:

- 2 (1) county;
- 3 (2) township;
- 4 (3) city;
- 5 (4) town;
- 6 (5) separate municipal corporation;
- 7 (6) special taxing district;
- 8 (7) state educational institution;
- 9 (8) city or county hospital;
- 10 (9) school corporation;
- 11 (10) board or commission of one (1) of the entities listed in
- 12 subdivisions (1) through (9);
- 13 (11) drug enforcement task force operated jointly by political
- 14 subdivisions;
- 15 (12) community correctional service program organized under
- 16 IC 12-12-1; ~~or~~
- 17 (13) solid waste management district established under IC 13-21
- 18 or IC 13-9.5-2 (before its repeal); **or**
- 19 **(14) metropolitan transit district established under**
- 20 **IC 36-9.1-2.**

21 SECTION 14. IC 34-13-3-22 IS AMENDED TO READ AS
 22 FOLLOWS [EFFECTIVE JULY 1, 2013]: Sec. 22. (a) For purposes of
 23 this chapter, the following shall be treated as political subdivisions:

- 24 (1) A community action agency (as defined in IC 12-14-23-2).
- 25 (2) An individual or corporation rendering public transportation
- 26 services under a contract with a commuter transportation district
- 27 created under IC 8-5-15.
- 28 (3) A volunteer fire department (as defined in IC 36-8-12-2) that
- 29 is acting under:
 - 30 (A) a contract with a unit or a fire protection district; or
 - 31 (B) IC 36-8-17.

32 **(4) An individual or a corporation rendering public**
 33 **transportation services under a contract with a metropolitan**
 34 **transportation district established under IC 36-9.1-2.**

35 (b) The treatment provided for under subsection (a)(2) shall be
 36 accorded only in relation to a loss that occurs in the course of rendering
 37 public transportation services under contract with a commuter
 38 transportation district.

1 **(c) The treatment provided for under subsection (a)(4) shall be**
 2 **accorded only in relation to a loss that occurs in the course of**
 3 **rendering public transportation services under a contract with a**
 4 **metropolitan transit district."**

5 Page 25, between lines 7 and 8, begin a new line blocked left and
 6 insert:

7 **"If the consolidated city is located in a county that is a member of**
 8 **a metropolitan transit district established under IC 36-9.1, the**
 9 **terms of the members appointed under this subsection expire on**
 10 **the date on which the first meeting of the board of the metropolitan**
 11 **transit district is called under IC 36-9.1-4-5(a). If not otherwise**
 12 **ineligible, a member appointed under this subsection is eligible for**
 13 **appointment under subsection (d)."**

14 Page 28, line 14, delete "The" and insert **"Beginning on the date on**
 15 **which the first meeting of the board of metropolitan transit district**
 16 **is called under IC 36-9.1-4-5(a), the"**.

17 Page 28, between lines 29 and 30, begin a new line blocked left and
 18 insert:

19 **"If not otherwise ineligible, a member whose term expired under**
 20 **subsection (a) is eligible for appointment under this subsection.**

21 SECTION 16. IC 36-9-3-7, AS AMENDED BY P.L.182-2009(ss),
 22 SECTION 448, IS AMENDED TO READ AS FOLLOWS
 23 [EFFECTIVE JULY 1, 2013]: Sec. 7. (a) Except as provided in
 24 subsection (e), as soon as is practical, but not later than ninety (90) days
 25 after the authority is established, the members shall meet and organize
 26 themselves as a board.

27 (b) Except as provided in ~~subsection~~ **subsections (f) and (g)**, at its
 28 first meeting, and annually after that, the board shall elect from its
 29 members a president, a vice president who shall perform the duties of
 30 the president during the absence or disability of the president, a
 31 secretary, and a treasurer. If the authority includes more than one (1)
 32 county, the president and vice president must be from different
 33 counties.

34 (c) The regional planning commission staff or the metropolitan
 35 planning organization if the authority includes a consolidated city shall
 36 serve as staff to the board secretary for the purpose of recording the
 37 minutes of all board meetings and keeping the records of the authority.

38 (d) The board shall keep its maps, plans, documents, records, and

1 accounts in a suitable office, subject to public inspection at all
2 reasonable times.

3 (e) After December 31, 2009, this subsection applies if a county is
4 not a member of the northern Indiana regional transportation district
5 established under IC 8-24. If the authority includes a county having a
6 population of more than four hundred thousand (400,000) but less than
7 seven hundred thousand (700,000), the first meeting of the board shall
8 be at the call of the county council of the county having a population
9 of more than four hundred thousand (400,000) but less than seven
10 hundred thousand (700,000). The president of the county council shall
11 preside over the first meeting until the officers of the board have been
12 elected.

13 (f) After December 31, 2009, this subsection applies if a county is
14 not a member of the northern Indiana regional transportation district
15 established under IC 8-24. If the authority includes a county having a
16 population of more than four hundred thousand (400,000) but less than
17 seven hundred thousand (700,000), the board shall first meet in
18 January. At the first meeting the board shall elect from its members a
19 president, a vice president who shall perform the duties of the president
20 during the absence or disability of the president, a secretary, a treasurer,
21 and any other officers the board determines are necessary for the board
22 to function.

23 **(g) This subsection applies to an authority that includes a county**
24 **that is a member of a metropolitan transit district established**
25 **under IC 36-9.1. The chairperson and vice-chairperson of the**
26 **board of the metropolitan transit district shall serve as chairperson**
27 **and vice-chairperson of the board of the authority. The board shall**
28 **elect from its members a secretary-treasurer."**

29 Page 31, line 30, after "district." insert "**The metropolitan transit**
30 **district is subject to the requirements of IC 36-9-3-21 and**
31 **IC 36-9-4-41."**

32 Page 35, delete lines 32 through 36, begin a new paragraph and
33 insert:

34 **"Sec. 3. "Authorizing body" means the following:**

35 **(1) For a county containing a consolidated city, the city-county**
36 **council.**

37 **(2) For a county (other than a county containing a**
38 **consolidated city) in which the county option income tax is in**

1 effect, the county income tax council (as defined in
2 IC 6-3.5-6-1).

3 **(3) For a county in which the county adjusted gross income**
4 **tax is in effect, the county council."**

5 Page 36, line 37, delete "recommended" and insert "**maximum**".

6 Page 36, line 39, delete "recommended" and insert "**maximum**".

7 Page 37, delete lines 4 through 10, begin a new line block indented
8 and insert:

9 **""Shall _____ County become a member of a**
10 **metropolitan transit district and have the ability to impose a**
11 **county economic development income tax rate, not to exceed**
12 **a rate of _____ (insert recommended rate included in the**
13 **ordinance under subsection (a)), the proceeds of which will be**
14 **dedicated to the metropolitan transit district to provide**
15 **improved transit service in the county, including increased**
16 **local bus service, express buses, and rapid transit lines?"**.

17 Page 37, delete line 14.

18 Page 37, line 15, delete "(1)".

19 Page 37, run in lines 13 through 15.

20 Page 37, line 17, delete "vote; or" and insert "**vote**".

21 Page 37, delete line 18.

22 Page 37, between lines 36 and 37, begin a new paragraph and insert:

23 **"(g) A political subdivision may not expend public funds (as**
24 **defined in IC 5-13-4-20) to support or oppose the approval of the**
25 **local public question under this section."**

26 Page 40, between lines 19 and 20, begin a new paragraph and insert:

27 **"(c) A member must reside in the county from which the**
28 **appointment was made. A member's term expires on the date the**
29 **member establishes residency in another county.**

30 **(d) The following individuals are not eligible for membership on**
31 **the board:**

32 **(1) An officer of the district.**

33 **(2) An employee of the district.**

34 **(3) An elected official."**

35 Page 47, between lines 15 and 16, begin a new paragraph and insert:

36 **"Sec. 26. The metropolitan transit district may enter into**
37 **agreements with government agencies, political subdivisions, and**
38 **other persons providing for public safety services."**

1 Page 47, line 35, after "district." insert "**The chief executive officer**
2 **must have at least seven (7) years experience in public**
3 **transportation at a senior executive level.**".

4 Page 58, after line 29, begin a new paragraph and insert:

5 "**Sec. 4. The metropolitan transit district may not impose any**
6 **tax.**".

7 Renumber all SECTIONS consecutively.
(Reference is to HB 1011 as introduced.)

and when so amended that said bill do pass.

Representative Soliday