

HOUSE BILL No. 1450

DIGEST OF INTRODUCED BILL

Citations Affected: IC 8-5-15-3.

Synopsis: Commuter transportation districts. Amends the membership of the northern Indiana commuter transportation district.

Effective: July 1, 2013.

Candelaria Reardon

January 22, 2013, read first time and referred to Committee on Roads and Transportation.

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First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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HOUSE BILL No. 1450



A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

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

1 SECTION 1. IC 8-5-15-3, AS AMENDED BY P.L.48-2010,
2 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 2013]: Sec. 3. (a) The district shall be supervised and
4 managed by a board of trustees, which consists of the following:
5 (1) Four (4) members, one (1) from each county that is a member
6 of the district, appointed by that county's board of county
7 commissioners. In the case of a member appointed or reappointed
8 under this subdivision after December 31, 2009, the member must
9 be a member of the board of county commissioners of the county
10 that the member represents.
11 ~~(2) Four (4) members, one (1) from each county that is a member~~
12 ~~of the district, each of whom is the president of that county's~~
13 ~~county council or another council member designated by the~~
14 ~~president as a board member.~~
15 (3) After June 30, 2010, one (1) member representing the rest of
16 the state, appointed by the governor.
17 (4) After June 30, 2010, one (1) passenger member appointed by



1 the governor. The member appointed under this subdivision must
 2 be selected from passengers who have submitted a letter of
 3 interest to the governor. To be considered for this position, a
 4 passenger must submit a letter of interest to the governor during
 5 a two (2) week period that begins, in 2010, on May 2, 2010, and;
 6 in any year after 2010 in which the term of a member appointed
 7 under this subsection expires, sixty (60) days before the
 8 expiration of the term of the member appointed under this
 9 subdivision. A member of the board serving under this
 10 subdivision is not required to submit a letter of interest to be
 11 eligible for appointment to a successive term.

12 (5) After June 30, 2010, one (1) member who is an employee of
 13 the district, appointed by the governor from a list of names
 14 submitted by the labor unions representing the employees of the
 15 district. Each labor union representing employees of the district
 16 may submit one (1) name to be included on the list of names
 17 under this subdivision.

18 (2) Four (4) members from the county that is a member of the
 19 district with the largest population as follows:

20 (A) The mayor of the largest city located north of U.S.
 21 Highway 6.

22 (B) The mayor of the second largest city located north of
 23 U.S. Highway 6.

24 (C) The mayor of the third largest city located north of
 25 U.S. Highway 6.

26 (D) The mayor of the largest city located south of U.S.
 27 Highway 6.

28 (3) The mayor of the largest city located in the county that is
 29 a member of the district having the second largest population.

30 (4) Two (2) members from the county that is a member of the
 31 district having the third largest population as follows:

32 (A) The mayor of the largest city located north of U.S.
 33 Highway 6.

34 (B) The mayor of the largest city located south of U.S.
 35 Highway 6.

36 (5) Two (2) members from the county that is a member of the
 37 district having the fourth largest population as follows:

38 (A) The mayor of the largest city located north of U.S.
 39 Highway 6.

40 (B) The mayor of the largest city located south of U.S.
 41 Highway 6.

42 (b) A member shall serve for a term of two (2) years from the

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1 beginning of the term for which the member was appointed and until
 2 a successor has qualified for the office. Each member shall serve at the
 3 pleasure of the appointing authority but is eligible for reappointment
 4 for successive terms.

5 (c) The members of the board shall elect for a one (1) year term:

- 6 (1) one (1) member as chairman;
- 7 (2) one (1) member to serve as vice chairman;
- 8 (3) one (1) member to serve as secretary; and
- 9 (4) one (1) member to serve as treasurer.

10 (d) Not later than:

- 11 (1) April 1, 2010; and
- 12 (2) in any year after 2010 in which the term of a member
- 13 appointed under subsection (a)(4) expires, ninety (90) days before
- 14 the expiration of the term of the board member appointed under
- 15 subsection (a)(4);

16 the district shall post in each commuter station in the district a notice
 17 of the opening on the board of trustees. The notice must announce the
 18 opening for a passenger member on the board of trustees and provide
 19 information on submitting a letter of interest. The notice must state the
 20 period in which the passenger must submit a letter of interest. The
 21 notice must remain posted until, in 2010, May 15, 2010; and, in any
 22 subsequent year in which the term of a member appointed under
 23 subsection (a)(4) expires, the expiration of the two (2) week period
 24 described in subsection (a)(4).

25 (e) A member appointed under subsection (a)(4) or (a)(5) may not:

26 (1) vote on issues involving perceived or actual financial conflicts
 27 of interest, including personnel issues, collective bargaining, and
 28 assessment or levy of taxes; or

29 (2) participate in an executive session of the board under
 30 IC 5-14-1.5-6.1; on issues regarding:

31 (A) the discussion of strategy for:

- 32 (i) collective bargaining; or
- 33 (ii) the initiation of litigation or litigation that is either
- 34 pending or has been threatened specifically in writing;
- 35 as described in IC 5-14-1.5-6.1(b)(2); or

36 (B) the discussion of job performance evaluation of individual
 37 employees, except for a discussion of the salary;
 38 compensation; or benefits of employees during a budget
 39 process, as described in IC 5-14-1.5-6.1(b)(9).

40 (f) The members appointed under subsection (a)(4) and (a)(5) must
 41 reside in different counties.

42 (d) A member may designate an alternate member to represent

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1 and act for the member. An alternate member designated under
2 this subsection must have:

3 (1) at least five (5) years experience in:

4 (A) transportation management;

5 (B) financial management; or

6 (C) urban planning; and

7 (2) at least five (5) years experience as a member of another
8 board.

9 SECTION 2. [EFFECTIVE JULY 1, 2013] (a) As used in this
10 SECTION, "board" refers to the board of trustees of a commuter
11 transportation district appointed under IC 8-5-15-3, as amended
12 by this act.

13 (b) The initial terms of the members of a board appointed under
14 IC 8-5-15-3, as amended by this act, are as follows:

15 (1) For a member appointed under IC 8-5-15-3(a)(2)(A),
16 IC 8-5-15-3(a)(2)(B), IC 8-5-15-3(a)(4)(A), or
17 IC 8-5-15-3(a)(5)(A), all as amended by this act, a term ending
18 July 1, 2014.

19 (2) For a member appointed under IC 8-5-15-3(a)(2)(C),
20 IC 8-5-15-3(a)(2)(D), IC 8-5-15-3(a)(3), IC 8-5-15-3(a)(4)(B),
21 or IC 8-5-15-3(a)(5)(B), all as amended by this act, a term
22 ending July 1, 2015.

23 (c) Notwithstanding IC 8-5-15-3, as amended by this act, a
24 member of a board appointed under IC 8-5-15-3 (before its
25 amendment by this act) may be appointed as a member of the
26 board under IC 8-5-15-3, as amended by this act, if the member
27 otherwise qualifies for appointment under IC 8-5-15-3, as amended
28 by this act.

29 (d) This SECTION expires July 1, 2015.

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