

#### **IC 14-13-4**

##### Chapter 4. River Marina Development Commission

#### **IC 14-13-4-1**

##### **"Commission" defined**

Sec. 1. As used in this chapter, "commission" refers to the river marina development commission.

*As added by P.L.1-1995, SEC.6.*

#### **IC 14-13-4-2**

##### **"Corridor" defined**

Sec. 2. As used in this chapter, "corridor" means the strip of land in Indiana abutting the Ohio River and the immediate tributaries of the Ohio River.

*As added by P.L.1-1995, SEC.6.*

#### **IC 14-13-4-3**

##### **Establishment of commission**

Sec. 3. The river marina development commission is established.

*As added by P.L.1-1995, SEC.6.*

#### **IC 14-13-4-4**

##### **Members**

Sec. 4. The commission consists of the following members:

- (1) One (1) resident of Vincennes appointed by the executive of Vincennes.
- (2) One (1) resident of Mount Vernon appointed by the executive of Mount Vernon.
- (3) One (1) resident of Tell City appointed by the executive of Tell City.
- (4) One (1) resident of Clarksville appointed by the legislative body of Clarksville.
- (5) One (1) resident of Lawrenceburg appointed by the executive of Lawrenceburg.
- (6) One (1) resident of Aurora appointed by the executive of Aurora.
- (7) One (1) resident of Rising Sun appointed by the executive of Rising Sun.
- (8) One (1) resident of Jeffersonville appointed by the executive of Jeffersonville.
- (9) One (1) resident of New Albany appointed by the executive of New Albany.
- (10) One (1) resident of Evansville appointed by the executive of Evansville.
- (11) One (1) resident of Madison appointed by the executive of Madison.
- (12) One (1) resident of Terre Haute appointed by the executive of Terre Haute.
- (13) One (1) resident of Vevay appointed by the legislative body of Vevay.

(14) The president of the Indiana economic development corporation or the president's designee, who is a nonvoting member.

(15) The director of the department or the director's designee, who is a nonvoting member.

(16) The director of the office of tourism development or the director's designee, who is a nonvoting member.

*As added by P.L.1-1995, SEC.6. Amended by P.L.229-2005, SEC.11.*

#### **IC 14-13-4-5**

##### **Terms of members; eligibility for reappointment**

Sec. 5. (a) The terms of the appointed members of the commission are four (4) years and shall be staggered so that the terms expire as follows:

(1) June 30, 1996, and thereafter, the members from Vincennes, Aurora, and Rising Sun.

(2) June 30, 1997, and thereafter, the members from Mount Vernon, Jeffersonville, and New Albany.

(3) June 30, 1998, and thereafter, the members from Tell City, Evansville, and Madison.

(4) June 30, 1999, and thereafter, the members from Clarksville, Lawrenceburg, Terre Haute, and Vevay.

(b) A member of the commission may be reappointed.

*As added by P.L.1-1995, SEC.6.*

#### **IC 14-13-4-6**

##### **Filling of vacancies**

Sec. 6. A vacancy on the commission shall be filled for the unexpired term in the same manner and under the same conditions as the original appointment.

*As added by P.L.1-1995, SEC.6.*

#### **IC 14-13-4-7**

##### **Per diem compensation and traveling expenses**

Sec. 7. Each appointed member of the commission is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). A member of the commission is also entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

*As added by P.L.1-1995, SEC.6.*

#### **IC 14-13-4-8**

##### **Quorum**

Sec. 8. Seven (7) voting members constitute a quorum.

*As added by P.L.1-1995, SEC.6.*

#### **IC 14-13-4-9**

##### **Officers**

Sec. 9. (a) The commission shall elect the following officers from among the commission's members:

- (1) A chairman.
- (2) A vice chairman.
- (3) A treasurer.

(b) Each officer serves a term of one (1) year beginning July 1 of each year.

*As added by P.L.1-1995, SEC.6.*

#### **IC 14-13-4-10**

##### **Meetings**

Sec. 10. (a) The commission:

- (1) shall fix the time for regular meetings; and
- (2) may hold special meetings on call of the chairman with seven (7) days written notice.

(b) A member may waive written notice of a specific meeting by a written notice filed with the commission.

*As added by P.L.1-1995, SEC.6.*

#### **IC 14-13-4-11**

##### **Comprehensive plan; recommended legislation**

Sec. 11. (a) The commission shall study various plans and recommendations that are proposed concerning marina development along the corridor. Based on these studies, the commission shall do the following:

- (1) Prepare a comprehensive plan.
- (2) Recommend state and local legislation for the development of marinas along the corridor.
- (3) Coordinate the implementation of the plan and legislation.

(b) The commission may make grants of money to units of local government for the construction or improvement of a marina in the corridor if the grants are consistent with the plans, standards, and criteria established by the commission.

*As added by P.L.1-1995, SEC.6.*

#### **IC 14-13-4-12**

##### **General powers**

Sec. 12. (a) When necessary to accomplish the purposes of the commission, the commission may do the following:

- (1) Conduct studies necessary for the performance of the commission's duties.
- (2) Publicize, advertise, and distribute reports on the commission's purposes, objectives, and findings.
- (3) Provide recommendations in matters related to the commission's functions and objectives to the following:

- (A) Political subdivisions in and adjacent to the corridor.
- (B) Other public and private agencies.

- (4) When requested, act as a coordinating agency for programs and activities of other public and private agencies that are related to the commission's objectives.

- (5) Acquire and dispose of real or personal property by grant, gift, purchase, lease, devise, or otherwise.
  - (6) Hold, use, improve, maintain, operate, own, manage, or lease as lessor or lessee:
    - (A) real or personal property; or
    - (B) any interest in real and personal property.
  - (7) Employ an executive director and other individuals necessary to carry out the commission's duties.
  - (b) The commission may contract for staff services with:
    - (1) qualified agencies or individuals; or
    - (2) a planning commission established under IC 36-7-7;unless the commission employs the commission's own staff.
  - (c) It is the goal of marina projects under this chapter to create employment in the private sector.
- As added by P.L.1-1995, SEC.6.*

#### **IC 14-13-4-13**

##### **Grants and appropriations; advisory committees**

- Sec. 13. (a) The commission may receive grants and appropriations from the following:
- (1) Federal, state, and local governments.
  - (2) Individuals.
  - (3) Foundations.
  - (4) Other organizations.
- (b) The commission may enter into agreements or contracts regarding the acceptance or use of these grants and appropriations for the purpose of carrying out the commission's activities under this chapter.
- (c) The commission may appoint advisory committees, which may include representatives of the following:
- (1) Municipal parks.
  - (2) County parks.
  - (3) National parks.
  - (4) Port authorities.

*As added by P.L.1-1995, SEC.6.*

#### **IC 14-13-4-14**

##### **Annual reports**

- Sec. 14. Before November 1 of each year, the commission shall make a report of the commission's activities to each municipality that appointed a commission member. The commission shall also make an annual report to the following:
- (1) The governor, upon request of the governor.
  - (2) The legislative council, upon request of the legislative council. The report must be in an electronic format under IC 5-14-6.

*As added by P.L.1-1995, SEC.6. Amended by P.L.28-2004, SEC.128.*

#### **IC 14-13-4-15**

##### **Budgets**

Sec. 15. (a) The commission shall prepare and adopt by majority vote an annual budget that shall be submitted to each county, municipality, or agency appropriating money for the use of the commission. After approval of the budget by the commission, money may be expended only as budgeted, unless a majority vote of the commission authorizes other expenditures. If money is appropriated by the commission for the use of a county, a municipality, or an agency, the money may not later be diverted from the county, municipality, or agency without the consent of the county, municipality, or agency.

(b) Appropriated money remaining unexpended or unencumbered at the end of the year becomes part of a nonreverting cumulative fund to be held in the name of the commission. The commission may authorize unbudgeted expenditures from this fund by a majority vote of the commission.

(c) The commission is responsible for money the commission receives under this chapter. The state board of accounts shall:

- (1) prescribe the methods and forms for keeping; and
- (2) periodically audit;

the accounts, records, and books of the commission.

(d) The treasurer of the commission may receive, disburse, and handle money belonging to the commission, subject to the following:

- (1) Applicable statutes.
- (2) Procedures established by the commission.

*As added by P.L.1-1995, SEC.6.*

#### **IC 14-13-4-16**

##### **Powers of political subdivisions not limited**

Sec. 16. This chapter does not limit the power of a participating municipal corporation or a port authority to develop or improve a port, terminal, or riverfront facility.

*As added by P.L.1-1995, SEC.6.*