**IC 14-30-3**

Chapter 3. St. Joseph River Basin Commission

**IC 14-30-3-1**

**"Basin" defined**

Sec. 1. As used in this chapter, "basin" refers to the St. Joseph River basin.

*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-2**

**"Commission" defined**

Sec. 2. As used in this chapter, "commission" refers to the St. Joseph River basin commission established by this chapter.

*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-3**

**"Participating county" defined**

Sec. 3. As used in this chapter, "participating county" refers to a county that joins the commission under section 6 of this chapter.

*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-4**

**"St. Joseph River basin" defined**

Sec. 4. As used in this chapter, "St. Joseph River basin" means the area in Elkhart County, Kosciusko County, LaGrange County, Noble County, St. Joseph County, and Steuben County that drains into the St. Joseph River.

*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-5**

**Separate municipal corporation**

Sec. 5. The St. Joseph River basin commission is established as a separate municipal corporation.

*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-6**

**Participating county; designation**

Sec. 6. The executive of a county that includes territory in the basin may do the following:

(1) Elect to participate in the commission by designating the county as a participating county.

(2) Revoke the designation.

*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-7**

**Boundary certification**

Sec. 7. After consultation with the surveyor of each county in the basin, the director shall certify the boundaries of the basin.

*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-8**
**Members**

Sec. 8. The commission consists of the following individuals:

(1) From each participating county the following:

(A) The executive of each second class city or the executive's designee.

(B) If the county does not have a second class city, the executive of the municipality with the largest population or the executive's designee.

(2) A member of the county executive or the county executive's designee from each participating county.

(3) The county health officer or the health officer's designee from each participating county.

(4) An individual appointed by the governor who is a member of the board of supervisors of a soil and water conservation district that contains a part of the basin within all or part of the district's boundaries.

(5) The director or the director's designee.

*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-9**
**Term of office**

Sec. 9. The term of office of an appointed member of the commission is three (3) years and continues until a successor is appointed and certified.

*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-10**
**Travel expenses**

Sec. 10. The members of the commission serve without compensation. However, each member is entitled to reimbursement for travel, lodging, meals, and other expenses 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.23.*

**IC 14-30-3-11**
**Officers**

Sec. 11. (a) The commission shall elect from among the members the following officers:

(1) A chairman.

(2) A vice chairman.

(3) A secretary.

(4) A treasurer.

(b) The:

(1) term of office for the officers elected under subsection (a) is one (1) year; and

(2) officers are eligible for reelection.

(c) The commission may establish and fill other offices that the commission considers necessary.

*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-12**
**Executive board**

Sec. 12. (a) The commission may establish an executive board consisting of the following:

(1) The chairman of the commission.

(2) One (1) member from each participating county that is not represented by the chairman, to be chosen in a manner prescribed by the commission.

(b) The commission may delegate to the executive board the power to do the following:

(1) Recommend agenda items and activities to the commission.

(2) Conduct hearings on proposed commission projects.

(3) Perform other administrative duties assigned by the commission.

*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-13**
**Advisory committee**

Sec. 13. The commission may appoint an advisory committee to assist the commission. A member of an advisory committee is not entitled to compensation for serving on the advisory committee.

*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-14**
**Duties**

Sec. 14. (a) The commission shall do the following:

(1) Fix the times of the commission's regular meetings.

(2) Have at least one (1) meeting in each quarter of the year.

(b) A special meeting of the commission may be called in a manner that the commission shall establish.

(c) A member of the commission may waive notice of any meeting by filing a written waiver with the secretary of the commission.

*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-15**
**Quorum; vote required to take action**

Sec. 15. (a) A majority of all the members of the commission constitutes a quorum.

(b) An affirmative vote of a majority of the entire membership is required for the commission to take action.

*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-16**
**Record**

Sec. 16. (a) The commission shall keep a record of the commission's resolutions, transactions, and findings. This record is a public record.

(b) The commission may adopt rules for the transaction of business.
*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-17**
**Capacity to sue or be sued**
Sec. 17. The commission may sue and be sued.
*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-18**
**Annual report**
Sec. 18. The commission shall make an annual report of the commission's activities to the executive of each participating county. The commission shall upon request make an annual report to the following:
(1) The governor.
(2) Any member of the general assembly.
*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-19**
**Powers**
Sec. 19. The commission may do the following:
(1) Provide a forum for the discussion, study, and evaluation of water resource issues of common concern in the basin.
(2) Facilitate and foster cooperative planning and coordinated management of the basin's water and related land resources.
(3) Develop positions on major water resource issues and serve as an advocate of the basin's interests before Congress and federal, state, and local governmental agencies.
(4) Develop plans to improve water quality in the basin.
(5) Publicize, advertise, and distribute reports on the commission's purposes, objectives, studies, and findings.
(6) When requested, make recommendations in matters related to the commission's functions and objectives to political subdivisions in the basin and to other public and private agencies.
(7) 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.
*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-20**
**Government officials attending meetings and advising**
Sec. 20. The commission may invite the governor, government officials, or other individuals from the St. Joseph River basin in Michigan to do the following:
(1) Attend the commission's meetings.
(2) Advise the commission upon the commission's request.
*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-21**
**Interstate compact with Michigan**

Sec. 21. The commission shall do the following:

(1) Explore the desirability of entering into an interstate compact with Michigan to improve water quality in the basin.

(2) Make recommendations on the content of a compact.

*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-22**
**Grants and appropriations**

Sec. 22. (a) The commission may receive grants and appropriations from the following:

(1) Federal, state, and local governments.

(2) Individuals, foundations, and 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.

*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-23**
**Budget**

Sec. 23. The commission shall do the following:

(1) Prepare and adopt an annual budget.

(2) Submit the budget to the executive of each participating county.

(3) Make the budget available to each agency appropriating money to the commission.

*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-24**
**Appropriations to carry out commission's responsibilities**

Sec. 24. (a) The participating counties may budget, appropriate, and disburse money to carry out the purposes of the commission under this chapter.

(b) The appropriation from the participating counties that is needed for all or part of the commission's budget shall be apportioned among the participating counties in direct relationship to the amount of land area in each participating county certified under section 7 of this chapter.

(c) The apportionment that is needed from each participating county shall be presented to the county executive at the same time that budgets are presented by county officers.

*As added by P.L.1-1995, SEC.23.*

**IC 14-30-3-25**
**Expenditures; deposits**

Sec. 25. (a) The commission shall make expenditures only as budgeted. However, the commission may revise the budget at any time to authorize unbudgeted expenditures.

(b) Any appropriated amounts remaining unexpended or unencumbered at the end of the fiscal year become part of a nonreverting cumulative fund to be held in the name of the commission. The commission may authorize unbudgeted expenditures from this fund.

(c) The commission is responsible for the safekeeping and deposit of 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.23.*