

RESOLUTION 19-06

A RESOLUTION OF THE NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION IN SUPPORT OF AN INCREASE IN COUNTY APPROPRIATIONS FEBRUARY 21, 2019

WHEREAS, the Northwestern Indiana Regional Planning Commission is a regional Council of Governments whose purpose is to institute and maintain a comprehensive planning and programming process for transportation, economic development, and environmental policy and provide a coordinative management process for Lake, Porter, and LaPorte Counties; and

WHEREAS, in order to carry out its statutory purpose, IC 36-7-7.6-18 provides for an appropriation from these counties for the Commission to carry out its purpose, and which provides the local match that enables these counties to receive certain Federal, State, and other funding; and

WHEREAS, NIRPC's county appropriation was set in 1992 at 70 cents per capita, was not indexed, and has not been increased since it was set in 1992; and

WHEREAS, this amount of appropriation has not kept pace with the real dollar value of the funding and activities to which this appropriation is applied; and

WHEREAS, NIRPC purposes every dollar of the appropriation it receives, is prevented from expanding its services to the region, and cannot leverage this appropriation for additional funding for Lake, Porter, and LaPorte Counties without an increase in its per capita appropriation; and

WHEREAS, the Commission has applied for designation as an Economic Development District from the Economic Development Administration of the United States Department of Commerce, which will leverage additional funds for economic development for Lake, Porter, and LaPorte Counties but will also require that additional local match be made available to administer those funds; and

WHEREAS, the Commission desires to increase NIRPC's per capita appropriation to adjust to current dollar value and to index that per capita appropriation to keep pace with future years in order to support activities for the benefit of Lake, Porter, and LaPorte Counties;

NOW THEREFORE BE IT RESOLVED, that the Commission supports an increase in NIRPC's per capita county appropriation and to index the per capita rate according to the schedule identified in Attachment A to this resolution.

BE IT FURTHER RESOLVED, that the Commission commends to the Indiana General Assembly that the changes indicated in Attachment A be incorporated into IC 36-7-7.6.

Duly adopted by the Northwestern Indiana Regional Planning Commission this twenty-first day of February 2019.



Diane Noll
Chairperson

ATTEST:



George Topoll
Secretary

Resolution 19-06: Attachment A

MEMORANDUM

Date: Monday, December 3, 2018

To: Mary Tanis, Chair
NIRPC Legislative Committee

Ty Warner, AICP, NIRPC Executive Director

From: Michael W. Griffin, Member
NIRPC Legislative Committee

Re: **Suggested or Proposed Change in Language for NIRPC budget Support**

Madam Chair and Executive Director:

Hello. I hope this arrives to find you well. Please see below Section 18 of IC 36-7-7.6 of the Indiana Code. This is the particular provision in the NIRPC enabling law that deals with budgeting and financing the operation.

This rate as you know has been unchanged at least since the revision to the enabling legislation, which occurred in 2003. This was the period in which NIRPC became a council of governments and the three specific missions of transportation, environment and economic development were identified for its purpose and objects.

As you see below, I am suggesting a change, which is simply an application of the CPI calculator, allowing what the number should be in 2018 if the rate was adjusted from 2003 each year according to the index. I am also showing a method that ties to either the CPI or the growth quotient for all local and county governments for the property tax levy. The latter is basically the six year average of Indiana non-farm personal income, not to exceed 6%. I have elected to use language that allows use of the greater of the two. I bet that the legislature will require that to be changed to the smaller of the two.

I am submitting this for your review and possible presentation to the Indiana General Assembly this long sessions.

Digest: *An amendment to IC 36-7-7.6-18 to update its language regarding the budget for NIRPC, which is unchanged since 2003. The change updates the capitation rate based upon the CPI and provides for an annual adjustment based upon CPI or the property tax growth quotient, whichever is higher beginning in 2021.*

Whenever an existing provision in the code is being amended, the text of the existing provision will appear in this style of type, additions will appear in **this style of type**, and deletions will appear in ~~this style of type~~. Whenever a wholly new provision is being adopted for the code, the text of the new provision will appear in **this style of type**. Also, the word **NEW** will appear in that style type in the introductory clause of each section that adds a new clause.

IC 36-7-7.6-18 Annual appropriation budget; tax levy; use of funds

Sec. 18. (a) The commission shall prepare and adopt an annual appropriation budget for its operation. The appropriation budget shall be apportioned to each participating county on a pro rata per capita basis. After adoption of the appropriation budget, any amount that does not exceed an amount for each participating county equal to ~~seventy~~ **ninety-six cents (\$0.96)** per capita for each participating county shall be certified to the respective county auditor.

(b) (NEW) Beginning in 2021, the per capita rate shall be adjusted by either the consumer price index or by the growth quotient described in IC. 6-1.1-18.5-2, whichever is greater. The Department of Local Government Finance shall provide to the commission the value of each quotient by August 1 of each year to be used in the ensuing year.

~~(b)~~ **(c)** A county's portion of the commission's appropriation budget may be paid from any of the following, as determined by the county fiscal body:

- ~~(1)~~ **(1)** Property tax revenue as provided in subsections ~~(e)~~ **(d)** and ~~(d)~~ **(e)**.
- ~~(2)~~ **(2)** Any other local revenue, other than property tax revenue, received by the county, including local income tax revenue under IC 6-3.6, excise tax revenue, riverboat admissions tax revenue, riverboat wagering tax revenue, riverboat incentive payments, and any funds received from the state that may be used for this purpose.
- (3) (NEW) Any combination of the sources described in subdivisions (1) and (2).**

~~(e)~~ **(d)** The county auditor shall:

- ~~(1)~~ **(1)** advertise the amount of property taxes that the county fiscal body determines will be levied to pay the county's portion of the commission's appropriation budget, after the county fiscal body determines the amount of other local revenue that will be paid under subsection ~~(b)~~ **(c)** (2); and
- ~~(2)~~ **(2)** establish the rate necessary to collect that property tax revenue; in the same manner as for other county budgets.

~~(d)~~ **(e)** The tax levied under this section and certified shall be estimated and entered upon the tax duplicates by the county auditor and shall be collected and enforced by the county treasurer in the same manner as other county taxes are estimated, entered, collected, and enforced. The tax collected by the county treasurer shall be transferred to the commission.

~~(e)~~ **(f)** In fixing and determining the amount of the necessary levy for the purpose provided in this section, the commission shall take into consideration the amount of revenue, if any, to be derived from federal grants, contractual services, and miscellaneous revenues above the amount of those revenues considered necessary to be applied upon or reserved upon the operation, maintenance, and administrative expenses for working capital throughout the year.

~~(f)~~ **(g)** After the budget is approved, amounts may not be expended except as budgeted unless the commission authorizes their expenditure. Before the expenditure of sums appropriated as provided in this section, a claim must be filed and processed as other claims for allowance or disallowance for payment as provided by law.

~~(g)~~ **(h)** Any two (2) of the following officers may allow claims:

- (1) Chairperson.
- (2) Vice chairperson.
- (3) Secretary.
- (4) Treasurer.

—~~(h)~~ **(i)** The treasurer of the commission may receive, disburse, and otherwise handle funds of the commission, subject to applicable statutes and to procedures established by the commission.

~~(i)~~ **(j)** The commission shall act as a board of finance under the statutes relating to the deposit of public funds by political subdivisions.

~~(j)~~ **(k)** Any appropriated money remaining unexpended or unencumbered at the end of a year becomes part of a non-reverting cumulative fund to be held in the name of the commission. Unbudgeted expenditures from this fund may be authorized by vote of the commission and upon other approval as required by statute. The commission is responsible for the safekeeping and deposit of the amounts in the nonreverting cumulative fund, and the state board of accounts shall prescribe the methods and forms for keeping the accounts, records, and books to be used by the commission. The books, records, and accounts of the commission shall be audited periodically by the state board of accounts, and those audits shall be paid for as provided by statute.

As added by P.L.165-2003, SEC.6. Amended by P.L.39-2007, SEC.5; P.L.197-2016, SEC.124.

(<https://www.usinflationcalculator.com/>)

The US Inflation Calculator measures the buying power of the dollar over time. Just enter any two dates from 1913 to 2018, an amount, and then click 'Calculate'.

Inflation Calculator

If in (enter year)

I purchased an item for \$

then in (enter year)

that same item would cost: **\$0.96**

Cumulative rate of inflation: **37.4%**

*Learn how this calculator works (<https://www.usinflationcalculator.com/frequently-asked-questions-faqs/#HowInflationCalculatorWorks>). This US Inflation Calculator uses the latest US government CPI data (<https://www.usinflationcalculator.com/inflation-calculator-information/consumer-price-index-and-annual-percent-changes-from-1913-to-2008/>) published on November 14 to adjust for inflation and calculate the cumulative inflation rate through October 2018. The Consumer Price Index (CPI) and inflation for November 2018 is scheduled for release by the U.S. Labor Department's Bureau of Labor Statistics on December 12, 2018. (See a chart of recent inflation rates (<https://www.usinflationcalculator.com/inflation/current-inflation-rates/>)).

INFLATION ([HTTPS://WWW.USINFLATIONCALCULATOR.COM/CATEGORY/INFLATION/](https://www.usinflationcalculator.com/category/inflation/))

US Inflation Rises 2.5%, Consumer Prices in October Log Biggest Jump in 9 Months

(<https://www.usinflationcalculator.com/inflation/us-inflation-rises-2-5-consumer-prices-in-october-log-biggest-jump-in-9-months/100017429/>)

NOVEMBER 14, 2018 ([HTTPS://WWW.USINFLATIONCALCULATOR.COM/INFLATION/US-INFLATION-RISES-2-5-CONSUMER-PRICES-IN-OCTOBER-LOG-BIGGEST-JUMP-IN-9-MONTHS/100017429/](https://www.usinflationcalculator.com/inflation/us-inflation-rises-2-5-consumer-prices-in-october-log-biggest-jump-in-9-months/100017429/)) | LEAVE A COMMENT ([HTTPS://WWW.USINFLATIONCALCULATOR.COM/INFLATION/US-INFLATION-RISES-2-5-CONSUMER-PRICES-IN-OCTOBER-LOG-BIGGEST-JUMP-IN-9-MONTHS/100017429/#RESPOND](https://www.usinflationcalculator.com/inflation/us-inflation-rises-2-5-consumer-prices-in-october-log-biggest-jump-in-9-months/100017429/#RESPOND))

Inflation in the United States quickened in October and from a year ago, according to government data released Wednesday, Nov. 14, 2018,

12-Month CPI Ended October 2018 - Major Categories (Increases or Decreases Shown in Percent)

<https://www.usinflationcalculator.com/>