



RESOLUTION 23-16

A RESOLUTION OF THE NORTHWESTERN INDIANA REGIONAL PLANNING COMMISSION REQUESTING THAT THE INDIANA GENERAL ASSEMBLY ADJUST ITS LOCAL APPROPRIATION FROM 1992 DOLLARS TO CURRENT DOLLARS

DECEMBER 7, 2023

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, per Indiana Code 36-7-7.6, the three (3) counties of Lake, Porter, and LaPorte Counties their forty-one (41) municipalities are represented on the Northwestern Indiana Regional Planning Commission and desire that the Commission provide services of regional benefit to these counties and municipalities; and

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

WHEREAS, NIRPC's county appropriation was set in 1992 at 70 cents per capita, was not indexed for inflation, 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 the region of Lake, Porter, and LaPorte Counties without an increase in its per capita appropriation by the Indiana General Assembly; and

WHEREAS, in 2019, the Commission received designation as an Economic Development District from the Economic Development Administration of the United States Department of Commerce, which leverages additional funds for economic development within Lake, Porter, and LaPorte Counties but also requires that additional local match be made available to administer those funds; and

WHEREAS, the local dollars allocated to NIRPC leverage additional benefits for its member communities, and these communities in Lake, Porter, and LaPorte Counties desire NIRPC to provide

additional assistance and services that are currently constrained by the fixed per capita appropriation from 1992 that has not kept pace with inflation and is worth far less today than in 1992; 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 and its municipalities; and

WHEREAS, on February 21, 2019, the NIRPC Commission, by unanimous vote, adopted Resolution 19-06 supporting this increase in county appropriations; and

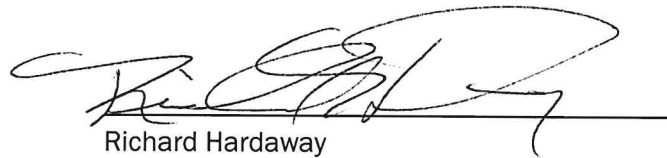
WHEREAS, on September 19, 2019, the NIRPC Commission unanimously re-affirmed the above resolution via Resolution 19-27; and

WHEREAS, in order to put into place the local funding necessary to provide these services and to provide other service and support to the people of these counties, the Commission desires that the legislative change necessary to effect this appropriations adjustment be adopted by the Indiana General Assembly,

NOW THEREFORE BE IT RESOLVED, that the Commission affirms its continued support of an increase in NIRPC's per capita county appropriation and to index the per capita rate according to the schedule in the attachment to this resolution.

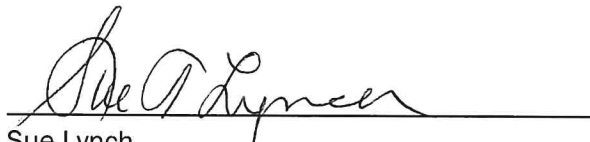
BE IT FURTHER RESOLVED, that the Commission requests of its representatives and the Indiana General Assembly that the attached legislative modifications be incorporated into IC 36-7-7.6 to put into effect the adjustment to NIRPC's local appropriation.

Duly adopted by the Northwestern Indiana Regional Planning Commission this seventh day of December, 2023.



Richard Hardaway
Chairperson

ATTEST:



Sue Lynch
Secretary

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 cents (\$0.70)~~ **one dollar and fifty cents (\$1.50)** per capita for each participating county shall be certified to the respective county auditor.

(b) [NEW] In subsequent years 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) Property tax revenue as provided in subsections ~~(c)~~**(d)** and ~~(d)~~**(e)**.

(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).

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

(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) 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.