



February 27, 2001

# SENATE BILL No. 584

DIGEST OF SB 584 (Updated February 26, 2001 2:39 pm - DI kc)

**Citations Affected:** IC 36-7; noncode.

**Synopsis:** Establishes the northwestern Indiana council of governments for the area consisting of Lake County, Porter County, and LaPorte County. Provides that the council consists of one person appointed by the executive of each municipality in a participating county, one person appointed by the executive of each participating county, and one person appointed by the governor. Provides that the vote of each member of the council is weighted according to the population of the area represented by the member. Sets forth provisions governing the meetings and operation of the council and the election of the council's officers. Provides for the election of an executive board and the appointment of an executive director for the council. Specifies the powers of the council. Provides that the council shall prepare and adopt an annual budget for its operation, which shall be apportioned to each participating county on a pro rata per capita basis. Provides that any amount of the adopted budget that exceeds an amount equal to \$0.70 per capita for each participating county is subject to review by the county fiscal body in the usual manner of budget review. Repeals the law governing a regional plan commission in Lake County, Porter County, and LaPorte County, and provides that the regional plan commission shall on July 1, 2001, become the northwestern Indiana council of governments.

**Effective:** Upon passage; July 1, 2001.

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**Alexa**

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January 23, 2001, read first time and referred to Committee on Rules and Legislative Procedure.  
February 26, 2001, amended; reassigned to Committee on Rules and Legislative Procedure.

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SB 584—LS 8159/DI 13+



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February 27, 2001

First Regular Session 112th General Assembly (2001)

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 2000 General Assembly.

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## SENATE BILL No. 584

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

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

- 1 SECTION 1. IC 36-7-7-4 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2001]: Sec. 4. (a) The following members of the  
3 commission shall be appointed from each county in the region:  
4 (1) A representative of the county executive who may be either a  
5 member of the executive or a person appointed by it.  
6 (2) A representative of the county fiscal body who must be a  
7 member of the fiscal body.  
8 (b) The following members of the commission shall be appointed  
9 from each county in the region having a population of more than fifty  
10 thousand (50,000):  
11 (1) The county surveyor or a person appointed by him.  
12 (2) Two (2) persons appointed by the executive of each  
13 municipality having a population of more than fifty thousand  
14 (50,000).  
15 (3) Except for a commission in which a county having a  
16 population of more than four hundred thousand (400,000) but less  
17 than seven hundred thousand (700,000) participates, One (1)

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1 person appointed by the executive of each of the seven (7) largest  
 2 municipalities having a population of less than fifty thousand  
 3 (50,000). If there are fewer than seven (7) municipalities, enough  
 4 additional persons appointed by the county executive to bring the  
 5 total appointed under this subdivision to seven (7).

6 (4) For a commission in which a county having a population of  
 7 more than four hundred thousand (400,000) but less than seven  
 8 hundred thousand (700,000) participates, the membership is as  
 9 follows:

10 (A) For a county having a population of not more than four  
 11 hundred thousand (400,000); one (1) person appointed by the  
 12 executive of each of the eight (8) largest municipalities having  
 13 a population of less than fifty thousand (50,000).

14 (B) For a county having a population of more than four  
 15 hundred thousand (400,000) but less than seven hundred  
 16 thousand (700,000); one (1) person appointed by the executive  
 17 of each city having a population of less than fifty thousand  
 18 (50,000) and one (1) person appointed by the executive of  
 19 each of the five (5) towns with the largest population.

20 (c) The following members of the commission shall be appointed  
 21 from each county in the region having a population of less than fifty  
 22 thousand (50,000):

23 (1) One (1) person appointed by the executive of each of the five  
 24 (5) largest municipalities or of each municipality if there are  
 25 fewer than five (5).

26 (2) If there are fewer than five (5) municipalities, enough  
 27 additional persons appointed by the county executive to bring the  
 28 total appointed under this subsection to five (5).

29 (d) One (1) voting member of the commission shall be appointed by  
 30 the governor.

31 (e) At least two-thirds (2/3) of the commission members must be  
 32 elected officials. All persons appointed to the commission must be:

33 (1) knowledgeable in matters of physical, social, or economic  
 34 development of the region; and

35 (2) residents of the municipality, county, or region that they  
 36 represent.

37 A member of the commission may also serve as a member of a plan  
 38 commission in the region.

39 (f) Members of the commission shall serve without salary but may  
 40 be reimbursed for expenses incurred in the performance of their duties.

41 (g) The respective appointing authorities shall certify their  
 42 appointments, and the certification shall be retained as a part of the

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1 records of the commission.

2 (h) ~~This subsection applies to a commission that does not include~~  
 3 ~~members from a county having a population of more than four hundred~~  
 4 ~~thousand (400,000) but less than seven hundred thousand (700,000).~~  
 5 If a vacancy occurs by resignation or otherwise, the respective  
 6 appointing authority shall appoint a member for the unexpired term.  
 7 Members shall be certified annually, and their terms expire on  
 8 December 31 of each year.

9 SECTION 2. IC 36-7-7-12 IS AMENDED TO READ AS  
 10 FOLLOWS [EFFECTIVE JULY 1, 2001]: Sec. 12. (a) The commission  
 11 shall prepare and adopt an annual appropriation budget for its  
 12 operation, which shall be apportioned to each participating county on  
 13 a pro rata per capita basis. After adoption, any amount that does not  
 14 exceed an amount for each participating county equal to ~~(1) seventy~~  
 15 ~~cents (\$0.70) per capita for each participating county in a commission~~  
 16 ~~in which a county having a population of more than four hundred~~  
 17 ~~thousand (400,000) but less than seven hundred thousand (700,000)~~  
 18 ~~participates; and (2) thirty cents (\$0.30) per capita for all other~~  
 19 ~~commissions; shall be certified to the respective county auditor who~~  
 20 ~~shall advertise the amount and establish the rate in the same manner as~~  
 21 ~~other county budgets. Any amount of the adopted budget that exceeds~~  
 22 ~~an amount equal to seventy cents (\$0.70) per capita for each~~  
 23 ~~participating county in a commission in which a county having a~~  
 24 ~~population of more than four hundred thousand (400,000) but less than~~  
 25 ~~seven hundred thousand (700,000) participates and thirty cents (\$0.30)~~  
 26 ~~per capita for each participating county for all other commissions is~~  
 27 ~~subject to review by the county fiscal body in the usual manner of~~  
 28 ~~budget review. The tax so levied and certified shall be estimated and~~  
 29 ~~entered upon the tax duplicates by the county auditor and shall be~~  
 30 ~~collected and enforced by the county treasurer in the same manner as~~  
 31 ~~other county taxes are estimated, entered, collected, and enforced. The~~  
 32 ~~tax, as collected by the county treasurer, shall be transferred to the~~  
 33 ~~commission.~~

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

41 (c) After approval no sums may be expended except as budgeted  
 42 unless the commission authorizes their expenditure. Before the

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1 expenditure of sums appropriated as provided in this section, a claim  
 2 must be filed and processed as other claims for allowance or  
 3 disallowance, for payment as provided by law.

4 (d) Any two (2) of the following officers may allow claims:

- 5 (1) Chairman.
- 6 (2) Vice chairman.
- 7 (3) Secretary.
- 8 (4) Treasurer.

9 The treasurer of the commission may receive, disburse, and otherwise  
 10 handle funds of the commission subject to applicable statutes and  
 11 procedures established by the commission.

12 (e) The commission shall act as a board of finance under the statutes  
 13 relating to the deposit of public funds by political subdivisions.

14 (f) Any appropriated money remaining unexpended or  
 15 unencumbered at the end of the year becomes part of a nonreverting  
 16 cumulative fund to be held in the name of the commission. Unbudgeted  
 17 expenditures from this fund may be authorized by vote of the  
 18 commission and upon other approval as required by statute. The  
 19 commission is responsible for the safekeeping and deposit of such  
 20 sums, and the state board of accounts shall prescribe the methods and  
 21 forms for keeping the accounts, records, and books to be used by the  
 22 commission. The books, records, and accounts of the commission shall  
 23 be periodically audited by the state board of accounts, and these audits  
 24 shall be paid for as provided by statute.

25 SECTION 3. IC 36-7-7.6 IS ADDED TO THE INDIANA CODE  
 26 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 27 JULY 1, 2001]:

28 **Chapter 7.6. Northwestern Indiana Council of Governments**

29 **Sec. 1. This chapter applies to the area consisting of the**  
 30 **following counties:**

- 31 **(1) A county having a population of more than four hundred**  
 32 **thousand (400,000) but less than seven hundred thousand**  
 33 **(700,000).**
- 34 **(2) A county having a population of more than one hundred**  
 35 **twenty-five thousand (125,000) but less than one hundred**  
 36 **twenty-nine thousand (129,000).**
- 37 **(3) A county having a population of more than one hundred**  
 38 **seven thousand (107,000) but less than one hundred eight**  
 39 **thousand (108,000).**

40 **Sec. 2. As used in this chapter, "council" means the**  
 41 **northwestern Indiana council of governments established by**  
 42 **section 3 of this chapter**

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1           **Sec. 3. The northwestern Indiana council of governments is**  
2 **established for the area described in section 1 of this chapter.**

3           **Sec. 4. (a) The following members shall be appointed to the**  
4 **council:**

5               **(1) One (1) person appointed by the executive of each**  
6 **municipality in a county described in section 1 of this chapter.**

7               **(2) One (1) person appointed by the executive of each county**  
8 **described in section 1 of this chapter.**

9               **(3) One (1) person appointed by the governor.**

10           **(b) The person appointed under subsection (a)(3) is a nonvoting**  
11 **member of the council.**

12           **Sec. 5. (a) All persons appointed to the council under section 4**  
13 **of this chapter must be:**

14               **(1) knowledgeable in matters of physical, social, or economic**  
15 **development of the region; and**

16               **(2) residents of the municipality, county, or region that they**  
17 **represent.**

18           **(b) A member of the council may also serve as a member of a**  
19 **plan commission in the region.**

20           **(c) Each member of the council shall serve on the council**  
21 **without salary but may be reimbursed for expenses incurred in the**  
22 **performance of the member's duties.**

23           **(d) The respective appointing authorities shall certify their**  
24 **appointments, and the certification shall be retained as a part of**  
25 **the records of the council.**

26           **(e) Each member of the council serves at the pleasure of the**  
27 **appointing authority. The appointing authority must give written**  
28 **notice to the council of a change of an appointee and of the effective**  
29 **date of that change.**

30           **(f) If a vacancy on the council occurs by resignation or**  
31 **otherwise, the appointing authority shall promptly appoint a**  
32 **replacement member.**

33           **(g) If a member of the council is absent for more than three (3)**  
34 **consecutive meetings of the full council, the council shall notify that**  
35 **member's appointing authority and request the appointing**  
36 **authority to do one (1) of the following:**

37               **(1) Replace the member.**

38               **(2) Take action to ensure the member's conscientious**  
39 **attendance at meetings of the full council.**

40           **Sec. 6. (a) At its first regular meeting in each year, the council**  
41 **shall elect from its members a chairman, vice chairman, secretary,**  
42 **and a treasurer.**

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1 (b) Not more than two (2) of the officers elected under  
2 subsection (a) may be from the same county. In addition, if the area  
3 served by the council is divided into subregions under section 19 of  
4 this chapter, there must be at least one (1) officer from each  
5 subregion.

6 (c) The vice chairman may act as chairman during the absence  
7 or disability of the chairman.

8 Sec. 7. (a) The council shall fix the time and place for holding  
9 regular meetings, but it shall meet:

- 10 (1) at least quarterly; and
- 11 (2) at such other times as are established by the council or the  
12 executive board of the council.

13 (b) The chairman of the council or five (5) members of the  
14 council may call a special meeting of the council upon written  
15 request to the secretary of the council. The secretary shall send to  
16 all council members at least forty-eight (48) hours in advance of a  
17 special meeting a written notice fixing the time and place of the  
18 special meeting. Written notice of a special meeting is not required  
19 if:

- 20 (1) the time of the special meeting has been fixed in a regular  
21 meeting; or
- 22 (2) all members are present at the special meeting.

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

25 Sec. 8. (a) The council shall adopt rules for the transaction of  
26 business and shall keep a record of its resolutions, transactions,  
27 findings, and determinations. The council's record is a public  
28 record.

29 (b) A majority of members of the council constitutes a quorum.  
30 An action of the council is official, however, only if the action is  
31 authorized by a majority of the council at:

- 32 (1) a regular meeting; or
  - 33 (2) a properly called special meeting;
- 34 in which at least one (1) member from each county described in  
35 section 1 of this chapter is present.

36 Sec. 9. The council has a total of one hundred (100) votes. Each  
37 voting member of the council is allocated a percentage of the total  
38 one hundred (100) votes that may be cast. The percentage that a  
39 member is allocated shall be determined as follows:

- 40 (1) In the case of a member appointed by the executive of a  
41 municipality, divide the population of the municipality by the  
42 total population of the counties described in section 1 of this

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- 1 chapter.
- 2 (2) In the case of a member appointed by the executive of a
- 3 county, divide the population of the area in the county that is
- 4 not within a municipality by the total population of the
- 5 counties described in section 1 of this chapter.
- 6 Sec. 10. (a) The council shall elect from among its members an
- 7 executive board consisting of:
- 8 (1) the four (4) officers of the council;
- 9 (2) one (1) member of the council from each county described
- 10 in section 1 of this chapter; and
- 11 (3) the member of the council appointed by the governor.
- 12 (b) The members of the executive board referred to in
- 13 subsection (a)(2) shall be elected by a vote of the full membership
- 14 of the council.
- 15 (c) If a vacancy occurs in a position on the executive board
- 16 referred to in subsection (a)(2), a successor shall be elected from
- 17 among the members in the same manner as the member whose
- 18 position has been vacated.
- 19 (d) The executive board shall conduct the business of the
- 20 council, except for:
- 21 (1) the adoption and amendment of bylaws, rules, and
- 22 procedures for the operation of the council;
- 23 (2) the election of officers and members of the executive board
- 24 as provided in this chapter; and
- 25 (3) the adoption of the annual appropriation budget after
- 26 review by the executive board.
- 27 (e) The executive board shall meet regularly at least once each
- 28 month, unless otherwise determined by its members. The executive
- 29 board shall notify the full membership of the council of all its
- 30 meetings with copies of its preliminary or final agendas and shall
- 31 report all its actions and determinations to the full membership of
- 32 the council.
- 33 (f) A majority of members of the executive board constitutes a
- 34 quorum. An action of the executive board is official, however, only
- 35 if it is authorized by a majority of the board at a regular or
- 36 properly called special meeting. Any action of the executive board
- 37 shall be reviewed at the next regular meeting of the council
- 38 following the executive board's action and, upon written request of
- 39 a member of the council, shall be brought to a vote of the full
- 40 council.
- 41 Sec. 11. (a) After review and recommendation by the executive
- 42 board, the council shall appoint an executive director, who shall

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1 serve at the pleasure of the council. The executive director must be  
 2 qualified by training and experience in the management of public  
 3 agencies and knowledgeable in planning.

4 (b) The executive director is the chief administrative officer and  
 5 regular technical adviser of the council. Subject to supervision by  
 6 the council, the executive director:

- 7 (1) shall execute the council functions;  
 8 (2) shall appoint and remove the staff of the council;  
 9 (3) shall submit to the council annually, or more often if  
 10 required, a status report on the operation of the agency;  
 11 (4) may, with the approval of the executive board, execute  
 12 contracts, leases, or agreements with other persons on behalf  
 13 of the council;  
 14 (5) is entitled, upon the executive director's written request,  
 15 to be given access by all governmental agencies to all studies,  
 16 reports, surveys, records, and other information and material  
 17 in their possession that are required by the executive director  
 18 for the accomplishment of the activities and objectives of the  
 19 council;  
 20 (6) shall propose annually a budget for the operation of the  
 21 council and administer the budget as approved by the council;  
 22 (7) shall keep the records and care for and preserve all papers  
 23 and documents of the council; and  
 24 (8) shall perform other duties and may exercise other powers  
 25 that the council or the executive board delegates to the  
 26 executive director.

27 **Sec. 12. The council may do any of the following:**

- 28 (1) Transact business and enter into contracts that support  
 29 the council's purposes.  
 30 (2) Receive grants or appropriations from federal, state, or  
 31 local governmental entities or from individuals or  
 32 foundations, and enter into agreements or contracts regarding  
 33 the acceptance or use of those grants and appropriations for  
 34 the purpose of carrying out any of the activities of the council.  
 35 (3) Apply for, receive, and disburse gifts, contributions, and  
 36 grants of funds or in-kind services.  
 37 (4) Acquire by grant, purchase, gift, devise, lease, or otherwise  
 38 and hold, use, sell, improve, maintain, operate, own, manage,  
 39 lease, or dispose of:  
 40 (A) real and personal property of every kind and nature;  
 41 and  
 42 (B) any right and interest;



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- 1 as necessary for the full exercise, or convenient or useful for  
 2 the carrying on, of any of the council's powers under this  
 3 chapter.
- 4 (5) Make and enter into all contracts, undertakings, and  
 5 agreements necessary or incidental to the performance of the  
 6 council's duties and the execution of the council's powers  
 7 under this chapter.
- 8 (6) Employ and fix the compensation of any employees and  
 9 agents the council considers necessary.
- 10 (7) Contract for special and temporary services and for  
 11 professional assistance.
- 12 (8) Hold, use, administer, and expend money that is  
 13 appropriated or transferred to the council.
- 14 (9) Make contracts and leases for facilities and services.
- 15 (10) Act as a coordinating agency for programs and activities  
 16 of other public and private agencies that are related to the  
 17 council's objectives.
- 18 (11) Take any action or perform any service, including direct  
 19 services to citizens, that the council considers appropriate and  
 20 that is not otherwise prohibited by law.
- 21 (12) Enter into agreements or partnerships to do the  
 22 following:
- 23 (A) Assist in coordinating activities involving state and  
 24 local government, business organizations, and nonprofit  
 25 organizations.
- 26 (B) Assist in the development and implementation of  
 27 programs by other regional agencies and entities.
- 28 (13) Enter into coordinative arrangements with:
- 29 (A) any unit of government in Indiana or an adjoining  
 30 state;
- 31 (B) an overlapping multicounty or interstate planning or  
 32 development agency;
- 33 (C) a state agency;
- 34 (D) a federal agency; or
- 35 (E) a private entity;
- 36 as are appropriate to the achievement of the council's  
 37 objectives or to address a common issue.
- 38 (14) Provide any administrative, management, or technical  
 39 services to a unit of local government that requests the  
 40 services. The local unit and the council may enter into a  
 41 contract concerning the council's provision of administrative,  
 42 management, or technical services and the cost to the local

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- unit for the services.
- (15) Conduct all necessary studies for the accomplishment of the council's duties and objectives.
- (16) Publicize and advertise the council's purposes, objectives, and findings and distribute reports on those purposes, objectives, and findings.
- (17) Provide recommendations to units of local government and to other public and private agencies.
- (18) Take any other action necessary to achieve the council's purpose.

**Sec. 13. (a) The council shall act as the designated review agency and as the clearinghouse as described in federal Office of Management and Budget Circular A-95.**

**(b) The council shall institute and maintain a comprehensive policy planning and programming and coordinative management process for the counties described in section 1 of this chapter. The council shall coordinate its activities with all units in the counties and shall coordinate the planning programs of those units and the state.**

**Sec. 14. The council may adopt by resolution any regional comprehensive or functional plan, program, or policy as the council's official recommendation for the development of the region, subject to the power of a county to exempt itself under section 15 of this chapter. The council shall provide an annual report of its activities to the legislative bodies of the counties and municipalities in the region.**

**Sec. 15. If the council receives a petition that:**

- (1) is signed by a majority of the council members representing a county affected by a particular program; and
- (2) objects to the establishment of the program within that county;

**the council may not implement the program in that county.**

**Sec. 16. The council may appoint advisory committees to assist in the achievement of its objectives. Members of advisory committees are not entitled to compensation for their services but may be reimbursed by the council for expenses incurred in the performance of their duties.**

**Sec. 17. The council may not implement, enter into an agreement for, or propose a program that includes interstate wastewater management or disposal.**

**Sec. 18. A county or municipality may, from time to time upon the request of the council, assign or detail to the council any**

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1 employees of the county or municipality to make special surveys or  
2 studies requested by the council.

3 **Sec. 19. (a) The council may organize into not more than two (2)**  
4 **subregions and provide for the following:**

5 (1) **The organization of two (2) subregional councils.**

6 (2) **Meetings and rules of procedure of the subregional**  
7 **councils. The rules of procedure of the subregional councils**  
8 **shall be adopted as a part of the rules and bylaws of the**  
9 **council.**

10 (b) **The actions of each subregional council shall be referred to**  
11 **the other subregional council for review. The executive director**  
12 **and staff of the council shall serve both subregional councils. Each**  
13 **subregional council shall consider problems that do not directly**  
14 **affect the other subregion. Each subregional council may hold**  
15 **meetings and elect a chairman and secretary from among its own**  
16 **members.**

17 **Sec. 20. (a) The council shall prepare and adopt an annual**  
18 **appropriation budget for its operation. The appropriation budget**  
19 **shall be apportioned to each participating county on a pro rata per**  
20 **capita basis. After adoption of the appropriation budget, any**  
21 **amount that does not exceed an amount for each participating**  
22 **county equal to seventy cents (\$0.70) per capita for each**  
23 **participating county shall be certified to the respective county**  
24 **auditor. The county auditor shall advertise the amount and**  
25 **establish the rate in the same manner as for other county budgets.**

26 (b) **Any amount of the adopted budget that exceeds an amount**  
27 **equal to seventy cents (\$0.70) per capita for each participating**  
28 **county is subject to review by the county fiscal body in the usual**  
29 **manner of budget review. The tax levied under this section and**  
30 **certified shall be estimated and entered upon the tax duplicates by**  
31 **the county auditor and shall be collected and enforced by the**  
32 **county treasurer in the same manner as other county taxes are**  
33 **estimated, entered, collected, and enforced. The tax, as collected by**  
34 **the county treasurer, shall be transferred to the council.**

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

42 (d) **After the budget is approved, amounts may not be expended**

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1 except as budgeted, unless the council authorizes their expenditure.  
 2 Before the expenditure of sums appropriated as provided in this  
 3 section, a claim must be filed and processed as other claims for  
 4 allowance or disallowance, for payment as provided by law.

5 (e) Any two (2) of the following officers may allow claims:

- 6 (1) Chairman.
- 7 (2) Vice chairman.
- 8 (3) Secretary.
- 9 (4) Treasurer.

10 (f) The treasurer of the council may receive, disburse, and  
 11 otherwise handle funds of the council subject to applicable statutes  
 12 and to procedures established by the council.

13 (g) The council shall act as a board of finance under the statutes  
 14 relating to the deposit of public funds by political subdivisions.

15 (h) Any appropriated money remaining unexpended or  
 16 unencumbered at the end of the year becomes part of a  
 17 nonreverting cumulative fund to be held in the name of the council.  
 18 Unbudgeted expenditures from this fund may be authorized by  
 19 vote of the council and upon other approval as required by statute.  
 20 The council is responsible for the safekeeping and deposit of the  
 21 amounts in the nonreverting cumulative fund, and the state board  
 22 of accounts shall prescribe the methods and forms for keeping the  
 23 accounts, records, and books to be used by the council. The books,  
 24 records, and accounts of the council shall be periodically audited  
 25 by the state board of accounts, and these audits shall be paid for as  
 26 provided by statute.

27 SECTION 4. IC 36-7-7-4.1 IS REPEALED [EFFECTIVE JULY 1,  
 28 2001].

29 SECTION 5. [EFFECTIVE UPON PASSAGE] (a) A regional plan  
 30 commission under IC 36-7-7 that includes a county described in  
 31 IC 36-7-7.6-1, as added by this act, shall on July 1, 2001, become  
 32 the northwestern Indiana council of governments subject to  
 33 IC 36-7-7.6, as added by this act.

34 (b) A municipality or county required to make an appointment  
 35 to the northwestern Indiana council of governments under  
 36 IC 36-7-7.6-4, as added by this act, shall make the appointment  
 37 before July 15, 2001.

38 (c) On July 1, 2001, all property of the regional plan commission  
 39 described in subsection (a) shall become the property of the  
 40 northwestern Indiana council of governments subject to  
 41 IC 36-7-7.6, as added by this act.

42 (d) This SECTION expires January 1, 2002.



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1        **SECTION 6. An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 584, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Rules and Legislative Procedures.

(Reference is to SB 584 as introduced.)

GARTON, Chairperson

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