

PREVAILED	Roll Call No. _____
FAILED	Ayes _____
WITHDRAWN	Noes _____
RULED OUT OF ORDER	

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 318 be recommitted to a Committee of One, its sponsor, with specific instructions to amend as follows:

- 1           Page 5, between lines 34 and 35, begin a new paragraph and insert:  
2           "SECTION 4. IC 13-21-3-5 IS AMENDED TO READ AS  
3           FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 5. (a) Except as  
4           provided in subsections (b) through (d), the board of a county district  
5           consists of the following members:  
6           (1) Two (2) members appointed by the county executive from the  
7           membership of the county executive.  
8           (2) One (1) member appointed by the county fiscal body from the  
9           membership of the fiscal body.  
10          (3) One (1) member:  
11           (A) who is the executive **or a duly appointed proxy of the**  
12           **executive** of the municipality having the largest population in  
13           the county if that municipality is a city; or  
14           (B) appointed from the membership of the legislative body of  
15           a town if the town is the municipality having the largest  
16           population in the county.  
17          (4) One (1) member of the legislative body of the municipality  
18           with the largest population in the county appointed by the  
19           legislative body of that municipality.  
20          (5) One (1) member:  
21           (A) who is the executive of a city in the county that is not the  
22           municipality having the largest population in the county; or  
23           (B) who is a member of the legislative body of a town that is

1 not the municipality having the largest population in the  
2 county;

3 and who is appointed by the executive of that county to represent  
4 the municipalities in the county other than the municipality  
5 having the largest population.

6 (6) One (1) additional member appointed by the county executive  
7 from the membership of the county executive.

8 (b) If a county having a population of more than four hundred  
9 thousand (400,000) but less than seven hundred thousand (700,000) is  
10 designated as a county district, the executives of the three (3) cities in  
11 the county having the largest populations each serve as a member of  
12 the board or may appoint a member of the legislative body of their city  
13 to serve as a member of the board. If a county having a population of  
14 more than two hundred thousand (200,000) but less than three hundred  
15 thousand (300,000) is designated as a county district, the executives of  
16 the two (2) cities in the county having the largest populations each  
17 serve as a member of the board. If a county having a population of  
18 more than two hundred thousand (200,000) but less than three hundred  
19 thousand (300,000) is designated as a county district, the board of that  
20 county district must include the following:

21 (1) One (1) member of the legislative body of the city having the  
22 second largest population in the county, appointed by the  
23 president of the city legislative body.

24 (2) One (1) member of the legislative body of a town located in  
25 the county, appointed by the judge of the circuit court in the  
26 county.

27 (c) If a county having a consolidated city is designated a county  
28 district, the board of public works established under IC 36-3-5-6  
29 constitutes the board of the county district.

30 (d) If a county designated as a county district has a population of  
31 more than four hundred thousand (400,000) but less than seven  
32 hundred thousand (700,000), the board of the district consists of the  
33 following members:

34 (1) One (1) member appointed by the county executive from the  
35 membership of the county executive.

36 (2) Two (2) members appointed from the county fiscal body  
37 appointed from the membership of the county fiscal body.

38 (3) The executive of each second or third class city or a member  
39 of the legislative body of their city appointed by the executive.

40 (4) One (1) member of the legislative body of each town  
41 appointed by the legislative body.

42 (5) One (1) member of the legislative body of the municipality  
43 with the largest population in the county appointed by the  
44 legislative body of that municipality.

45 (6) If a local government unit in the county has an operating final  
46 disposal facility located within the unit's jurisdiction, one (1)

1 member of the unit's board of public works appointed by the  
2 board of public works.

3 SECTION 5. IC 36-7-13-3 IS AMENDED TO READ AS  
4 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 3. (a) For purposes of  
5 this chapter, "improve" means to construct, reconstruct, or repair public  
6 ways, sidewalks, sewers, drains, fences, or buildings, and to do all other  
7 things that would enhance the value of real property and make it more  
8 suitable to industrial use.

9 (b) A unit may acquire by purchase, gift, or devise, and own,  
10 improve, maintain, sell, lease, convey, contract for, or otherwise deal  
11 in, real property for the development of industrial parks or industrial  
12 sites.

13 (c) A municipality may exercise powers granted by subsection (b)  
14 in areas within five (5) miles outside its corporate boundaries.

15 **(d) When a district is designated under section 12(e) of this**  
16 **chapter, a unit may expend funds for the purposes set forth in**  
17 **subsections (a) and (b) for the development of or to enhance the**  
18 **value of real property used for retail purposes."**

19 Renumber all SECTIONS consecutively.  
(Reference is to ESB 318 as reprinted February 26, 2002.)

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Representative Klinker

\*M0031802\*

Adopted

Rejected

## COMMITTEE REPORT

MR. SPEAKER:

Your Committee of One, to which was referred Engrossed Senate Bill 318, begs leave to report that said bill has been amended as directed.

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Representative Klinker