



January 30, 2004

---

---

## HOUSE BILL No. 1020

---

DIGEST OF HB 1020 (Updated January 27, 2004 6:56 pm - DI 108)

**Citations Affected:** IC 36-6; IC 36-10.

**Synopsis:** Mileage reimbursement of township trustees. Provides that the township trustee receives a mileage allowance at a rate determined by the township board, not to exceed the federal mileage rate. Provides that members of the Gary civic center board of managers may be paid a salary or a per diem.

**Effective:** July 1, 2004.

---

---

**Ayres, Stevenson, Moses**

---

---

December 4, 2003, read first time and referred to Committee on Local Government.  
January 29, 2004, amended, reported — Do Pass; referred to Committee on Ways and Means pursuant to Rule 127.

---

---

C  
o  
p  
y

HB 1020—LS 6226/DI 87+



January 30, 2004

Second Regular Session 113th General Assembly (2004)

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 2003 Regular Session of the General Assembly.

C  
O  
P  
Y

## HOUSE BILL No. 1020



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 36-6-8-3 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2004]: Sec. 3. (a) The annual appropriations to  
3 a township executive for the expenses of renting an office and **for**  
4 telephone and telegraph expenses must, as nearly as is possible, be  
5 equal to the actual cost of those items. If the township executive uses  
6 a part of the executive's residence for an office, the township legislative  
7 body shall appropriate a reasonable sum for that office space.  
8 (b) The township executive is entitled to a sum for mileage in the  
9 performance of official duties ~~equal to the sum per mile paid to state~~  
10 ~~officers and employees:~~ **at a rate determined by the township fiscal**  
11 **body, not to exceed the federal rate for mileage calculated for use**  
12 **of a privately owned automobile under 41 CFR 301-10.303 in effect**  
13 **on the date the township fiscal body determines the rate.** However,  
14 this subsection does not apply when the township executive uses a  
15 township vehicle in the performance of official duties.  
16 SECTION 2. IC 36-10-11-33, AS AMENDED BY P.L.178-2002,  
17 SECTION 137, IS AMENDED TO READ AS FOLLOWS

HB 1020—LS 6226/DI 87+



1 [EFFECTIVE JULY 1, 2004]: Sec. 33. (a) The fiscal body of the lessee  
2 shall adopt an ordinance creating a board of five (5) members to be  
3 known as the "Civic Center Board of Managers". The board of  
4 managers shall supervise, manage, operate, and maintain a building  
5 and its programs.

6 (b) A person appointed to the board of managers must be at least  
7 twenty-one (21) years of age and a resident of the lessee governmental  
8 entity for at least five (5) years. If the lessee is a city, three (3) of the  
9 managers shall be appointed by the city executive, and two (2) of the  
10 managers shall be appointed by the city legislative body. If the lessee  
11 is not a city, all five (5) managers shall be appointed by the fiscal body  
12 of the lessee. An officer or employee of a political subdivision may not  
13 serve as a manager. The managers serve for terms of three (3) years.

14 (c) Notwithstanding subsection (b), if the lessee is a city, initial  
15 terms of the managers appointed by the executive are as follows:

- 16 (1) One (1) manager for a term of one (1) year.
- 17 (2) One (1) manager for a term of two (2) years.
- 18 (3) One (1) manager for a term of three (3) years.

19 The initial term of one (1) of the managers appointed by the legislative  
20 body is two (2) years, and the other is three (3) years.

21 (d) Notwithstanding subsection (b), if the lessee is not a city, initial  
22 terms of the managers are as follows:

- 23 (1) One (1) manager for a term of one (1) year.
- 24 (2) Two (2) managers for terms of two (2) years.
- 25 (3) Two (2) managers for terms of three (3) years.

26 (e) A manager may be removed for cause by the appointing  
27 authority. Vacancies shall be filled by the appointing authority, and any  
28 person appointed to fill a vacancy serves for the remainder of the  
29 vacated term. The managers may ~~not receive salaries, but a salary or~~  
30 **a per diem, and** shall be reimbursed for any expenses necessarily  
31 incurred in the performance of their duties.

32 (f) The board of managers shall annually elect officers to serve  
33 during the calendar year. The board of managers may adopt resolutions  
34 and bylaws governing its operations and procedure and may hold  
35 meetings as often as necessary to transact business and to perform its  
36 duties. A majority of the managers constitutes a quorum.

C  
o  
p  
y



COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1020, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 11, delete "body." and insert "**body, not to exceed the federal rate for mileage calculated for use of a privately owned automobile under 41 CFR 301-10.303 in effect on the date the township fiscal body determines the rate.**".

Page 1, after line 12 begin a new paragraph and insert:

"SECTION 2. IC 36-10-11-33, AS AMENDED BY P.L.178-2002, SECTION 137, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 33. (a) The fiscal body of the lessee shall adopt an ordinance creating a board of five (5) members to be known as the "Civic Center Board of Managers". The board of managers shall supervise, manage, operate, and maintain a building and its programs.

(b) A person appointed to the board of managers must be at least twenty-one (21) years of age and a resident of the lessee governmental entity for at least five (5) years. If the lessee is a city, three (3) of the managers shall be appointed by the city executive, and two (2) of the managers shall be appointed by the city legislative body. If the lessee is not a city, all five (5) managers shall be appointed by the fiscal body of the lessee. An officer or employee of a political subdivision may not serve as a manager. The managers serve for terms of three (3) years.

(c) Notwithstanding subsection (b), if the lessee is a city, initial terms of the managers appointed by the executive are as follows:

- (1) One (1) manager for a term of one (1) year.
- (2) One (1) manager for a term of two (2) years.
- (3) One (1) manager for a term of three (3) years.

The initial term of one (1) of the managers appointed by the legislative body is two (2) years, and the other is three (3) years.

(d) Notwithstanding subsection (b), if the lessee is not a city, initial terms of the managers are as follows:

- (1) One (1) manager for a term of one (1) year.
- (2) Two (2) managers for terms of two (2) years.
- (3) Two (2) managers for terms of three (3) years.

(e) A manager may be removed for cause by the appointing authority. Vacancies shall be filled by the appointing authority, and any person appointed to fill a vacancy serves for the remainder of the vacated term. The managers may ~~not receive salaries, but a salary or~~ **a per diem, and** shall be reimbursed for any expenses necessarily

C  
O  
P  
Y



incurred in the performance of their duties.

(f) The board of managers shall annually elect officers to serve during the calendar year. The board of managers may adopt resolutions and bylaws governing its operations and procedure and may hold meetings as often as necessary to transact business and to perform its duties. A majority of the managers constitutes a quorum."

and when so amended that said bill do pass.

(Reference is to HB 1020 as introduced.)

MOSES, Chair

Committee Vote: yeas 14, nays 0.

**C**  
**O**  
**P**  
**Y**

