



Reprinted  
February 24, 2012

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## ENGROSSED SENATE BILL No. 22

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DIGEST OF SB 22 (Updated February 23, 2012 2:33 pm - DI 118)

**Citations Affected:** IC 14-33.

**Synopsis:** Conservancy district director compensation. Provides compensation for directors of conservancy districts commensurate with their workload and responsibilities. Provides that compensation may not be based upon a tax assessment imposed by the district. Requires that a petition filed by freeholders to establish a conservancy district be signed by at least 50% of freeholders owning land in the proposed district.

**Effective:** July 1, 2012.

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**Nugent, Hume**  
(HOUSE SPONSORS — MCMILLIN, DOBIS, FRYE R)

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January 4, 2012, read first time and referred to Committee on Agriculture and Natural Resources.  
January 24, 2012, reported favorably — Do Pass.  
January 26, 2012, read second time, ordered engrossed.  
January 27, 2012, engrossed.  
January 30, 2012, read third time, passed. Yeas 49, nays 1.  
HOUSE ACTION  
February 9, 2012, read first time and referred to Committee on Natural Resources.  
February 20, 2012, amended, reported — Do Pass.  
February 23, 2012, read second time, amended, ordered engrossed.

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Second Regular Session 117th General Assembly (2012)

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 2011 Regular Session of the General Assembly.

## ENGROSSED SENATE BILL No. 22

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

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

- 1 SECTION 1. IC 14-33-2-2 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. A petition filed  
3 under section 1 of this chapter must be signed by **at least fifty percent**  
4 **(50%) of the** freeholders owning land in the proposed district. ~~in the~~  
5 ~~minimum number or proportion of all the freeholders in the proposed~~  
6 ~~district as follows:~~
- 7 (1) ~~Districts of not more than one thousand (1,000) freeholds;~~  
8 ~~thirty percent (30%) of the freeholders.~~
- 9 (2) ~~Districts of at least one thousand one (1,001) and not more~~  
10 ~~than five thousand (5,000) freeholds; fifteen percent (15%) of the~~  
11 ~~freeholders but not less than three hundred (300) signatures.~~
- 12 (3) ~~Districts of at least five thousand one (5,001) and not more~~  
13 ~~than twenty-five thousand (25,000) freeholds; ten percent (10%)~~  
14 ~~of the freeholders but not less than seven hundred fifty (750)~~  
15 ~~signatures.~~
- 16 (4) ~~Districts of at least twenty-five thousand one (25,001)~~  
17 ~~freeholds; five percent (5%) of the freeholders but not less than~~

ES 22—LS 6053/DI 109+



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1           two thousand five hundred (2,500) signatures:  
2           SECTION 2. IC 14-33-5-16, AS AMENDED BY P.L.78-2007,  
3 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4 JULY 1, 2012]: Sec. 16. **(a) ~~As compensation~~ Except as provided in**  
5 **subsection (b), upon approval of the initial district plan,** the  
6 directors are entitled to **compensation in** an amount that the court  
7 orders, but not to exceed:  
8           (1) one hundred dollars (\$100) for not more than two (2) regular  
9 or specially called board meetings per month; and  
10           (2) fifty dollars (\$50) for not more than five (5) days per month  
11 devoted to the work of the district in addition to any day for which  
12 payment is received under subdivision (1). In addition, the  
13 directors shall be reimbursed for actual expenses, including  
14 traveling expense at a rate equal to the rate paid to state officers  
15 and employees. Claims for expense reimbursement must be  
16 accompanied by an itemized written statement approved by a  
17 recorded motion of the board.  
18           **(b) At any time after all directors have been elected to the**  
19 **board, the directors may receive an increase in compensation up**  
20 **to a reasonable amount that is:**  
21           **(1) approved by a majority vote of the board of directors; and**  
22           **(2) authorized by a court order.**  
23           **(c) An increase in compensation authorized under subsection (b)**  
24 **may not be based upon an increase of any tax, assessment, rates, or**  
25 **charges by the district.**  
26           **(d) In addition to any compensation the directors may receive**  
27 **under subsection (b), the directors shall be reimbursed for actual**  
28 **expenses, including traveling expenses at a rate equal to the rate**  
29 **paid to state officers and employees. Claims for expense**  
30 **reimbursement must be accompanied by an itemized written**  
31 **statement approved by a recorded motion of the board of directors.**

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## COMMITTEE REPORT

Madam President: The Senate Committee on Agriculture and Natural Resources, to which was referred Senate Bill No. 22, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 22 as introduced.)

MISHLER, Chairperson

Committee Vote: Yeas 9, Nays 0.

## COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred Senate Bill 22, 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 3, after "16." insert "(a)".

Page 1, line 4, delete "section 16.1 of this chapter," and insert "**subsection (b), upon approval of the initial district plan,**".

Page 1, delete lines 16 through 17, begin a new paragraph and insert:

**"(b) At any time after all directors have been elected to the board, the directors may receive an increase in compensation up to a reasonable amount that is:**

- (1) approved by a majority vote of the board of directors; and**
- (2) authorized by a court order.**

**(c) An increase in compensation authorized under subsection (b) may not be based upon an increase of any tax, assessment, rates, or charges by the district.**

**(d) In addition to any compensation the directors may receive under subsection (b), the directors shall be reimbursed for actual expenses, including traveling expenses at a rate equal to the rate paid to state officers and employees. Claims for expense reimbursement must be accompanied by an itemized written statement approved by a recorded motion of the board of directors."**



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Delete page 2.

and when so amended that said bill do pass.

(Reference is to SB 22 as printed January 25, 2012.)

EBERHART, Chair

Committee Vote: yeas 10, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that Engrossed Senate Bill 22 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 14-33-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2012]: Sec. 2. A petition filed under section 1 of this chapter must be signed by **at least fifty percent (50%) of the** freeholders owning land in the proposed district. ~~in the minimum number or proportion of all the freeholders in the proposed district as follows:~~

- (1) Districts of not more than one thousand (1,000) freeholds; thirty percent (30%) of the freeholders.
- (2) Districts of at least one thousand one (1,001) and not more than five thousand (5,000) freeholds; fifteen percent (15%) of the freeholders but not less than three hundred (300) signatures.
- (3) Districts of at least five thousand one (5,001) and not more than twenty-five thousand (25,000) freeholds; ten percent (10%) of the freeholders but not less than seven hundred fifty (750) signatures.
- (4) Districts of at least twenty-five thousand one (25,001) freeholds; five percent (5%) of the freeholders but not less than two thousand five hundred (2,500) signatures."

Renumber all SECTIONS consecutively.

(Reference is to ESB 22 as printed February 21, 2012.)

CANDELARIA REARDON

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