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| WITHDRAWN | Noes _____ |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

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 535 be amended to read as follows:

- 1 Page 1, delete lines 1 through 5, begin a new paragraph and insert:
- 2 "SECTION 1. IC 8-22-3-4, AS AMENDED BY P.L.119-2012,
- 3 SECTION 99, IS AMENDED TO READ AS FOLLOWS
- 4 [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) Except as provided in
- 5 subsections (b), (c), (d), (e), (f), and (g) and section 4.3 of this chapter,
- 6 the board consists of four (4) members, whenever the fiscal body of an
- 7 eligible entity, acting individually, establishes an authority. **Except as**
- 8 **provided in subsection (h) and section 4.5(f) of this chapter,** the
- 9 members of the board shall be appointed by the executive of the entity,
- 10 and not more than two (2) members of the board may be of the same
- 11 political party.
- 12 (b) In the event that two (2) cities or one (1) city and one (1) town
- 13 act jointly to establish an authority under this chapter, the board
- 14 consists of five (5) members. The executive of each city or town shall
- 15 each appoint two (2) members to the board. The county executive shall
- 16 appoint one (1) member to the board. Each member appointed by an
- 17 executive must be of a different political party than the other appointed
- 18 member.
- 19 (c) In the event that an authority is established by a city or town and
- 20 a county, acting jointly, the board consists of six (6) members. The
- 21 executive of each entity shall appoint three (3) members. Not more than
- 22 two (2) members appointed by each executive may be of the same
- 23 political party.
- 24 (d) In the event that an authority was established under IC 19-6-3
- 25 (before its repeal on April 1, 1980) the board consists of five (5)

1 members. Three (3) members of the board shall be appointed by the
 2 mayor of the city, and two (2) members of the board shall be appointed
 3 by the board of commissioners of the county. Not more than two (2)
 4 members representing the city may be members of the same political
 5 party, and not more than one (1) member representing the county may
 6 be a member of the same political party.

7 (e) Except as provided in section 4.1(b)(3) of this chapter, the
 8 county executive of each Indiana county that is adjacent to a county
 9 establishing an authority under this chapter and in which the authority
 10 owns real property may appoint one (1) advisory member to the board.
 11 An advisory member who is appointed under this subsection:

- 12 (1) must be a resident of the adjacent county;
- 13 (2) may not vote on any matter before the board;
- 14 (3) serves at the pleasure of the appointing authority; and
- 15 (4) serves without compensation or payment for expenses.

16 (f) The board of an authority established in a city having a
 17 population of more than sixteen thousand four hundred (16,400) but
 18 less than seventeen thousand (17,000) consists of five (5) members. The
 19 members of the board shall be appointed by the executive of the eligible
 20 entity, and not more than three (3) members of the board may be of the
 21 same political party.

22 (g) This subsection does not apply to a board subject to subsection
 23 (b), (c), (d), or (f). Notwithstanding subsection (a), the fiscal body of an
 24 eligible entity may adopt an ordinance or a resolution providing that the
 25 board consists of five (5) members. If the board consists of five (5)
 26 members, not more than three (3) members may be of the same political
 27 party.

28 **(h) If an airport authority is established under this section by**
 29 **the fiscal body of Clark County, the board must consist of four (4)**
 30 **members. Subject to section 4.5(f) of this chapter (concerning the**
 31 **initial members of the board):**

- 32 **(1) three (3) of the members of the board shall be appointed**
 33 **by the county executive of Clark County; and**
- 34 **(2) one (1) of the members of the board shall be appointed by**
 35 **the legislative body of the town of Sellersburg.**

36 **The board may consist of five (5) members if the fiscal body of**
 37 **Clark County adopts an ordinance or resolution as provided in**
 38 **subsection (g). Subject to section 4.5(f) of this chapter (concerning**
 39 **the initial members of the board), if the board consists of five (5)**
 40 **members, three (3) of the members of the board shall be appointed**
 41 **by the county executive of Clark County, one (1) of the members of**
 42 **the board shall be appointed by the fiscal body of Clark County,**
 43 **and one (1) of the members of the board shall be appointed by the**
 44 **legislative body of the town of Sellersburg.**

45 SECTION 2. IC 8-22-3-4.5 IS ADDED TO THE INDIANA CODE
 46 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
 47 UPON PASSAGE]: **Sec. 4.5. (a) This section applies only to an**

1 **airport authority established under this chapter by the fiscal body**
2 **of Clark County.**

3 **(b) The following apply to the authority:".**

4 Page 1, line 15, delete "(b)" and insert "(c)".

5 Page 2, line 1, delete "(c)" and insert "(d)".

6 Page 2, delete lines 11 through 42, begin a new paragraph and insert:

7 **"(e) The board must each year present the annual report issued**
8 **under subsection (d):**

9 **(1) at a public meeting of the county executive of Clark**
10 **County;**

11 **(2) at a public meeting of the fiscal body of Clark County; and**

12 **(3) at a public meeting of the legislative body of the town of**
13 **Sellersburg.**

14 **(f) Notwithstanding sections 4 and 5 of this chapter or any other**
15 **law, the following apply to the membership of the board of the**
16 **authority:**

17 **(1) Subject to subdivision (2), the individuals serving as**
18 **members of the Clark County board of aviation**
19 **commissioners at the time the authority is established shall**
20 **become the initial members of the board of the authority.**

21 **(2) If:**

22 **(A) the Clark County board of aviation commissioners**
23 **consists of five (5) members at the time the authority is**
24 **established; and**

25 **(B) the board of the authority consists of only four (4)**
26 **members;**

27 **the county executive of Clark County shall determine which**
28 **four (4) of the members of the Clark County board of aviation**
29 **commissioners shall become the initial members of the board**
30 **of the authority.**

31 **(3) The terms of the individuals who serve as the initial**
32 **members of the board of the authority as provided in**
33 **subdivision (1) expire on January 1 of the first calendar year**
34 **that begins at least twelve (12) months after the authority is**
35 **established.**

36 **(4) Upon the expiration of the terms of the individuals who**
37 **serve as the initial members of the board of the authority, the**
38 **members of the board shall be appointed as provided in**
39 **section 4(h) of this chapter.**

40 **(g) The general assembly finds that by enacting this section and**
41 **section 4(h) of this chapter, Clark County will have the opportunity**
42 **to advance the economic development potential of the county**
43 **through the airport authority, the military base reuse authority,**
44 **and the ports of Indiana."**

45 Delete pages 3 through 20.

46 Page 21, delete lines 1 through 6.

- 1 Renumber all SECTIONS consecutively.
(Reference is to ESB 535 as printed March 26, 2013.)

Representative Stemler