

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WITHDRAWN	Noes _____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

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

MR. SPEAKER:

I move that Engrossed Senate Bill 621 be amended to read as follows:

- 1 Page 1, line 13, delete "subject to IC 3-11.5-4-0.5;" and insert "**in**
- 2 **which at least a majority of voters vote "yes" on a public question**
- 3 **under IC 3-11.5-4-0.5;"**.
- 4 Page 2, delete lines 2 through 18, begin a new paragraph and insert:
- 5 "SECTION 4. IC 3-11.5-4-0.5 IS ADDED TO THE INDIANA
- 6 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 7 [EFFECTIVE JULY 1, 2013]: **Sec. 0.5. (a) This section applies only**
- 8 **to a county with a population of more than three hundred**
- 9 **twenty-five thousand (325,000).**
- 10 **(b) The voters of the county may initiate a public question on**
- 11 **the question of requiring the counting of absentee ballots at a**
- 12 **central location unless a resolution is adopted by a unanimous vote**
- 13 **of the entire membership of the county election board requiring**
- 14 **ballots to be counted at individual precincts. The public question**
- 15 **is initiated by filing a written petition with the county clerk that is**
- 16 **signed by at least five percent (5%) of the voters of the county, as**
- 17 **determined by the vote cast in the county for secretary of state at**
- 18 **the most recent general election.**
- 19 **(c) The clerk of the political subdivision shall certify the petition**
- 20 **to the county legislative body.**
- 21 **(d) A petition under this section must be filed with the circuit**
- 22 **court clerk not later than January 1, 2014.**
- 23 **(e) If a petition is filed under subsection (b), the following**
- 24 **question shall be submitted to the registered voters of the county**

1 at the general election in November 2014:

2 "Shall the county count absentee ballots at a central location  
3 unless the county election board adopts a resolution, by a  
4 unanimous vote of the entire membership of the board, that  
5 requires ballots to be counted at individual precincts? (A  
6 "yes" vote on the public question results in the counting of  
7 absentee ballots at a central location unless the county  
8 election board adopts a resolution requiring absentee ballots  
9 to be counted at individual precincts. A "no" vote on the  
10 public question retains the requirement that absentee ballots  
11 are counted at individual precincts unless the county election  
12 board adopts a resolution for absentee ballots to be counted  
13 at a central location.)".

14 (f) The county auditor shall certify a public question described  
15 in subsection (e) under IC 3-10-9-3 to the county election board of  
16 the county. After the public question is certified, the public  
17 question shall be placed on the ballot at the general election in  
18 November 2014.

19 (g) Only the registered voters who are residents of the county  
20 may vote on the public question.

21 (h) The circuit court clerk shall certify the results of a public  
22 question under this section to the following:

- 23 (1) The county auditor.
- 24 (2) The state board of accounts.
- 25 (3) The election division.

26 (i) If a majority of the voters voting on a public question under  
27 this section vote "yes" to the public question, after December 31,  
28 2014, the county shall count absentee ballots at a central location  
29 unless the county election board adopts a resolution under  
30 subsection (j).

31 (j) If the county election board adopts a resolution, by the  
32 unanimous vote of the entire membership of the board, that:

- 33 (1) requires absentee ballots to be counted at individual  
34 precincts instead of at a central location; and
- 35 (2) states the board's basis for adopting the requirement  
36 described in subdivision (1);

37 all absentee ballots shall be counted at individual precincts instead  
38 of at a central location as of the effective date of the resolution.

39 (k) A copy of a resolution adopted under subsection (j) shall be  
40 filed with the election division."

41 Page 2, line 22, delete "that is subject to IC 3-11.5-4-0.5;" and insert  
42 "in which at least a majority of voters vote "yes" on a public  
43 question under IC 3-11.5-4-0.5;"

44 Page 2, line 37, delete "that is subject to IC 3-11.5-4-0.5;" and insert  
45 "in which at least a majority of voters vote "yes" on a public  
46 question under IC 3-11.5-4-0.5;"

47 Page 3, line 13, delete "The consolidated law".

1 Page 3, delete lines 14 through 16, begin a new paragraph and  
2 insert:

3 **"(b) This subsection applies after December 31, 2014, only if a**  
4 **majority of voters vote "yes" on a public question under**  
5 **IC 36-3-8-3(1). The consolidated law enforcement department must**  
6 **be a division of the department of public safety under the direction**  
7 **and control of a director of public safety."**

8 Page 3, line 17, strike "(b)" and insert "(c)".

9 Page 3, line 24, strike "(c)" and insert "(d)".

10 Page 3, line 26, strike "(d)" and insert "(e)".

11 Page 3, line 39, strike "(e)" and insert "(f)".

12 Page 5, delete lines 41 through 42, begin a new paragraph and  
13 insert:

14 "SECTION 8. IC 36-3-2-10, AS AMENDED BY P.L.146-2008,  
15 SECTION 701, IS AMENDED TO READ AS FOLLOWS  
16 [EFFECTIVE JULY 1, 2013]: Sec. 10. (a) The general assembly finds  
17 the following:

18 (1) That the tax base of the consolidated city and the county have  
19 been significantly eroded through the ownership of tangible  
20 property by separate municipal corporations and other public  
21 entities that operate as private enterprises yet are exempt or whose  
22 property is exempt from property taxation.

23 (2) That to restore this tax base and provide a proper allocation of  
24 the cost of providing governmental services the legislative body  
25 of the consolidated city and county should be authorized to collect  
26 payments in lieu of taxes from these public entities.

27 (3) That the appropriate maximum payments in lieu of taxes  
28 would be the amount of the property taxes that would be paid if  
29 the tangible property were not subject to an exemption.

30 (b) As used in this section, the following terms have the meanings  
31 set forth in IC 6-1.1-1:

32 (1) Assessed value.

33 (2) Exemption.

34 (3) Owner.

35 (4) Person.

36 (5) Personal property.

37 (6) Property taxation.

38 (7) Tangible property.

39 (8) Township assessor.

40 (c) As used in this section, "PILOTS" means payments in lieu of  
41 taxes.

42 (d) As used in this section, "public entity" means **the following:**

43 **(1) Except as provided in subdivision (2), any of the following**  
44 **government entities in the county:**

45 **(+) (A) An airport authority operating under IC 8-22-3.**

46 **(-) (B) A capital improvement board of managers under**

- 1 IC 36-10-9.
- 2 ~~(3) (C)~~ A building authority operating under IC 36-9-13.
- 3 ~~(4) (D)~~ A wastewater treatment facility.
- 4 **(2) If at least a majority of the voters vote "yes" on a public**
- 5 **question under IC 36-3-8-3(6), any of the following**
- 6 **government entities in the county:**
- 7 **(A) An airport authority operating under IC 8-22-3.**
- 8 **(B) A building authority operating under IC 36-9-13.**
- 9 **(C) A wastewater treatment facility.**
- 10 (e) The legislative body of the consolidated city may adopt an
- 11 ordinance to require a public entity to pay PILOTS at times set forth in
- 12 the ordinance with respect to:
- 13 (1) tangible property of which the public entity is the owner or the
- 14 lessee and that is subject to an exemption;
- 15 (2) tangible property of which the owner is a person other than a
- 16 public entity and that is subject to an exemption under IC 8-22-3;
- 17 or
- 18 (3) both.
- 19 The ordinance remains in full force and effect until repealed or
- 20 modified by the legislative body.
- 21 (f) The PILOTS must be calculated so that the PILOTS may be in
- 22 any amount that does not exceed the amount of property taxes that
- 23 would have been levied by the legislative body for the consolidated city
- 24 and county upon the tangible property described in subsection (e) if the
- 25 property were not subject to an exemption from property taxation.
- 26 (g) PILOTS shall be imposed as are property taxes and shall be
- 27 based on the assessed value of the tangible property described in
- 28 subsection (e). Except as provided in subsection (l), the township
- 29 assessor, or the county assessor if there is no township assessor for the
- 30 township, shall assess the tangible property described in subsection (e)
- 31 as though the property were not subject to an exemption. The public
- 32 entity shall report the value of personal property in a manner consistent
- 33 with IC 6-1.1-3.
- 34 (h) Notwithstanding any law to the contrary, a public entity is
- 35 authorized to pay PILOTS imposed under this section from any legally
- 36 available source of revenues. The public entity may consider these
- 37 payments to be operating expenses for all purposes.
- 38 (i) PILOTS shall be deposited in the consolidated county fund and
- 39 used for any purpose for which the consolidated county fund may be
- 40 used.
- 41 (j) PILOTS shall be due as set forth in the ordinance and bear
- 42 interest, if unpaid, as in the case of other taxes on property. PILOTS
- 43 shall be treated in the same manner as taxes for purposes of all
- 44 procedural and substantive provisions of law.
- 45 (k) PILOTS imposed on a wastewater treatment facility may be paid
- 46 only from the cash earnings of the facility remaining after provisions

- 1 have been made to pay for current obligations, including:
- 2 (1) operating and maintenance expenses;
- 3 (2) payment of principal and interest on any bonded indebtedness;
- 4 (3) depreciation or replacement fund expenses;
- 5 (4) bond and interest sinking fund expenses; and
- 6 (5) any other priority fund requirements required by law or by any
- 7 bond ordinance, resolution, indenture, contract, or similar
- 8 instrument binding on the facility.

9 (l) If the duties of the township assessor have been transferred to the  
 10 county assessor as described in IC 6-1.1-1-24, a reference to the  
 11 township assessor in this section is considered to be a reference to the  
 12 county assessor."

13 Delete pages 6 through 7.

14 Page 8, delete lines 1 through 26, begin a new paragraph and insert:

15 "SECTION 11. IC 36-3-5-2, AS AMENDED BY P.L.227-2005,  
 16 SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 17 JULY 1, 2013]: Sec. 2. (a) **This subsection does not apply after**  
 18 **December 31, 2014, if at least a majority of voters vote "yes" on a**  
 19 **public question under IC 36-3-8-3(4).** The executive shall subject to  
 20 the approval of the city-county legislative body, appoint each of the  
 21 executive's deputies and the director of each department of the  
 22 consolidated city. A deputy or director is appointed for a term of one  
 23 (1) year and until a successor is appointed and qualified, but serves at  
 24 the pleasure of the executive.

25 (b) **This subsection does not apply after December 31, 2014, if at**  
 26 **least a majority of voters vote "yes" on a public question under**  
 27 **IC 36-3-8-3(4).** When making an appointment under subsection (a),  
 28 the executive shall submit the name of an appointee to an office to the  
 29 legislative body for its approval as follows:

- 30 (1) When the office has an incumbent, not more than forty-five
- 31 (45) days before the expiration of the incumbent's one (1) year
- 32 term.
- 33 (2) When the office has been vacated, not more than forty-five
- 34 (45) days after the vacancy occurs.

35 (c) **This subsection applies after December 31, 2014, only if a**  
 36 **majority of voters vote "yes" on a public question under**  
 37 **IC 36-3-8-3(4).** The executive shall appoint each of the executive's  
 38 deputies and the director of each department of the consolidated  
 39 city. A deputy or director is appointed for a term of one (1) year  
 40 and until a successor is appointed and qualified, but serves at the  
 41 pleasure of the executive.

42 (d) The executive may appoint an acting deputy or acting  
 43 director whenever the incumbent is incapacitated or the office has been  
 44 vacated. An acting deputy or acting director has all the powers of the  
 45 office.

46 (e) The executive shall appoint:

- 1 (1) a controller;  
 2 (2) two (2) deputy controllers, only one (1) of whom may be from  
 3 the same political party as the executive; and  
 4 (3) a corporation counsel;  
 5 each of whom serves at the pleasure of the executive.
- 6 (e) (f) The corporation counsel and every attorney who is a city  
 7 employee working for the corporation counsel must be a resident of the  
 8 county and admitted to the practice of law in Indiana."
- 9 Page 8, line 29, delete "As used in this section, "office, department,  
 10 or" and insert "**This section applies after December 31, 2014, only if**  
 11 **a majority of voters in the county vote "yes" on a public question**  
 12 **under IC 36-3-8-3(2).**
- 13 (b) As used in this section, "office, department, or agency"  
 14 means any office, department, or agency of the consolidated city or  
 15 the county having a consolidated city."
- 16 Page 8, delete lines 30 through 31.
- 17 Page 8, line 32, delete "(b)" and insert "(c)".
- 18 Page 8, line 38, delete "(c)" and insert "(d)".
- 19 Page 8, line 38, delete "(d)," and insert "(e),".
- 20 Page 8, line 42, delete "(d)" and insert "(e)".
- 21 Page 9, line 7, delete "(e)" and insert "(f)".
- 22 Page 9, line 17, delete "(h)." and insert "(i).".
- 23 Page 9, line 19, delete "(f)" and insert "(g)".
- 24 Page 9, line 23, delete "(g)" and insert "(h)".
- 25 Page 9, line 25, delete "(e)(1)(A)" and insert "(f)(1)(A)".
- 26 Page 9, line 32, delete "(h)" and insert "(i)".
- 27 Page 10, line 1, delete "(i)" and insert "(j)".
- 28 Page 10, line 3, delete "(j)" and insert "(k)".
- 29 Page 10, line 13, delete "(k)" and insert "(l)".
- 30 Page 10, delete lines 15 through 42, begin a new paragraph and  
 31 insert:
- 32 "SECTION 13. IC 36-3-8 IS ADDED TO THE INDIANA CODE  
 33 AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
 34 JULY 1, 2013]:
- 35 **Chapter 8. Local Public Question on Marion County Issues**
- 36 **Sec. 1. This chapter applies only to Marion County.**
- 37 **Sec. 2. (a) The voters of the county may petition to place a public**  
 38 **question on the ballot at the November 2014 general election by**  
 39 **filing a written petition with the circuit court clerk that meets the**  
 40 **following requirements:**
- 41 (1) States a public question from the list in section 3 of this  
 42 chapter. A separate petition is required for each public  
 43 question. Each petition must meet the requirements of this  
 44 section.
- 45 (2) Each petition must be signed by at least five percent (5%)  
 46 of the voters of the county, as determined by the vote cast in

1           the county for secretary of state at the most recent general  
2           election.

3           **(b) A petition under this section must be filed with the circuit**  
4           **court clerk not later than January 1, 2014.**

5           **(c) If a petition meets the requirements of this section, the**  
6           **circuit court clerk shall certify the petition to the city-county**  
7           **council.**

8           **Sec. 3. A petition may be filed to place any of the following**  
9           **public questions on the ballot at the general election in November**  
10           **2014:**

11           **(1) "Shall state law require the consolidated law enforcement**  
12           **department to be a division of the department of public safety**  
13           **under the direction and control of a director of public safety?**  
14           **(A "yes" vote on the public question would require, as a**  
15           **matter of state law, that the consolidated law enforcement**  
16           **department be a division of the department of public safety**  
17           **under the direction and control of the director of public**  
18           **safety. A "no" vote on the public question would retain the**  
19           **city-county council's authority to adopt an ordinance**  
20           **regarding the organization of the consolidated law**  
21           **enforcement department.)"**

22           **(2) "Shall the controller of the consolidated city and county**  
23           **have the power to allot amounts that are appropriated by the**  
24           **city-county council to an office, department, or agency of a**  
25           **consolidated city or the county? (A "yes" vote on the public**  
26           **question would result in the controller having this authority**  
27           **beginning January 1, 2015. A "no" vote on the public question**  
28           **would result in the controller not having this authority.)"**

29           **(3) "Shall all township boards in Marion County be reduced**  
30           **from seven (7) to five (5) members? (A "yes" vote on the**  
31           **public question would result in a reduction in membership of**  
32           **each township board in the county to five (5) members**  
33           **beginning January 1, 2016. A "no" vote on the public question**  
34           **would result in each township board retaining a membership**  
35           **of seven (7) members.)"**

36           **(4) "Shall the mayor have the authority to appoint the**  
37           **mayor's deputies and directors of departments of the**  
38           **consolidated city without the approval of the city-county**  
39           **council? (A "yes" vote on the public question would allow the**  
40           **mayor to have the appointment authority beginning January**  
41           **1, 2015. A "no" vote on the public question would result in the**  
42           **city-county council retaining the authority to approve the**  
43           **mayor's appointments.)"**

44           **(5) "Shall the mayor appoint two (2) additional members to**  
45           **the metropolitan development commission and shall the**  
46           **appointments of the board of county commissioners (the**  
47           **county auditor, county assessor, and county treasurer) to the**

1 metropolitan development commission be eliminated? (A  
 2 "yes" vote on the public question means that beginning  
 3 January 1, 2015, the mayor would appoint two (2) additional  
 4 members to the commission and the board of commissioners  
 5 would lose its authority to appoint two (2) members to the  
 6 commission. A "no" vote on the public question would result  
 7 in the board of county commissioners retaining the board's  
 8 appointments to the metropolitan development commission  
 9 and the mayor retaining the same number of appointments.)".

10 (6) "Shall the city-county council's authority to require the  
 11 capital improvement board of managers to make payments in  
 12 lieu of taxes (PILOTS) for deposit in the consolidated county  
 13 fund be eliminated? (A "yes" vote on the public question  
 14 would eliminate the city-county council's authority beginning  
 15 January 1, 2015. A "no" vote on the public question would  
 16 result in the city-county council retaining this authority.)".

17 Sec. 4. (a) The county auditor shall certify a public question  
 18 described in section 3 of this chapter under IC 3-10-9-3 to the  
 19 county election board of the county. After the public question is  
 20 certified, the public question shall be placed on the ballot at the  
 21 general election in November 2014.

22 (b) Only the registered voters who are residents of Marion  
 23 County may vote on the public question.

24 Sec. 5. The circuit court clerk shall certify the results of a public  
 25 question under this chapter to the following:

- 26 (1) The county auditor.
- 27 (2) The state board of accounts.
- 28 (3) The election division.

29 Sec. 6. (a) If a majority of the voters in the county voting on a  
 30 public question under section 3(1) of this chapter vote "yes" to the  
 31 public question, after December 31, 2014, as a matter of state law,  
 32 the consolidated law enforcement department is a division of the  
 33 department of public safety under the direction and control of the  
 34 director of public safety.

35 (b) If a majority of the voters in the county voting on a public  
 36 question under section 3(2) of this chapter vote "yes" to the public  
 37 question, after December 31, 2014, the controller of the  
 38 consolidated city and county has the authority under IC 36-3-6-10  
 39 to allot amounts appropriated to an office, department, or agency  
 40 of a consolidated city or county having a consolidated city.

41 (c) If a majority of the voters in the county voting on a public  
 42 question under section 3(3) of this chapter vote "yes" to the public  
 43 question, after December 31, 2020, each township board in the  
 44 county consists of five (5) members instead of seven (7) members.

45 (d) If a majority of the voters in the county voting on a public  
 46 question under section 3(4) of this chapter vote "yes" to the public  
 47 question, after December 31, 2014, the mayor of the consolidated

1 city may appoint each of the mayor's deputies and the director of  
 2 each department of the consolidated city without the city-county  
 3 council's approval.

4 (e) If a majority of the voters in the county voting on a public  
 5 question under section 3(5) of this chapter vote "yes" to the public  
 6 question, after December 31, 2014, the board of county  
 7 commissioners' appointments to the metropolitan development  
 8 commission are eliminated and the mayor's appointments to the  
 9 metropolitan development commission are increased by two (2).

10 (f) If a majority of the voters in the county voting on a public  
 11 question under section 3(6) of this chapter vote "yes" to the public  
 12 question, after December 31, 2014, the city-county council may not  
 13 require the capital improvement board of managers to make  
 14 payments in lieu of taxes (PILOTS) for deposit in the consolidated  
 15 county fund.

16 SECTION 14. IC 36-6-6-2, AS AMENDED BY P.L.240-2005,  
 17 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 18 JULY 1, 2013]: Sec. 2. (a) Except as provided in subsection (b) and  
 19 section 2.1 of this chapter, a three (3) member township board shall be  
 20 elected under IC 3-10-2-13 by the voters of each township.

21 (b) The township board in a county containing a consolidated city  
 22 shall consist of:

23 (1) seven (7) members elected under IC 3-10-2-13 by the voters  
 24 of each township; or

25 (2) after December 31, 2015, five (5) members elected under  
 26 IC 3-10-2-13 by the voters of each township, only if at least a  
 27 majority of the voters vote "yes" on a public question under  
 28 IC 36-3-8-3(3).

29 (c) The township board is the township legislative body.

30 (d) The term of office of a township board member is four (4) years,  
 31 beginning January 1 after election and continuing until a successor is  
 32 elected and qualified.

33 SECTION 15. IC 36-6-6-4, AS AMENDED BY P.L.240-2005,  
 34 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 35 JULY 1, 2013]: Sec. 4. (a) Except as provided in subsections (b) and  
 36 (c), two (2) members of the legislative body constitute a quorum.

37 (b) Four (4) members of the legislative body in a county containing  
 38 a consolidated city constitute a quorum. **However, if at least a**  
 39 **majority of the voters vote "yes" on a public question under**  
 40 **IC 36-3-8-3(3), after December 31, 2015, three (3) members of the**  
 41 **legislative body in a county having a consolidated city constitute a**  
 42 **quorum.**

43 (c) This subsection applies to a township government that:

44 (1) is created by a merger of township governments under  
 45 IC 36-6-1.5; and

46 (2) elects a township board under section 2.1 of this chapter.

1 A majority of the members of the legislative body constitute a quorum.  
2 If a township board has an even number of members, the township  
3 executive shall serve as an ex officio member of the township board for  
4 the purpose of casting the deciding vote to break a tie.

5 SECTION 16. IC 36-7-4-207, AS AMENDED BY P.L.146-2008,  
6 SECTION 718, IS AMENDED TO READ AS FOLLOWS  
7 [EFFECTIVE JULY 1, 2013]: Sec. 207. (a) ADVISORY. In a city  
8 having a park board and a city civil engineer, the city plan commission  
9 consists of nine (9) members, as follows:

- 10 (1) One (1) member appointed by the city legislative body from  
11 its membership.
- 12 (2) One (1) member appointed by the park board from its  
13 membership.
- 14 (3) One (1) member or designated representative appointed by the  
15 city works board.
- 16 (4) The city civil engineer or a qualified assistant appointed by the  
17 city civil engineer.
- 18 (5) Five (5) citizen members, of whom no more than three (3)  
19 may be of the same political party, appointed by the city  
20 executive.

21 (b) ADVISORY. If a city lacks either a park board or a city civil  
22 engineer, or both, subsection (a) does not apply. In such a city or in any  
23 town, the municipal plan commission consists of seven (7) members,  
24 as follows:

- 25 (1) The municipal legislative body shall appoint three (3) persons,  
26 who must be elected or appointed municipal officials or  
27 employees in the municipal government, as members.
- 28 (2) The municipal executive shall appoint four (4) citizen  
29 members, of whom no more than two (2) may be of the same  
30 political party.

31 (c) AREA. To provide equitable representation of rural and urban  
32 populations, representation on the area plan commission is determined  
33 as follows:

- 34 (1) Seven (7) representatives from each city having a population  
35 of more than one hundred five thousand (105,000).
- 36 (2) Six (6) representatives from each city having a population of  
37 not less than seventy thousand (70,000) nor more than one  
38 hundred five thousand (105,000).
- 39 (3) Five (5) representatives from each city having a population of  
40 not less than thirty-five thousand (35,000) but less than seventy  
41 thousand (70,000).
- 42 (4) Four (4) representatives from each city having a population of  
43 not less than twenty thousand (20,000) but less than thirty-five  
44 thousand (35,000).
- 45 (5) Three (3) representatives from each city having a population  
46 of not less than ten thousand (10,000) but less than twenty

- 1 thousand (20,000).
- 2 (6) Two (2) representatives from each city having a population of
- 3 less than ten thousand (10,000).
- 4 (7) One (1) representative from each town having a population of
- 5 more than two thousand one hundred (2,100), and one (1)
- 6 representative from each town having a population of two
- 7 thousand one hundred (2,100) or less that had a representative
- 8 before January 1, 1979.
- 9 (8) Such representatives from towns having a population of not
- 10 more than two thousand one hundred (2,100) as are provided for
- 11 in section 210 of this chapter.
- 12 (9) Six (6) county representatives if the total number of municipal
- 13 representatives in the county is an odd number, or five (5) county
- 14 representatives if the total number of municipal representatives is
- 15 an even number.
- 16 (d) METRO. The metropolitan development commission consists
- 17 of nine (9) citizen members, as follows:
- 18 (1) Four (4) members, of whom no more than two (2) may be of
- 19 the same political party, appointed by the executive of the
- 20 consolidated city, **or if at least a majority of the voters vote**
- 21 **"yes" on a public question under IC 36-3-8-3(5), after**
- 22 **December 31, 2014, six (6) members, no more than three (3)**
- 23 **of whom may be of the same political party, appointed by the**
- 24 **executive of the consolidated city.**
- 25 (2) Three (3) members, of whom no more than two (2) may be of
- 26 the same political party, appointed by the legislative body of the
- 27 consolidated city.
- 28 (3) Two (2) members, who must be of different political parties,
- 29 appointed by the board of commissioners of the county, **unless**
- 30 **the voters of the county vote "yes" on a public question under**
- 31 **IC 36-3-8-3(5), in which case after December 31, 2014, the**
- 32 **board of commissioners of the county may not make any**
- 33 **appointments to the metropolitan development commission.**
- 34 (e) METRO. The legislative body of the consolidated city shall
- 35 appoint an individual to serve as a nonvoting adviser to the
- 36 metropolitan development commission when the commission is acting
- 37 as the redevelopment commission of the consolidated city under
- 38 IC 36-7-15.1. If the duties of the metropolitan development
- 39 commission under IC 36-7-15.1 are transferred to another entity under
- 40 IC 36-3-4-23, the individual appointed under this subsection shall serve
- 41 as a nonvoting adviser to that entity. A nonvoting adviser appointed
- 42 under this subsection:
- 43 (1) must also be a member of the school board of a school
- 44 corporation that includes all or part of the territory of the
- 45 consolidated city;
- 46 (2) is not considered a member of the metropolitan development

1 commission for purposes of IC 36-7-15.1 but is entitled to attend  
2 and participate in the proceedings of all meetings of the  
3 metropolitan development commission (or any successor entity  
4 designated under IC 36-3-4-23) when it is acting as a  
5 redevelopment commission under IC 36-7-15.1;  
6 (3) is not entitled to a salary, per diem, or reimbursement of  
7 expenses;  
8 (4) serves for a term of two (2) years and until a successor is  
9 appointed; and  
10 (5) serves at the pleasure of the legislative body of the  
11 consolidated city."  
12 Delete pages 11 through 13.  
13 Renumber all SECTIONS consecutively.  
(Reference is to ESB 621 as printed April 2, 2013.)

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Representative Pryor