



# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1001 be amended to read as follows:

- 1           Page 185, between lines 9 and 10, begin a new paragraph and insert:  
2           "SECTION 176. IC 36-7.5-2-3, AS AMENDED BY P.L.144-2020,  
3           SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
4           UPON PASSAGE]: Sec. 3. (a) The development authority is governed  
5           by the development board appointed under this section.  
6           (b) Except as provided in subsections (e), (f), and (h), the  
7           development board is composed of the following ten (10) members:  
8           (1) Two (2) members appointed by the governor. One (1) of the  
9           members appointed by the governor under this subdivision must  
10          be an individual nominated under subsection (d). The members  
11          appointed by the governor under this subdivision serve at the  
12          pleasure of the governor.  
13          (2) The following members from a county having a population of  
14          more than four hundred thousand (400,000) but less than seven  
15          hundred thousand (700,000):  
16                (A) One (1) member appointed by the mayor of the largest city  
17                in the county in which a riverboat is located. **The member**  
18                **appointed under this clause must be a resident of the**  
19                **largest city in the county in which the riverboat is located.**  
20                (B) One (1) member appointed by the mayor of the second  
21                largest city in the county in which a riverboat is located. **The**  
22                **member appointed under this clause must be a resident of**  
23                **the second largest city in the county in which the riverboat**  
24                **is located.**  
25                (C) One (1) member appointed by the mayor of the third  
26                largest city in the county in which a riverboat is located. **The**  
27                **member appointed under this clause must be a resident of**

- 1           **the third largest city in the county in which the riverboat**
- 2           **is located.**
- 3           (D) One (1) member appointed jointly by the county executive
- 4           and the county fiscal body. A member appointed under this
- 5           clause may not reside in a city described in clause (A), (B), or
- 6           (C).
- 7           (3) One (1) member appointed jointly by the county executive and
- 8           county fiscal body of a county having a population of more than
- 9           one hundred fifty thousand (150,000) but less than one hundred
- 10          seventy thousand (170,000). **The member appointed under this**
- 11          **subdivision must be a resident of a county having a population**
- 12          **of more than one hundred fifty thousand (150,000) but less**
- 13          **than one hundred seventy thousand (170,000).**
- 14          (4) The following three (3) members appointed under subsection
- 15          (j):
- 16                (A) One (1) member appointed from Lake County.
- 17                (B) One (1) member appointed from Porter County.
- 18                (C) One (1) member appointed from LaPorte County.
- 19          The members appointed under this subdivision may only vote on
- 20          matters that pertain strictly to a transit development district
- 21          established under IC 36-7.5-4.5-17.
- 22          (c) A member appointed to the development board must have
- 23          knowledge and at least five (5) years professional work experience in
- 24          at least one (1) of the following:
- 25                (1) Rail transportation or air transportation.
- 26                (2) Regional economic development.
- 27                (3) Business or finance.
- 28          (d) The mayor of the largest city in a county having a population of
- 29          more than one hundred fifty thousand (150,000) but less than one
- 30          hundred seventy thousand (170,000) shall nominate three (3) residents
- 31          of the county for appointment to the development board. One (1) of the
- 32          governor's initial appointments under subsection (b)(1) must be an
- 33          individual nominated by the mayor. At the expiration of the member's
- 34          term, the mayor of the second largest city in the county shall nominate
- 35          three (3) residents of the county for appointment to the development
- 36          board. One (1) of the governor's appointments under subsection (b)(1)
- 37          must be an individual nominated by the mayor. Thereafter, the
- 38          authority to nominate the three (3) individuals from among whom the
- 39          governor shall make an appointment under subsection (b)(1) shall
- 40          alternate between the mayors of the largest and the second largest city
- 41          in the county at the expiration of a member's term.
- 42          (e) A county having a population of more than one hundred eleven
- 43          thousand (111,000) but less than one hundred fifteen thousand
- 44          (115,000) shall be an eligible county participating in the development
- 45          authority if the fiscal body of the county adopts an ordinance providing
- 46          that the county is joining the development authority and the fiscal body

1 of a city that is located in the county and that has a population of more  
 2 than thirty-one thousand (31,000) but less than thirty-one thousand five  
 3 hundred (31,500) adopts an ordinance providing that the city is joining  
 4 the development authority. Notwithstanding subsection (b), if  
 5 ordinances are adopted under this subsection and the county becomes  
 6 an eligible county participating in the development authority:

7 (1) the development board shall be composed of twelve (12)  
 8 members rather than ten (10) members; and

9 (2) the additional two (2) members shall be appointed in the  
 10 following manner:

11 (A) One (1) additional member shall be appointed by the  
 12 governor and shall serve at the pleasure of the governor. The  
 13 member appointed under this clause must be an individual  
 14 nominated under subsection (f).

15 (B) One (1) additional member shall be appointed jointly by  
 16 the county executive and county fiscal body. **The additional**  
 17 **member appointed under this clause must be a resident of**  
 18 **a county having a population of more than one hundred**  
 19 **eleven thousand (111,000) but less than one hundred fifteen**  
 20 **thousand (115,000).**

21 (f) This subsection applies only if the county described in subsection  
 22 (e) is an eligible county participating in the development authority. The  
 23 mayor of the largest city in the county described in subsection (e) shall  
 24 nominate three (3) residents of the county for appointment to the  
 25 development board. The governor's initial appointment under  
 26 subsection (e)(2)(A) must be an individual nominated by the mayor. At  
 27 the expiration of the member's term, the mayor of the second largest  
 28 city in the county described in subsection (e) shall nominate three (3)  
 29 residents of the county for appointment to the development board. The  
 30 governor's second appointment under subsection (e)(2)(A) must be an  
 31 individual nominated by the mayor. Thereafter, the authority to  
 32 nominate the three (3) individuals from among whom the governor  
 33 shall make an appointment under subsection (e)(2)(A) shall alternate  
 34 between the mayors of the largest and the second largest city in the  
 35 county at the expiration of a member's term.

36 (g) An individual or entity required to make an appointment under  
 37 subsection (b) or nominations under subsection (d) must make the  
 38 initial appointment before September 1, 2005, or the initial nomination  
 39 before August 15, 2005. If an individual or entity does not make an  
 40 initial appointment under subsection (b) before September 1, 2005, or  
 41 the initial nominations required under subsection (d) before September  
 42 1, 2005, the governor shall instead make the initial appointment.

43 (h) Subsection (i) applies only to municipalities located in a county  
 44 that:

45 (1) has a population of more than one hundred fifty thousand  
 46 (150,000) but less than one hundred seventy thousand (170,000);

1 and  
2 (2) was a member of the development authority on January 1,  
3 2009, and subsequently ceases to be a member of the  
4 development authority.

5 (i) If the fiscal bodies of at least two (2) municipalities subject to  
6 this subsection adopt ordinances to become members of the  
7 development authority, those municipalities shall become members of  
8 the development authority. If two (2) or more municipalities become  
9 members of the development authority under this subsection, the fiscal  
10 bodies of the municipalities that become members of the development  
11 authority shall jointly appoint one (1) member of the development  
12 board who shall serve in place of the member described in subsection  
13 (b)(3). A municipality that becomes a member of the development  
14 authority under this subsection is considered an eligible municipality  
15 for purposes of this article.

16 (j) The governor shall appoint three (3) members to the  
17 development board as follows:

18 (1) The initial appointment of one (1) member shall be selected  
19 out of a list of three (3) nominations from the county executive of  
20 Lake County. The nominations shall be transmitted to the  
21 governor before July 1, 2020. If the county executive of Lake  
22 County does not make the initial nominations by July 1, 2020, the  
23 governor shall instead make the initial appointment. After the  
24 expiration of the term of a member appointed under this  
25 subdivision, or if a vacancy occurs before the end of the term of  
26 a member appointed under this subdivision, the county executive  
27 of Lake County shall transmit a list of three (3) nominations to the  
28 governor not later than ninety (90) days after the expiration or the  
29 vacancy occurs. The governor shall appoint one (1) member out  
30 of the list of three (3) nominations, or, if the county executive of  
31 Lake County does not make the nominations within ninety (90)  
32 days after the expiration or the vacancy occurs, the governor shall  
33 instead make the appointment. A member appointed under this  
34 subdivision must be a resident of Lake County.

35 (2) The initial appointment of one (1) member shall be selected  
36 out of a list of three (3) nominations from the county executive of  
37 Porter County. The nominations shall be transmitted to the  
38 governor before July 1, 2020. If the county executive of Porter  
39 County does not make the initial nominations by July 1, 2020, the  
40 governor shall instead make the initial appointment. After the  
41 expiration of the term of a member appointed under this  
42 subdivision, or if a vacancy occurs before the end of the term of  
43 a member appointed under this subdivision, the county executive  
44 of Porter County shall transmit a list of three (3) nominations to  
45 the governor not later than ninety (90) days after the expiration or  
46 the vacancy occurs. The governor shall appoint one (1) member

1 out of the list of three (3) nominations, or, if the county executive  
2 of Porter County does not make the nominations within ninety  
3 (90) days after the expiration or the vacancy occurs, the governor  
4 shall instead make the appointment. A member appointed under  
5 this subdivision must be a resident of Porter County.  
6 (3) The initial appointment of one (1) member shall be selected  
7 out of a list of three (3) nominations from the county executive of  
8 LaPorte County. The nominations shall be transmitted to the  
9 governor before July 1, 2020. If the county executive of LaPorte  
10 County does not make the initial nominations by July 1, 2020, the  
11 governor shall instead make the initial appointment. After the  
12 expiration of the term of a member appointed under this  
13 subdivision, or if a vacancy occurs before the end of the term of  
14 a member appointed under this subdivision, the county executive  
15 of LaPorte County shall transmit a list of three (3) nominations to  
16 the governor not later than ninety (90) days after the expiration or  
17 the vacancy occurs. The governor shall appoint one (1) member  
18 out of the list of three (3) nominations, or, if the county executive  
19 of LaPorte County does not make the nominations within ninety  
20 (90) days after the expiration or the vacancy occurs, the governor  
21 shall instead make the appointment. A member appointed under  
22 this subdivision must be a resident of LaPorte County."  
23 Renumber all SECTIONS consecutively.  
(Reference is to EHB 1001 as printed April 9, 2021.)

---

Senator MELTON