



SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 179 be amended to read as follows:

- 1 Page 1, delete lines 1 through 17, begin a new paragraph and insert:
2 "SECTION 1. IC 14-13-2-7, AS AMENDED BY P.L.160-2012,
3 SECTION 44, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 JULY 1, 2021]: Sec. 7. (a) The commission has:
5 (1) before July 1, 2012, five (5) members appointed by the
6 governor; and
7 (2) after June 30, 2012, nine (9) members appointed by the
8 governor.
9 (b) The following requirements apply to the governor's
10 appointments under subsection (a)(1):
11 (1) One (1) member must be a representative of the department of
12 natural resources. The member may not be an employee or elected
13 official of a city, town, or county governmental unit.
14 (2) The remaining four (4) members must meet the following
15 requirements:
16 (A) Four (4) members must reside in a:
17 (i) city;
18 (ii) town; or
19 (iii) township (if the member resides in an unincorporated
20 area of the county);
21 that borders the Little Calumet River.
22 (B) At least three (3) of the members must have a background
23 in:
24 (i) construction;
25 (ii) project management; or
26 (iii) flood control;
27 or a similar professional background.

- 1 (C) A member may not be an employee or elected official of
 2 a city, town, or county governmental unit.
- 3 (c) The following apply to the membership of the commission after
 4 June 30, 2012:
- 5 (1) Before August 1, 2012, the governor shall appoint four (4)
 6 additional members to the commission for four (4) year terms as
 7 follows:
- 8 (A) One (1) member nominated by the mayor of a city having
 9 a population of more than eighty thousand five hundred
 10 (80,500) but less than one hundred thousand (100,000).
- 11 (B) One (1) member nominated by the mayor of a city having
 12 a population of more than eighty thousand (80,000) but less
 13 than eighty thousand four hundred (80,400).
- 14 (C) Two (2) members nominated by the board of county
 15 commissioners of Lake County.
- 16 (2) Notwithstanding section 8 of this chapter, the term of the
 17 member described in subsection (b)(1) expires January 7, 2013.
 18 The governor shall appoint one (1) member nominated by the
 19 department of natural resources for a four (4) year term beginning
 20 January 7, 2013.
- 21 (3) Notwithstanding section 8 of this chapter, the terms of the
 22 members described in subsection (b)(2) expire January 1, 2014.
 23 The governor shall appoint for four (4) year terms beginning
 24 January 1, 2014, four (4) members, each of whom must have been
 25 nominated by the executive of a municipality located in the
 26 watershed other than a city described in subdivision (1).
- 27 (4) A member appointed to succeed a member appointed under
 28 subdivision (1) or (2) must be nominated by the nominating
 29 authority that nominated the member's predecessor, and a member
 30 appointed to succeed a member appointed under subdivision (3)
 31 must be nominated by the executive of a municipality located in
 32 the watershed other than a city described in subdivision (1).
- 33 (d) The following apply to a member appointed under subsection (c)
 34 and to any member appointed to succeed a member appointed under
 35 subsection (c):
- 36 (1) After July 31, 2012, not more than five (5) members of the
 37 commission may belong to the same political party.
- 38 (2) Each member must have a background in:
- 39 (A) construction;
- 40 (B) project management;
- 41 (C) flood control; or
- 42 (D) a similar professional background.
- 43 (3) A member may not be an employee or elected official of a
 44 city, town, or county governmental unit.
- 45 (4) The members:
- 46 (A) appointed under subsection (c)(3); or

- 1 (B) appointed to succeed members appointed under subsection
 2 (c)(3);
 3 must be from different municipalities.
 4 (5) Neither the two (2) members appointed under subsection
 5 (c)(1)(C) nor any two (2) members appointed to succeed them
 6 may be from the same district created under ~~IC 36-2-2-4(b)~~.
 7 **IC 36-2-2-3.4.**
 8 Delete page 2.
 9 Page 3, delete lines 1 through 35.
 10 Page 4, line 40, delete "IC 36-2-2-4";
 11 Page 4, line 41, delete "or" and insert ",".
 12 Page 4, line 41, after "IC 36-2-2-3.4," insert "**or IC 36-2-2-4**";
 13 Page 5, between lines 30 and 31, begin a new line block indented
 14 and insert:
 15 **"(3) A county having a population of more than two hundred**
 16 **fifty thousand (250,000) but less than two hundred seventy**
 17 **thousand (270,000)."**
 18 Page 7, after line 42, begin a new paragraph and insert:
 19 "SECTION 5. IC 36-2-2-4 IS AMENDED TO READ AS
 20 FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 4: (a) This subsection
 21 does not apply to a county having a population of:
 22 (1) more than four hundred thousand (400,000) but less than
 23 seven hundred thousand (700,000); or
 24 (2) more than two hundred fifty thousand (250,000) but less than
 25 two hundred seventy thousand (270,000).
 26 The executive shall divide the county into three (3) districts that are
 27 composed of contiguous territory and are reasonably compact. The
 28 district boundaries drawn by the executive must not cross precinct
 29 boundary lines and must divide townships only when a division is
 30 clearly necessary to accomplish redistricting under this section. If
 31 necessary, the county auditor shall call a special meeting of the
 32 executive to establish or revise districts:
 33 (b) This subsection applies to a county having a population of more
 34 than four hundred thousand (400,000) but less than seven hundred
 35 thousand (700,000). A county redistricting commission shall divide the
 36 county into three (3) single-member districts that comply with
 37 subsection (d). The commission is composed of:
 38 (1) the members of the Indiana election commission;
 39 (2) two (2) members of the senate selected by the president pro
 40 tempore; one (1) from each political party; and
 41 (3) two (2) members of the house of representatives selected by
 42 the speaker; one (1) from each political party.
 43 The legislative members of the commission have no vote and may act
 44 only in an advisory capacity. A majority vote of the voting members is
 45 required for the commission to take action. The commission may meet
 46 as frequently as necessary to perform its duty under this subsection.

1 The commission's members serve without additional compensation
 2 above that provided for them as members of the Indiana election
 3 commission, the senate, or the house of representatives.

4 ~~(c)~~ (a) This subsection applies to a county having a population of
 5 more than two hundred fifty thousand (250,000) but less than two
 6 hundred seventy thousand (270,000). The executive shall divide the
 7 county into three (3) single-member districts that comply with
 8 subsection ~~(d)~~: (b).

9 ~~(d)~~ (b) Single-member districts established under subsection ~~(b)~~ or
 10 ~~(c)~~ (a) must:

11 (1) be compact, subject only to natural boundary lines (such as
 12 railroads, major highways, rivers, creeks, parks, and major
 13 industrial complexes);

14 (2) contain, as nearly as is possible, equal population; and

15 (3) not cross precinct lines.

16 ~~(e)~~ (c) Except as provided by subsection ~~(g)~~: (e), a division under
 17 subsection (a) ~~(b)~~: or ~~(c)~~ shall be made:

18 (1) during the first year after a year in which a federal decennial
 19 census is conducted; and

20 (2) when the county adopts an order declaring a county boundary
 21 to be changed under IC 36-2-1-2.

22 ~~(f)~~ (d) A division under subsection (a) ~~(b)~~: or ~~(c)~~ may be made in
 23 any odd-numbered year not described in subsection ~~(e)~~: (c).

24 ~~(g)~~ (e) This subsection applies during the first year after a year in
 25 which a federal decennial census is conducted. If the county executive
 26 or county redistricting commission determines that a division under
 27 subsection ~~(e)~~ (c) is not required, the county executive or county
 28 redistricting commission shall adopt an ordinance a resolution
 29 recertifying that the districts as drawn comply with this section.

30 ~~(h)~~ (f) Each time there is a division under subsection ~~(e)~~ (c) or ~~(f)~~
 31 (d) or a recertification under subsection ~~(g)~~: (e), the county executive
 32 or county redistricting commission shall file with the circuit court clerk
 33 of the county, not later than thirty (30) days after the division or
 34 recertification occurs, a map of the district boundaries:

35 (1) adopted under subsection ~~(e)~~ (c) or ~~(f)~~: (d); or

36 (2) recertified under subsection ~~(g)~~: (e).

37 ~~(i)~~ (g) The limitations set forth in this section are part of the
 38 ordinance, resolution, but do not have to be specifically set forth in the
 39 ordinance: resolution. The ordinance resolution must be construed, if
 40 possible, to comply with this chapter. If a provision of the ordinance
 41 resolution or an application of the ordinance resolution violates this
 42 chapter, the invalidity does not affect the other provisions or
 43 applications of the ordinance resolution that can be given effect
 44 without the invalid provision or application. The provisions of the
 45 ordinance resolution are severable.

46 ~~(j)~~ (h) If a conflict exists between:

- 1 (1) a map showing the boundaries of a district; and
 2 (2) a description of the boundaries of that district set forth in the
 3 ~~ordinance; resolution;~~
 4 the district boundaries are the description of the boundaries set forth in
 5 the ~~ordinance; resolution~~, not the boundaries shown on the map, to the
 6 extent there is a conflict between the description and the map."
 7 Delete page 8.
 8 Page 9, delete lines 1 through 36.
 9 Page 9, line 40, delete "section 3.2 or 3.4" and insert "**section 3.2,**
 10 **3.4, or 4**".
 11 Page 10, line 4, delete "section 3.2 or 3.4" and insert "**section 3.2,**
 12 **3.4, or 4**".
 13 Page 10, line 7, delete "section 3.2 or 3.4" and insert "**section 3.2,**
 14 **3.4, or 4**".
 15 Page 10, delete lines 12 through 17.
 16 Page 11, line 6, delete "3.2" and insert "**4**".
 17 Page 11, line 38, delete "IC 36-2-2-3.2" and insert "**IC 36-2-2-4**".
 18 Page 13, line 9, delete "or" and insert ",".
 19 Page 13, line 9, after "IC 36-2-2-3.4" insert ", **IC 36-2-2-4**".
 20 Page 13, line 9, after "applicable)" insert ",".
 21 Renumber all SECTIONS consecutively.
 (Reference is to SB 179 as printed February 9, 2021.)

Senator GASKILL