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# HERE IS YOUR INDIANA GOVERNMENT

2019-2020 EDITION

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# **Here Is Your Indiana Government**

**2019-2020**

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This publication is designed to provide accurate and authoritative information in a highly summarized manner with regard to the subject matter covered. The contents are intended for general information purposes only. The information in this publication is subject to constant change and therefore should serve only as a foundation for further investigation and study.

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# Part I

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## **State Government**

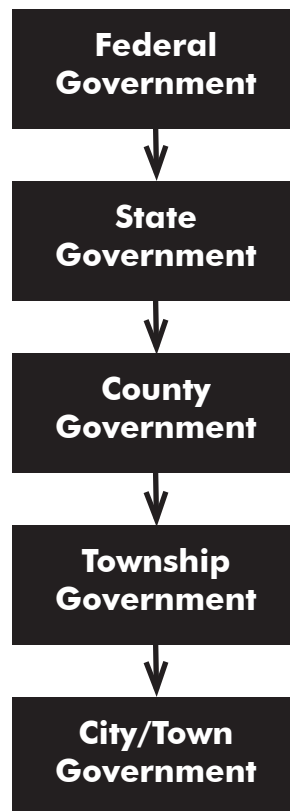


# Chapter 1

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## **Structure of State and Federal Government**

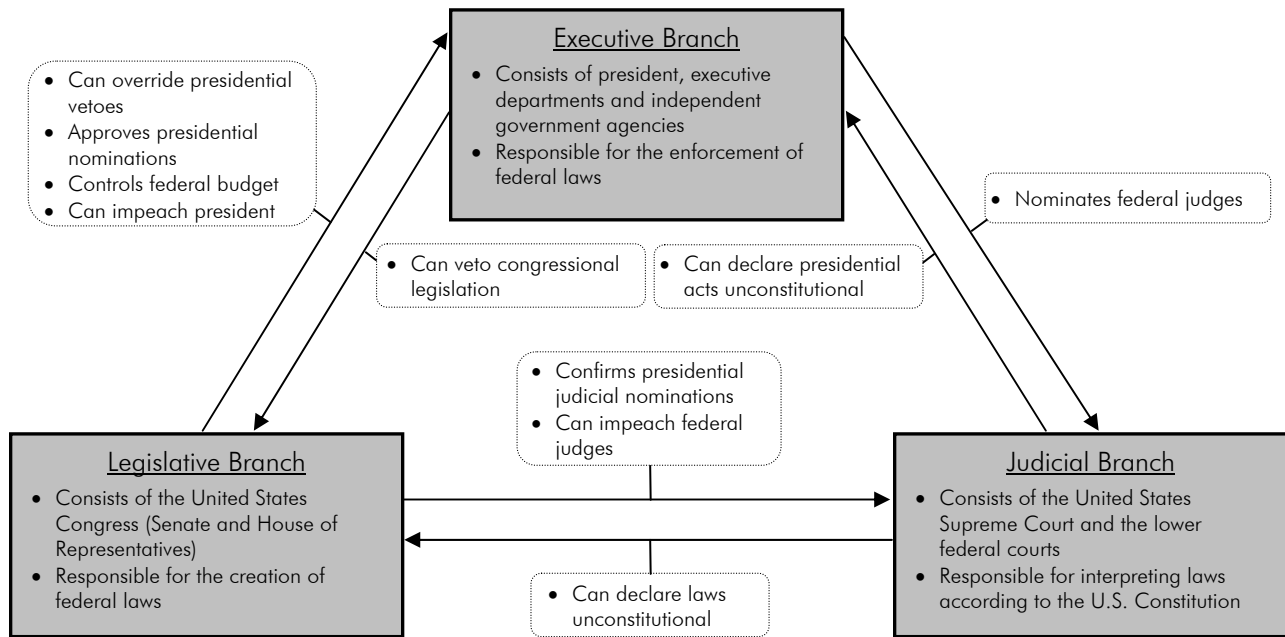
In the United States we have a federal system of government, in which a number of self-governing regions called states are united by a central, national government. Although certain powers remain in the hands of the national (or federal) government, many other powers are given to the individual states. In turn, while the states retain certain powers, they allot other powers to the local governments that lie within them. In Indiana, local governments take several forms. These include county governments, which are subdivided into township governments, which themselves often contain city and/or town governments. This basic division of power is illustrated below.



To help you develop a fuller understanding of the state and local levels of government, this chapter starts with a brief overview of the federal government, then takes a more in-depth look at Indiana’s representation at the federal level. Next, the chapter examines the basic structure of the Indiana state government. Finally, the chapter focuses on two very visible branches of the state government: the executive branch and the legislative branch.

# The Structure and Function of the Federal Government

The basic structure of the federal government is described in the United States Constitution. This document created a national government that consists of three separate branches: executive, legislative and judicial. Each branch has certain powers, but it also has the ability to limit the power of the other two branches in specific ways through what is known as the system of checks and balances. The powers of each branch, as well as the checks each branch can use on the other two branches, are detailed in the following figure.



## Congressional Representation

Although each state is represented at the federal level in many ways, its most direct form of representation comes through the individuals it sends to Congress. As directed by the U.S. Constitution, Congress is composed of two chambers: the Senate and the House of Representatives. The Constitutional framers loosely modeled this two-chambered or bicameral structure on the British parliamentary system with which they were familiar. The Constitution establishes the composition and powers of Congress, and it provides some specific rules of action. Some of these rules pertain to which chamber has the authority to originate particular kinds of bills. For example, all appropriations and revenue (tax) bills must originate in the House. On the other hand, the Senate is charged with providing advice and consent on treaties with foreign powers and on certain presidential appointments.

Each chamber of Congress determines its own parliamentary procedures. Action in the Senate is marked by lengthy debate and protection of members' individual rights. The House, with more than three times as many members, is more dependent on directives of the leaders of the political party that holds the most seats, because this party has the controlling number of votes.



Both the House and the Senate operate through committees and subcommittees that have responsibility for specific areas. Bills are examined in committee before moving to the full chamber for debate. Members of Congress usually serve on two to four committees and several subcommittees. Those who are long-time members rank higher in terms of choice of committees than those who are newly elected.

To enact a law, both houses of Congress must pass the same bill in exactly the same language by simple majority. If, however, the president then chooses to veto (reject) the bill, it will not become law unless two-thirds or more of the members of both chambers vote to override the president's veto.

### **Congressional Salaries and Benefits**

The annual salary for members of the U.S. Senate is \$174,000. Senators may not accept speaking fees from special interest groups. They are barred from law practice and paid service on boards of directors or other judiciary relationships. Members of the House of Representatives are also paid \$174,000 annually. They are prohibited from receiving honoraria but may earn other income up to 15% of their salary, subject to the same restrictions as those in the Senate.

Members of Congress have an office in Washington, D.C., and one or more offices in their home areas. They receive salary allowances for staff personnel, with a limit based on their number of constituents. Senators and representatives are also allotted operational funds to cover such costs as leased office equipment, district office rent, travel, newsletters, communications, computer rentals, postage and stationery. Upon retirement at age 62 or beyond, they are eligible to receive a pension. Other benefits offered to House and Senate members include free parking; emergency medical care and prescription drugs on Capitol Hill; health and life insurance plans (contributory); and government-subsidized military hospital care.

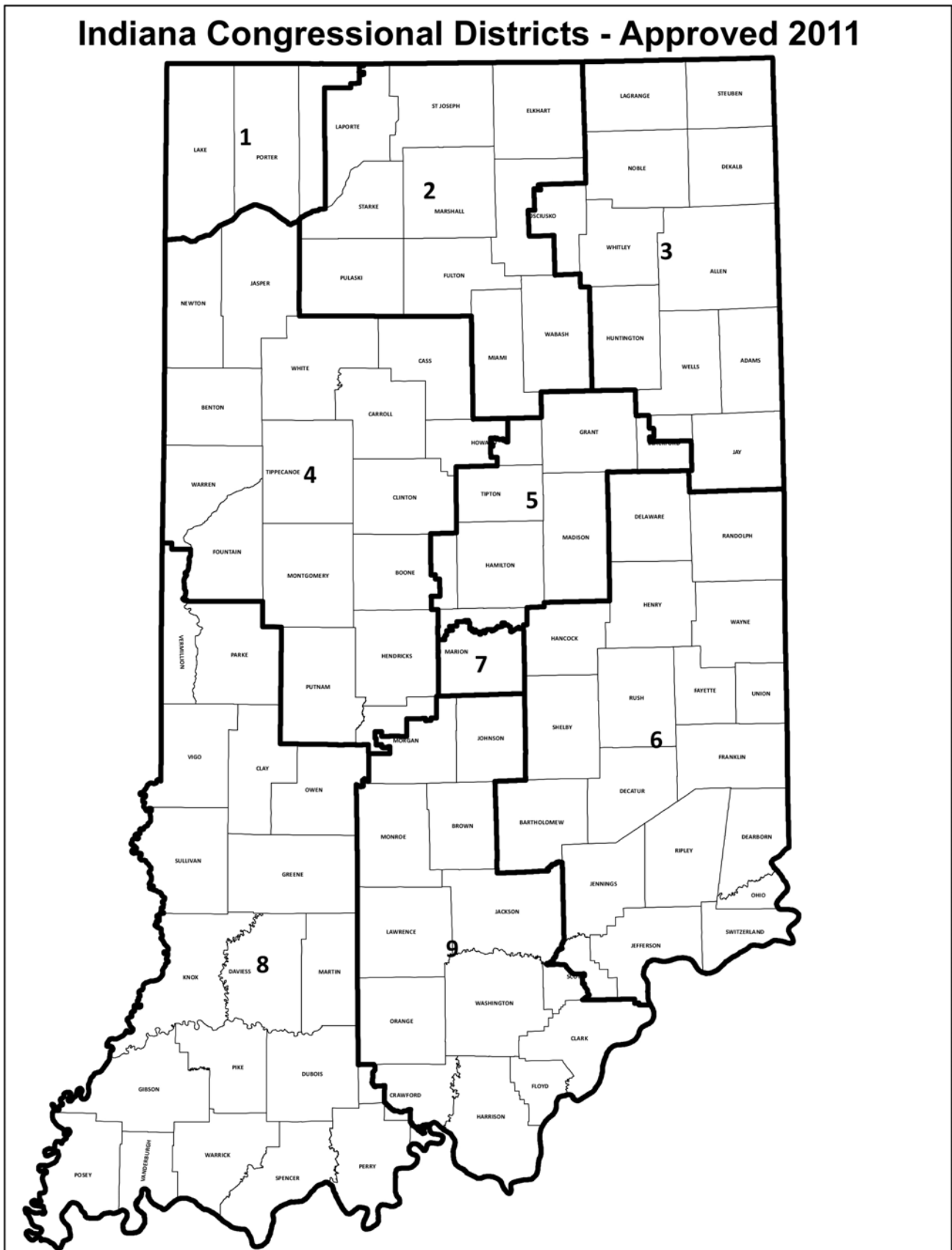
### **The Composition of Congress**

The Senate consists of 100 members; Indiana, like the other 49 states, is represented by two senators. Nominees from each party are selected in the spring primary election, and the Senate race is decided in November's general election by the popular vote of the state as a whole. U.S. senators serve staggered, six-year terms, meaning both senators from a state will not be up for re-election at the same time. To be eligible for election to the Senate, a person must be at least 30 years old, must have been a citizen of the United States for at least nine years and must reside in the state he or she wishes to represent.

As opposed to the Senate, the House of Representatives consists of 435 members who serve two-year terms. Each state is entitled to send a certain number of people to serve in the House. The state's population – as compared to the national population – is the determining factor in the number of representatives to which a state is entitled. The number of representatives is re-evaluated every 10 years with the federal census results. Currently, Indiana is represented by nine members in the House, each of whom represents a different geographical district. Indiana's candidates for the House are nominated from individual districts in the primary election, and the voters of each district decide the race in the November election. To be eligible for election to the House, a person must be at least 25 years old, must have been a citizen of the United States for at least seven years and must live in the state he or she wishes to represent.

A list of Indiana's representatives in the U.S. Congress can be found in Part V of this book. A map of the state's nine congressional districts is located on the following page.

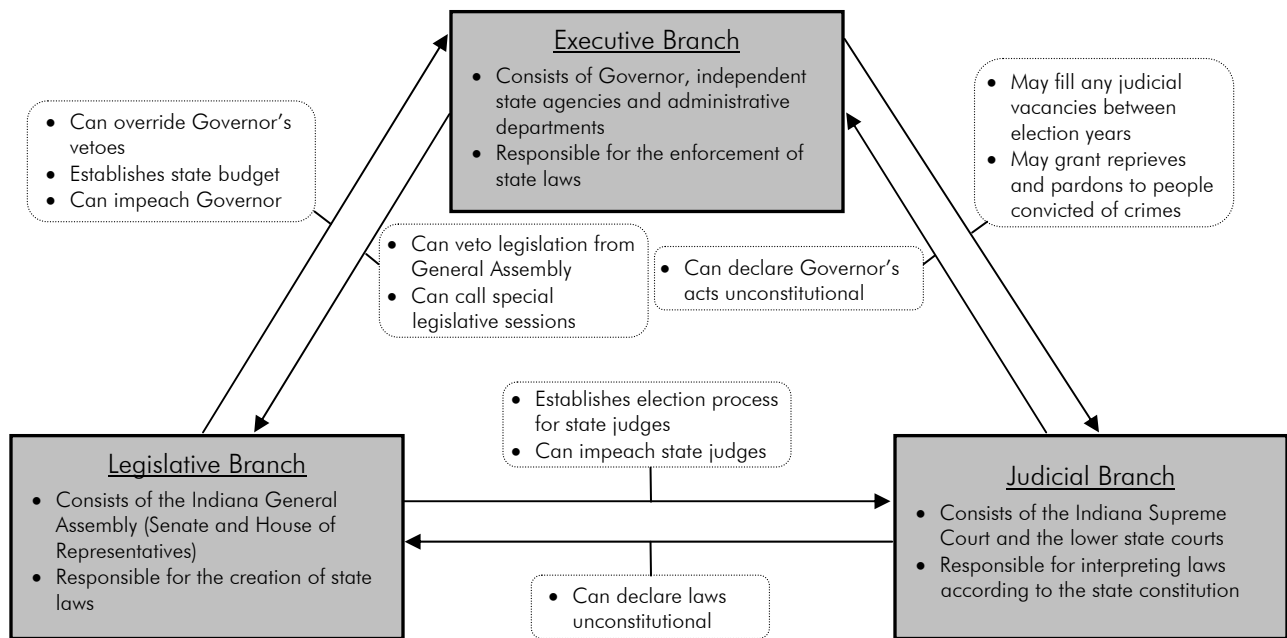
# Indiana Congressional Districts - Approved 2011



# Structure and Function of the Indiana State Government: An Overview

Although the U.S. Constitution establishes the basic structure of the federal government, it leaves the structure of state governments to the states themselves. Indiana, like most other states, chose to set up a state government that mirrors the three-branch system used by the federal government. In fact, the Indiana Constitution establishes the state’s organizational pattern in these words: “The powers of government are divided into three separate departments: the legislative, the executive including the administrative and the judicial” (Article 3, Section 1). Indiana’s state government also features various checks and balances, as shown in the figure below.

Perhaps the two most visible branches of the state government are the executive branch and the legislative branch, which are discussed in the following sections of this chapter. Because the judicial branch also extends to the county and city levels of government, it will be examined in Part III of this book.



## Indiana’s Executive Branch

Many offices, departments, divisions, boards and commissions have been created to carry out the executive and administrative functions of state government. Most of these units have been established through legal action, although the offices of the governor and several of the other elected state officials were created by the state constitution. In addition, it has been the practice for each governor to create, by executive order, a few agencies, usually of comparatively short duration. The general duties of the executive and administrative units are, as the terms indicate, to execute the laws enacted by the state legislature and to administer the affairs of state government.

In addition to the governor, there are five elected administrative officials and two appointed officials in the state executive branch. The elected officials are the lieutenant governor, secretary of state, treasurer of

## Chapter 1

state, auditor of state, and attorney general. The two appointed officials are the superintendent of public instruction and the clerk of the Supreme Court, Court of Appeals and Tax Court. Until 2004, the clerk of courts was also an elected official, but this was changed by a state law providing that the clerk be appointed by the chief justice of the Indiana Supreme Court. A similar bill was passed by the Indiana General Assembly in 2017 that will transition the superintendent of public instruction to a governor-appointed position, rather than one elected by voters. That same legislation also changed the title for the position to “Secretary of Education.” Following further legislation in 2019, it was determined that both changes will take effect beginning in 2021.

The state constitution and the state legislature created some of the offices filled by these officials. These officials are not subject to control by the governor. In most cases, they have independent authority over administrative divisions in the state government.

The following sections detail the terms of office, duties and salary for the eight major officials in the executive branch. The names and contact information for the individuals who currently hold these offices can be found in Part V of this text. In addition, please note that the executive branch also encompasses a variety of state agencies. Due to the large number of agencies, they are discussed in Chapter 2.

### State Election Schedule for Administrative Officials

Governor	2020	2024	2028
Lieutenant Governor	2020	2024	2028
Secretary of State	2018	2022	2026
Treasurer of State	2018	2022	2026
Auditor of State	2018	2022	2026
Attorney General	2020	2024	2028

### State Legislators

Senators*	2018	2020	2022
Representatives	2018	2020	2022

\* *The 50 senators are elected for four years on a staggered basis; 25 terms expire every two years.*

## Governor

### Terms of Office

The governor serves a term of four years and may serve two consecutive terms; however, the governor may not serve for more than eight years in a 12-year period. Candidates for the office of governor are selected from each party in the spring primary election. In the November general election, the governor is then elected by popular vote of the state as a whole. In Indiana, the gubernatorial election is held in the

same year as the presidential election. The governor assumes office on the second Monday in January following the election. To be eligible for the office of governor, a person must be at least 30 years old and must have been a citizen of the United States and a resident of Indiana for at least five years preceding election.

### Duties and Powers

The governor is the chief executive of the state. The governor's position in Indiana's government is comparable to that of the president in the federal government. The governor occupies the position through powers granted directly by the constitution and by statute, and through the powers that stem from the governor's right to appoint and remove personnel in administrative departments. Additional responsibilities include ceremonial duties, serving as honorary or functioning chair of various boards and activities, and being the recognized head of a political party.

### Constitutional Powers

The Indiana constitution states that the executive power shall be vested in a governor who is "to take care that the laws are faithfully executed." The governor is commander-in-chief of the state's National Guard "to execute the laws, to suppress insurrection or to repel invasion." The governor may recommend legislation to the General Assembly, call special sessions of the legislature and veto any bill passed by the legislature. (A veto may be overridden by a subsequent simple majority vote of the Senate and House.) By constitutional provision, the governor has the authority to fill vacancies in any state administrative office and in the offices of judge, clerk of any court or prosecuting attorney. Additionally, the governor may grant reprieves and pardons to people convicted of state offenses.

### Statutory Powers

Statutes passed in compliance with the constitution, rather than the terms of the constitution itself, confer most powers the governor exercises. By far, the greater part of the entire administrative system is subject to the general direction of the governor. By statute, the governor is given power to appoint and remove heads of nearly all departments, commissions and governing boards of institutions, and to fix their compensation in cooperation with the Office of Management and Budget. Likewise, the governor fills many subordinate positions in such units.

Executive and administrative positions that are not under the governor's authority include the elective state offices, most of which were created by the constitution. However, many department and institution employees are selected under a state merit system. Some additional powers that the governor exercises include the following:

- Serving as chairperson of the state Board of Election Commissioners, the Commission on Public Records, the Board for Depositories and the Board of Finance
- Serving as a member of the State Armory Board, Indiana State Fair Board, the Indiana Revenue Board, the Commission on Interstate Cooperation, the Commission on State Tax and Financing Policy, the state Traffic Safety Committee and the Indiana Education Council
- Acting upon extradition papers and requisitions for Indiana prisoners in other states and for prisoners being held in Indiana who refuse to waive extradition to other states
- Signing all notary public commissions

## **Chapter 1**

- Acting upon petitions for remission of fines and bond forfeitures
- Approving or disapproving state employee applications for out-of-state travel permits
- Appointing judges to vacancies in the state high courts and a substantial number of county and municipal courts
- Signing all deeds conveying state property
- Certifying the nominations made by political parties at state and national conventions to county clerks
- Acting upon claims against the property of wards of the state for their maintenance
- Supervising state-owned property
- Acting upon all purchases in executive departments
- Deciding which holidays will be observed by closing state offices
- Appointing most of the department heads in the state government
- Submitting the state budget report and proposed appropriation bills to the General Assembly
- Exercising general direction and control over the state Department of Homeland Security and, in the event of disaster or emergency beyond local control, assuming direct operational control over emergency response functions within Indiana; also, in the event of an extreme emergency, the governor is authorized to establish a temporary location of state government outside Indianapolis
- Appointing members to the various state commissions
- Appointing the majority of trustees for Ball State University, Indiana State University, Indiana University, Ivy Tech State College, Purdue University and the University of Southern Indiana; and appointing 10 out of the 14 board members for Vincennes University
- Having the authorization to activate a state guard when all or any part of the Indiana National Guard is in active federal service
- Having the authority to grant pardons
- Receiving and acting on all bills that come before him or her during sessions of the legislature; the governor must act on the bill within seven days after presentment; if the governor does not act within seven days, the bill becomes law

## **Salary**

The annual salary of the governor is now \$121,000. The state also furnishes a home for the governor. The cost of maintenance expense for the home, including all utilities and personnel costs for its operation, is covered.

## **Lieutenant Governor**

### **Terms of Office**

The lieutenant governor serves the same four-year term as the governor. Candidates for the office are nominated at party conventions. A party's nominees for governor and lieutenant governor run as a team, ensuring that those elected will be of the same political party. The lieutenant governor must meet the same eligibility requirements as the governor.

### Duties and Powers

The lieutenant governor has many responsibilities. Some of these are outlined in the state constitution, and others are bestowed on the office through state statute.

### Constitutional Powers

One function and one potential function are allotted to the lieutenant governor in the Indiana constitution. The first is to preside over the Senate during its sessions and cast deciding votes when necessary. The second function is to act as governor if the governor is unable to perform the duties of office, or to become governor if the office falls vacant; the latter situation may occur in cases of death, impeachment, removal from office or resignation.

### Statutory Powers

According to statute, the lieutenant governor is secretary of agriculture and rural affairs and is charged with developing the state's energy policy and administering various community development programs.

The lieutenant governor serves as chair of several state bodies, such as the Indiana Housing and Community Development Authority and the Counterterrorism and Security Council. With the abolishment of the Department of Commerce in 2005, the lieutenant governor also took over leadership of several offices that used to be located within that agency, including the Office of Community and Rural Affairs, the Office of Energy Development, and the Office of Tourism Development.

### Salary

The lieutenant governor earns \$97,000 per year and is not entitled to a per diem for performance of duties as president of the Senate.

## Secretary of State

### Terms of Office

The secretary of state – a statewide constitutional officer serving a four-year term – takes office January 1 following the general election in November. The secretary may not serve more than eight years in any 12-year period.

### Duties and Powers

The secretary of state is classified by the Indiana constitution as the state's "chief election officer." The office is traditionally responsible for certifying and keeping permanent records of official state documents, such as statutes and constitutional amendments, plus proclamations and commissions of the governor. The secretary is authorized to authenticate official state documents by affixing the state seal. Key responsibilities of the office include chartering new businesses, providing public access to incorporation filings and uniform commercial code financing statements. The office oversees four divisions charged with elections administration, business services, registration and enforcement of the securities industry and automobile dealers. The secretary of state serves on several state boards including the Business Law Survey Commission,

## Chapter 1

Indiana Code Revision Commission, Indiana Recount Commission and Oversight Committee on Public Records.

Below are descriptions of the main functional areas of the office and divisions.

- **Executive Office administrative functions** are widely varied and include registering candidates for elected office and processing summons in cases where the defendant is not found. The executive office also oversees human resources, accounts payable and receivable, programs and placement for the secretary of state's office.
- **Indiana Election Division** performs many election administration functions in the state including administration of the statewide voter registration database. Candidates seeking federal, state or judicial office must file their declarations with the secretary of state's election division. The division certifies and publishes the results of elections and maintains election records. Candidates for federal office and their campaign contribution committees must file copies of federal campaign reports with the division. Candidates for state office, political action committees and party committees must file campaign finance reports with the division as well. Division staff may be assigned to assist the Indiana Election Commission and the Indiana Recount Commission in conducting recounts and contests.
- **The Indiana Securities Division** regulates franchise agreements and the purchase, sale and trade of securities by Indiana investors. The division investigates violations of state securities laws, possesses the ability to enforce its rules by ordering restitution and levying fines, and can forward the findings of its investigations to local prosecutors for criminal proceedings. The division processes the registrations of more than 1,000 broker-dealer firms and their 40,000 agents each year, as well as those of investment advisers and loan brokers. In addition, the securities division licenses collection agencies.
- **The Business Services Division** is charged with maintaining the records of more than 250,000 active and inactive corporations along with other business entities. Every for-profit or nonprofit corporation, limited liability company, limited liability partnership, or limited partnership must register with the business services division. The division also registers trademarks, service marks and assumed business names. The division oversees commissioning and registration of approximately 50,000 notary publics and provides state certification of official documents for international use. Additionally, the division provides public access to approximately one million files that include original financing statements and amendments filed under article nine of the uniform commercial code. The division processes requests for information searches regarding debtors and secured parties and provides a central location for the filing of instruments on secured commercial transactions, as provided for in the uniform commercial code. Scanned images of over five million corporation and association documents can be viewed via the Business Services Division web site.
- **The Auto Dealer Services Division** registers and regulates manufacturing, distribution, sale, re-sale and salvage of motor vehicles in Indiana. Covered entities include new and used vehicle dealers, watercraft, RV and off-road vehicle dealers, wholesalers and automobile salvage businesses. The division investigates complaints regarding motor vehicle dealers, as well as issues dealer licenses and temporary vehicle registration plates. The dealer services division oversees approximately 7,000 dealers for the state of Indiana.

## Salary

The secretary of state receives a salary of \$84,100 per year.



# Treasurer of State

## Terms of Office

The position of treasurer is established in the state constitution. The treasurer of state is elected for a term of four years beginning January 1 following election in November. No person is eligible to serve as treasurer for more than eight years in any 12-year period.

## Duties and Powers

The treasurer is the custodian of all state revenues. As the state of Indiana's chief investment officer, he or she has discretionary power to invest the state general fund and more than 77 trust funds. The treasurer of state invests a portfolio of over \$5 billion. Eligible investments include obligations of the United States government, certificates of deposit, repurchase agreements and money market mutual funds with approved Indiana depositories.

The treasurer of state is a member of the state Board of Finance, Indiana Finance Authority, Indiana Grain Indemnity Fund Board, Indiana Underground Storage Tank Financial Assurance Board, Indiana Art Commission Cultural Trust Administrative Board, Indiana Deferred Compensation Committee, Indiana Community Business Credit Corporation, Indiana Housing and Community Development Authority, and the Indiana Heritage Trust Committee. In addition, the treasurer of state serves as the Trustee of the State Police Pension Fund and Administrator of the Indiana Local Government Investment Pool.

Other important positions held by the treasurer relate to the Indiana Bond Bank, Indiana Education Savings Authority, Indiana Board of Depositories and the Indiana Wireless Enhanced 911 Advisory Board.

- **Indiana Bond Bank (IBB).** Created by the General Assembly in 1984, the IBB serves local units of government with their short and long-term financing needs. The primary purpose of the IBB is to assist local government entities in the process of issuing debt by operating as a financing conduit. The IBB purchases the bonds and warrants of various communities; in turn, it issues its own obligation in the financial markets. This process allows local communities to take advantage of economies of scale by obtaining lower costs of borrowing and saving taxpayer dollars. The treasurer of state serves as chairperson of the IBB Board of Directors.
- **Indiana Education Savings Authority (IESA).** The IESA was created by the Indiana General Assembly to promote programs that encourage saving for educational expenses. In 1997, the IESA created an IRS 529 Qualified Tuition Plan to give families a convenient, tax advantaged way to invest for their students' post-high school education expenses.
- **Indiana Board of Depositories.** The Public Deposit Insurance Fund (PDIF) was created in 1937 to insure the deposits of public monies in Indiana's banks, similar to the way the FDIC insures individual depositor's accounts. PDIF funds are managed and invested by the treasurer of state in his/her capacity as the secretary-investment manager for the Indiana Board for Depositories. The treasurer of state staffs, administers, manages, and directs the affairs and activities of the Board in accordance with the policies set out by the Board.
- **Statewide 9-1-1 Board.** The board is a quasi-state government agency that has statewide jurisdiction over 9-1-1 services. Its chair, by statute, is an elected official - the state treasurer. The board's two primary responsibilities include collecting surcharges from all communication service providers and distributing the funding to local units of government, as well as the operation of a statewide public safety ESInet for 9-1-1 calls. The board comprises 15 members.

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### Salary

The treasurer of state receives a salary of \$84,100 per year.

## Auditor of State

### Terms of Office

The state auditor's term of office is four years. A person may serve as state auditor for no more than eight years in any period of 12 years. The auditor takes office on January 1 following his or her election in November.

### Duties and Powers

The auditor of state is the chief financial officer of the state of Indiana. The auditor has four primary duties: accounting for all of the state's funds; overseeing and disbursing county, city, town and school tax distributions; paying the state's bills; and paying state employees.

The auditor's office contains several important divisions, including the accounting department, the settlements department, the accounts payable department and the payroll department.

- **Accounting Department.** The state auditor's accounting department is responsible for creating and maintaining the state's general ledger (or centralized accounting system). The accounting department staff members compose and publish the state's Comprehensive Annual Financial Report (CAFR), which is the official report of the state's financial position. They also prepare and publish other reports regarding the state's fund balances. The accounting department handles journal vouchers and funds checking; issues Internal Revenue Service Form 1099 to recipients of state funds and answers questions relating to those forms; researches and makes corrections to documents used in the state accounting system; and closes the state's books at the end of the state's fiscal year on June 30.
- **Settlement Department.** The settlements department within the office of the auditor is responsible for supervising the enforcement of reporting and auditing of reports filed by counties. The settlements department also oversees the collection and distribution of tax revenue money for counties, cities, towns, schools and other local units of government.
- **Accounts Payable Department.** The accounts payable department makes all of the payments for funds distributed by the state of Indiana. These distributions include payments to vendors for goods and services used by the state, grants, public aid, tax revenues to schools and other miscellaneous disbursements. This department also researches problems incurred during the payment process and issues replacement for lost or missing state warrants. The Accounts Payable Department is also responsible for managing and maintaining the vendor file for the state of Indiana. With the vendor file being maintained by the auditor of state, this enables payments and tax reporting to be completed in a timely and efficient manner.
- **Payroll Department.** The payroll department issues the payroll to all 40,000 state employees in the form of checks or by electronic funds transfer (direct deposit). This department handles garnishments and employment verifications and issues the W-2 form to state employees in January of each year. The payroll department also researches questions about payroll, including those related to tax issues, withholding, deductions and pay rates.

In addition to the duties already described, the auditor of state is the plan administrator of the Indiana Deferred Compensation Plan and its Matching Incentive Plan. The auditor also serves as the secretary of the Board of Finance and is a member of the Board for Depositories.

- **HoosierSTART Deferred Compensation Plan and 401(a) Matching Plan.** The Hoosier S.T.A.R.T. 457 and 401(a) plans, like their private sector counterpart, the 401(k) plan, offer public employees a way to save for their retirement through tax deferred contributions to their own individual accounts. The Indiana plan serves all state employees as well as the employees of over 300 local subdivisions.
- **Board of Finance.** The governor, auditor and treasurer constitute the state Board of Finance. The board supervises the fiscal affairs of the state and has advisory supervision of all funds coming into the state treasury. The board may transfer money between state funds and approve loans made by the state. The board considers and may approve applications of financial institutions to serve as depositories of state funds.
- **Board for Depositories.** The Board for Depositories is responsible for ensuring the safekeeping and prompt payment of all public funds deposited in any depository to the extent the funds are not covered by the insurance of any federal deposit insurance agency. This protection is provided through the maintenance, by the board, of the Public Deposit Insurance Fund (PDIF). The board membership consists of the governor (or his or her appointee), auditor, treasurer, chairperson of the Commission for Financial Institutions, chief examiner of the State Board of Accounts and four members appointed by the governor. The board determines the level of funds needed to ensure the safety of state deposits, charges an assessment to depositories (if needed) to ensure the safety of state deposits and charges an assessment to depositories (if necessary) to maintain a prudent balance in the PDIF.

### Salary

The salary for the auditor of state is \$84,100 per year.

## Attorney General

### Terms of Office

Indiana's attorney general is a statutory office elected every four years (in the same year the governor is elected). An attorney general may be elected to an unlimited number of terms. Following election in November, the attorney general assumes office on the second Monday in January.

### Duties and Powers

Indiana's attorney general represents Indiana in every lawsuit in which the state has an interest unless there is a conflict or legal obstacle to handling the case. In the criminal context, the attorney general handles all appeals from criminal convictions, as well as participates in post-conviction relief petitions on death penalty cases at the trial court level. Additionally, there is criminal jurisdiction within the office in the area of Medicaid fraud.

The office provides unofficial advisory opinions to the governor, state elected officers and members of the General Assembly. Official opinions are generated to interpret statutes and apply Indiana law to specific questions that may arise.

## **Chapter 1**

The attorney general is also designated as a member of the Law Enforcement Training Advisory Council, the Criminal Justice Advisory Committee, the Code Revision Commission, the Indiana Grain Indemnity Corporation and the Criminal Law Enforcement Board of Trustees.

The office of the attorney general focuses on 11 key areas: Advisory and Opinions; Appeals; Consumer Protection; Identity Theft; Litigation; Medicaid Fraud; Patient Abuse and Neglect; Solicitor General, Telephone Privacy; Tobacco Enforcement; and Unclaimed Property.

### **Salary**

The attorney general of the state of Indiana earns an annual salary of \$101,200.

## **Superintendent of Public Instruction**

### **Terms of Office**

Superintendent of public instruction is an office established by the state constitution. The superintendent is elected for a four-year term coinciding with that of the governor. However, in 2017 the Indiana General Assembly passed a bill that will transition the position to be appointed by the governor, rather than elected by voters. That same legislation also changed the title for the position to “Secretary of Education.” Following further legislation in 2019, both changes will take effect beginning in 2021.

### **Duties and Powers**

As Indiana’s chief school officer, the superintendent plays an important role in developing state educational policy and guiding the direction of education from kindergarten through high school. The superintendent of public instruction serves on the State Board of Education and directs the activities of the Indiana Department of Education. Based on a state law that took effect in 2017, the superintendent no longer automatically serves as chair of the education board, but can be chosen as such by the board.

### **Salary**

The salary of the superintendent of public instruction is \$101,200 per year.

## **Clerk of the Indiana Supreme Court, Court of Appeals and Tax Court**

### **Terms of Office**

The clerk of the Supreme Court, Court of Appeals and Tax Court is a statutory position. Prior to 2004, the clerk was elected for a four-year term. In 2004, however, a state law was passed providing that the clerk would be appointed by and would serve at the pleasure of the chief justice of Indiana.

### Duties and Powers

The clerk's major responsibility is to receive, process, docket and maintain records of cases in the state's Supreme Court, Court of Appeals and Tax Court. The clerk also issues orders from and certifies the opinions of those courts; administers the oath to and maintains the roll of all attorneys admitted to the Indiana bar; collects an annual registration fee from each attorney authorized to practice law in Indiana; and performs other necessary duties.

### Salary

The clerk of the Supreme Court, Court of Appeals and Tax Court receives an annual salary in an amount determined by the chief justice of Indiana. The salary is currently \$101,200.

## Indiana's Legislative Branch

Indiana's legislative branch is commonly referred to as the Indiana General Assembly. It has the power and duty of making the state laws that affect the daily lives of Indiana citizens.

The General Assembly has the power to enact all types of laws not specifically prohibited to it by the state constitution and not in conflict with federal laws and powers (those delegated to the federal government by the United States Constitution). In exercising its powers, the General Assembly has delegated certain legislative powers – those related to the management of local affairs and the levying of local taxes – to county councils, township boards, city common councils and town councils.

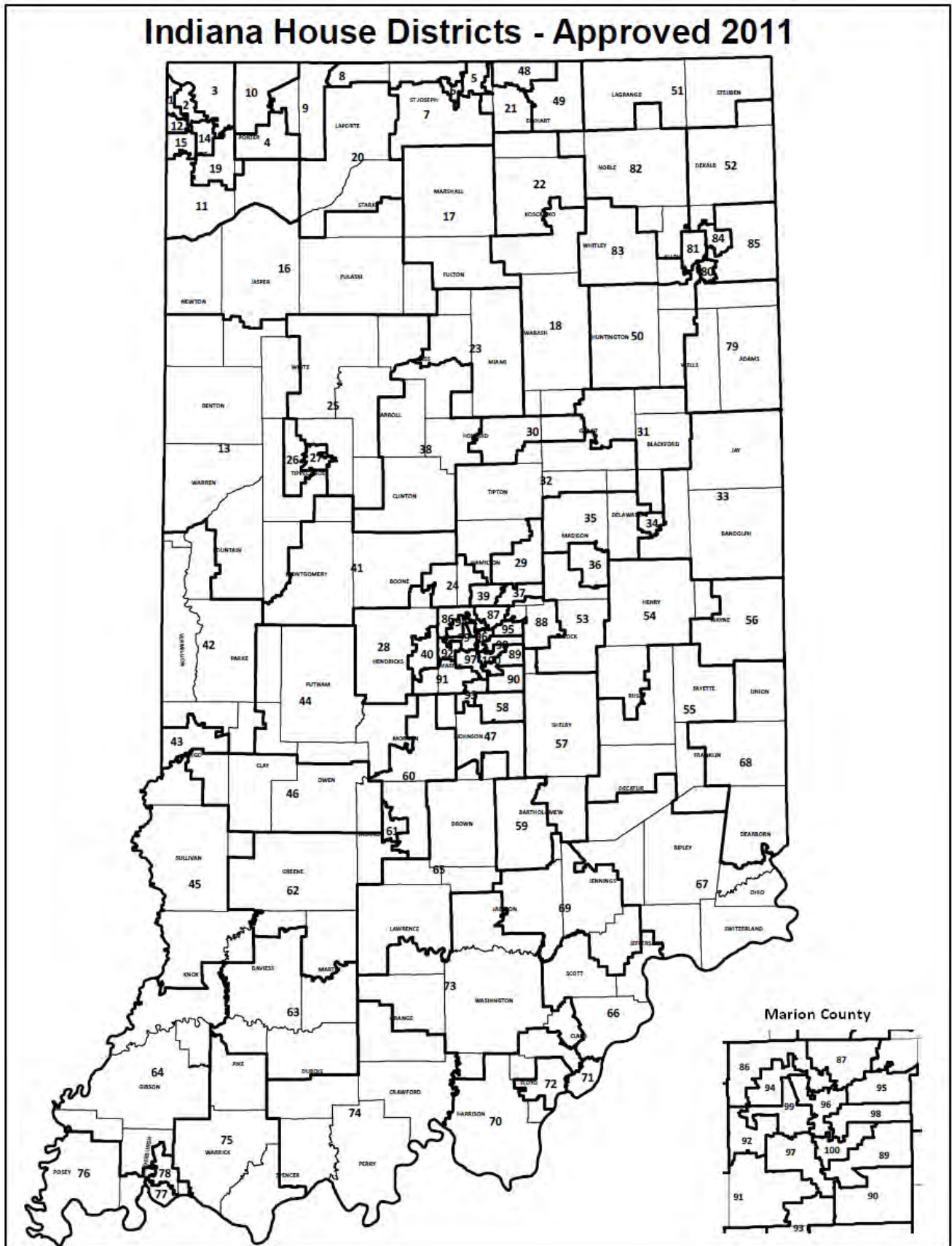
## Makeup of the General Assembly

The Indiana Constitution provides that the General Assembly shall consist of a Senate not to exceed 50 members and a House of Representatives not to exceed 100 members, with members of both chambers chosen by popular election from legislative districts. The legislature has taken advantage of the maximum number of members allowed and is currently composed of 50 senators and 100 representatives.

The state constitution requires that the senatorial and representative districts be based upon population according to the federal decennial census. It specifies that the lawmakers who are elected in the census year shall determine the district boundaries and apportion the senators and representatives among the districts. The overriding principle of the process of apportionment, or the drawing of legislative districts, is that of "one man, one vote." In other words, in order to ensure that each citizen in the state has the same level of representation in the General Assembly, it is critical that each legislative district contain the same size population. Thus, Indiana is made up of 50 equally sized Senate districts and 100 equally sized House districts. Maps of these districts can be found on the following pages.



# Indiana House Districts - Approved 2011



# Terms of Office, Qualifications and Compensation

Members of the Indiana Senate are elected to four-year terms, but they are not all elected at the same time. Half of the 50 senators are elected every two years. On the other hand, all 100 members of the House of Representatives are elected every two years to two-year terms. Anyone seeking election to the Senate or House must be a citizen of the United States, a resident of Indiana for at least two years and an inhabitant of his or her county or district for at least one year. Senators must be at least 25 years of age and representatives at least 21 years of age when elected. No person holding a lucrative public office or an appointive federal or state position may hold a seat in the General Assembly.

Each member of the General Assembly is paid a salary of \$25,945 annually. In addition, each receives an expense allowance per diem of \$173 daily. Legislative leaders are paid additional allowances for House and Senate leadership positions, as well as for certain other offices.

In all cases except treason, felony and breach of the peace, senators and representatives are immune from arrest during sessions of the legislature and in going to and returning from the sessions. They are also immune from civil court actions during a session of the legislature and for 15 days preceding a session. No action may be taken against members of the legislature for statements made in speeches or debate in the legislature.

Members of the General Assembly are expected to adhere to certain rules regarding ethics and conflicts of interest. Both the House and the Senate contain six-member ethics committees. These bodies adopt codes of ethics for their respective chambers at the beginning of each General Assembly. The law directs the committees to receive and hear complaints concerning violations of such codes, recommend appropriate legislation in the area of ethics and conflicts of interest, and advise on questions of ethics and conduct.

Legislators are also required, within seven days after the first session day each year, to file written statements of economic interests for the preceding year. In addition, before filing a declaration of candidacy for the General Assembly, potential candidates must file a statement of economic interests covering such information as the law requires. All economic interest statements and campaign contribution statements are to be made available for public inspection.

Bribery legislation provides for a fine of up to \$10,000 and a prison sentence of four years for anyone convicted of the improper offer of, solicitation of or acceptance of compensation to influence action taken in performance of duty.

## Sessions of the Legislature

Prior to 1970, the Indiana Constitution required each General Assembly to meet only once during its two-year term. In 1970, however, Hoosier voters approved an amendment that allowed legislators to determine the length and frequency of their sessions. At that time, the General Assembly enacted a law requiring that it meet at least once each year rather than once every two years. These required meetings are referred to as the first and second regular sessions. At each of these sessions, the members of the General Assembly may also decide to convene again later that year; these optional sessions are known as the first and second regular technical sessions. The governor also has the option of calling special sessions of the legislature.



### First Regular Session

The first regular session begins with an organizational meeting held on the third Tuesday after the first Monday of November in each even-numbered year. At this meeting, the legislators elect their officers, receive the oath of office and choose a day on which to reconvene to undertake legislative business. This day cannot be later than the second Monday in January of the following year. Once this session begins, it must conclude by April 29. During this session, the legislators may recess for varying periods, and each house may fix its number of working days in its rules.

### First Regular Technical Session

Before adjournment of the first regular session, the General Assembly fixes a day to convene after the session ends. This meeting, referred to as the first regular technical session, may not occur until at least 30 days after the first regular session concludes, and it must adjourn by midnight on the same day that it begins. The speaker of the House and president pro tempore of the Senate later decide whether the General Assembly will in fact convene on this day.

Only the following items may be considered during the first regular technical session:

- Bills enacted during the regular session that were vetoed by the governor
- Bills to correct conflicts among bills enacted during the regular session
- Bills to correct technical errors in bills enacted during the regular session

If the first regular technical session is not held, the General Assembly can act on vetoes of bills that were passed during the first regular session at the next second regular session.

### Second Regular Session

The second regular session begins in the same way as the first regular session, with the holding of an organizational meeting. This meeting occurs on the third Tuesday after the first Monday of November in each odd-numbered year. At this meeting, the members of the General Assembly choose a day to reconvene to begin the legislative business of the session; this day must be no later than the second Monday in January of the following year. Again, during this session, legislators may recess for varying periods, and each house may fix its number of working days in its rules. The second regular session must conclude by March 14.

### Second Regular Technical Session

As with the first regular session, the second regular session may also be followed by a technical session. This session must be held at least 30 days after adjournment of the second regular session, and it must end by midnight on the day it convenes. During the second regular technical session, the General Assembly may act only on the same types of items it is permitted to act on in the first regular technical session.

### Special Sessions

The governor has the power to call a special session of the General Assembly at any time if, in his or her opinion, “the public welfare shall require” such a session. Duration of the special session is limited to 30 session days during a period of 40 calendar days.

# Powers of the Legislature

The Indiana General Assembly has broad powers to enact laws that directly affect the daily lives of Indiana citizens. These powers are restricted only by the Constitution of the United States, federal laws and the Indiana Constitution. Section 16 of Article 4 of the state constitution spells out the general grant of powers to the legislature as follows: “Each House shall have all powers necessary for a branch of the legislative department of a free and independent state.”

Chief restrictions on legislative powers in the state constitution are found in Article 1, which is the bill of rights of the state constitution. Other constitutional restrictions are contained in Sections 22, 23 and 24 of Article 4. (The state constitution printed in Appendix B of this book enumerates the restrictions on legislative powers.)

## General Powers

The state legislature has a number of general powers. It decrees the types of taxes and rates that will be levied on citizens and businesses for state purposes. It can create and abolish agencies of state government. It determines, through its budget-making powers, how much will be spent for each of the many government services. It prescribes the procedure for nomination and election of state and local government officials.

The General Assembly also sets the rules for operation of Indiana’s local governments – the counties, cities, towns and townships. It can authorize or prohibit various types of local taxes. It determines the amount of state-collected tax funds to be distributed to the units of local government for schools, highways and other purposes and designates the basis on which these funds are to be distributed.

## Specific Powers

In addition to the general grants of power and the limits under which the legislature functions, the state constitution grants the General Assembly certain specific powers including the following:

- Power to deprive any person convicted of an infamous crime of the right of suffrage
- Power to provide by law for the election of all judges of courts of general and appellate jurisdiction at elections to be held for such officers only
- Power of either house to punish its members for disorderly behavior and, by a two-thirds vote, to expel a member
- Power of either house to punish by imprisonment any person not a member of the legislature who is found guilty of disrespect to the house by disorderly and contemptuous behavior
- Power by joint vote of both houses, in the event of a tie, to vote between candidates for governor and for lieutenant governor
- Power to impeach any state officer for crime, incapacity or negligence, either by a joint resolution or through an impeachment proceeding brought by the House of Representatives and tried by the Senate

## Committees and Councils

Within the state legislature, there exist a number of different committees, councils and agencies. Some of these groups, such as the various standing committees within the House and Senate, are permanent in nature

and focus on a relatively broad topic. Others are organized to more closely examine a specific issue. One of the most important groups within the General Assembly is the Legislative Council, which not only has some influence over the standing committees but also has the power to create committees and commissions related to specific topics.

### The Legislative Council

The major purpose of the Legislative Council is to carry out interim studies. There are 16 members of the Legislative Council, with eight members coming from each chamber of the General Assembly. From the Senate, they are the president pro tempore and three members appointed by the president pro tempore, the majority caucus chairperson, the minority leader and one appointee and the minority caucus chairperson. From the House, members include the speaker of the House and two appointees, the majority leader, the majority caucus chairperson, the minority leader and one appointee and the minority caucus chairperson. In addition, the lieutenant governor, acting as president of the Senate, may serve ex officio as a nonvoting member. The chairperson of the Legislative Council is either the speaker of the House or the president pro tempore of the Senate, with the position alternating from year to year.

The Legislative Council has the power to do the following:

- Study subjects of interest and concern and recommend such legislation as the welfare of the state may require
- Direct standing committees of the Senate or House of Representatives or appoint committees and subcommittees, subject to the authority of the council, to carry out studies on subjects of interest and concern
- Recommend such codification and general revision of the constitution and the laws of the state as may be necessary
- Require any officer or agency, board, commission, committee or other instrumentality of the state or of a political subdivision to provide information related to subjects under consideration by the council or by a standing committee or any of the council's committees or subcommittees
- Subpoena witnesses and documents
- Adopt such rules and procedures and organize such agencies as necessary or appropriate to carry out its duties
- Receive appropriations and make allocations for the reasonable and necessary expenditures of the council and the standing and interim committees of the House of Representatives, Senate and General Assembly
- Enter into whatever contracts or arrangements deemed to be necessary

The Legislative Council is also directed to perform the following functions:

- Coordinate and assist the work of standing or interim committees, subcommittees or commissions appointed by the council or at the direction of the General Assembly, Senate or House of Representatives
- Review the operations, budgetary practices and expenditures of all state agencies
- Recommend changes in the rules and procedures of the Senate and House of Representatives
- Work with the standing and interim committees, subcommittees and commissions of the General Assembly, Senate or House of Representatives to ensure efficient utilization of Legislative Services Agency employees

## **Chapter 1**

- Publish such records, schedules, indexes and reports as the General Assembly may require
- Arrange and contract for the printing of bills, enrolled acts, session laws, journals, the Indiana Code and supplements to the Indiana Code, the Indiana Administrative Code and supplements to the Indiana Administrative Code, the Indiana Register, and the miscellaneous printing needs, supplies and equipment of the council, the Legislative Services Agency and the General Assembly
- Provide adequate quarters and office space for all legislative activities
- Supervise the operation of the staff and services of the Legislative Services Agency
- Submit a report of its activities to the members of the General Assembly and to the governor

The duties of the Legislative Council also include distribution to the clerk of the circuit court of each county a copy of the enrolled acts of each legislative session.

The Legislative Council meets at the call of the chairperson, but meetings may also be called upon the written request of any seven members and upon 48 hours' notice to the members of the council. Council members receive travel allowances for attendance at meetings and official activities.

### **The Legislative Services Agency**

The staff arm of the Legislative Council is known as the Legislative Services Agency. Its duties are to perform bill drafting; research; code revision; fiscal, budgetary and management analysis; and information, administrative and other services as requested by the Legislative Council.

The Legislative Services Agency consists of approximately 80 permanent employees, headed by an executive director appointed by the council. The executive director may be removed at any time upon the affirmative vote of 12 members of the Legislative Council.

# Chapter 2

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## State Agencies

As mentioned in Chapter 1, agencies are an important part of Indiana's state government. Although most of these offices, departments, divisions, boards and commissions are considered part of the executive branch, some were established through legislative action while others were created by order of the governor.

Indiana's state agencies carry out a wide variety of functions in a number of different areas. In general, these functions are related to the following:

- Agriculture
- Community and economic development
- Cultural and historical issues
- Education
- Environment
- Executive, legislative and administrative functions
- Human services
- Legal and correctional issues
- Public safety
- Taxes and finance
- Technology
- Transportation

## Agricultural Agencies

### Indiana Grain Buyers and Warehouse Licensing Agency

**Governance:** The Indiana Grain Buyers and Warehouse Licensing Agency (IGBWLA) operates under the leadership of a director who is appointed by the director of the Indiana State Department of Agriculture.

**Purpose:** The IGBWLA was created in 1975 after the collapse of a large commercial grain operation, which resulted in Indiana farmers not being paid for grain stored. As a result of this incident, Indiana created IGBWLA, whose responsibilities include the periodic auditing of commercial grain operations to ensure their assets are sufficient to pay farmers for their grain. Its mission is to ensure the financial integrity of the grain marketing infrastructure, while allowing the industry to be competitive, innovative and efficient. The agency has oversight of approximately 270 licensees that own more than 450 facilities. These facilities have at least a 600 million-bushel storage capacity and are strong partners to each community's grain farmers.

## Chapter 2

**Contact:** Indiana Grain Buyers and Warehouse Licensing Agency  
One North Capitol Ave., Ste. 600  
Indianapolis, IN 46204  
Phone: (317) 232-1360  
Internet: [www.in.gov/ISDA/2351.htm](http://www.in.gov/ISDA/2351.htm)

## Indiana State Board of Animal Health (BOAH)

**Governance:** The Indiana State Board of Animal Health operates under the direction of an 11-member board of animal industry professionals who meet quarterly to set agency policy. Day-to-day affairs of the agency are overseen by the state veterinarian, who is appointed by the board with the approval of the governor.

**Purpose:** While the original mission to “prevent and suppress contagious and infectious diseases among the livestock” has not changed in more than 125 years, the scope of BOAH’s work has expanded:

- to enhance Indiana’s economy by protecting Hoosiers’ investment in animal agriculture, wildlife, horses and companion animals;
- to protect public health by preventing and controlling the spread of animal diseases, such as rabies, which pose a threat to people;
- to maintain a vital link in a safe food supply through the state meat and poultry and dairy inspection programs; and
- to help people and their animals who are victims of large-scale disasters such as floods and tornadoes.

**Contact:** Indiana State Board of Animal Health  
1202 East 38th St.  
Discovery Hall, Ste. 100  
Indianapolis, IN 46205  
Phone: (317) 544-2400  
Internet: [www.boah.in.gov](http://www.boah.in.gov)

## Indiana State Department of Agriculture (ISDA)

**Governance:** The Indiana State Department of Agriculture (ISDA) was established as a separate state agency by the legislature in 2005. Administratively, ISDA reports to the lieutenant governor, who also serves as Indiana’s Secretary of Agriculture and Rural Development. Major responsibilities include advocacy for Indiana agriculture at the local, state and federal level; managing soil conservation programs; promoting economic development and agricultural innovation; serving as a regulatory ombudsman for agricultural businesses; and licensing grain firms throughout the state.

**Purpose:** Indiana agriculture will be a global leader in innovation and commercialization for food, fuel and fiber production.

**Contact:** Indiana State Department of Agriculture  
1 North Capitol, Ste. 600

Indianapolis, IN 46204  
 Phone: (317) 232-8770  
 Internet: [www.in.gov/isda](http://www.in.gov/isda)

## Indiana State Fair Board and Commission

**Governance:** The Indiana State Fair Commission is the policy-making and fiduciary body that holds the Fairgrounds entrust for the state while overseeing the entire operation of the Indiana State Fairgrounds and Event Center. The Commission consists of 13 members, including five governor-appointed members (one of whom is a presiding officer) and other ex-officio members: the director of the Department of Agriculture, the director of the Purdue University Cooperative Extension Service, the president of the Indiana State Fair Board, a second representative of the Fair Board, a community representative, and the chairperson and cochairperson of the Indiana State Fair Legislative Advisory Committee and the governor. The Commission employs the executive director who, by statute, operates the day-to-day operation of the State Fair and year-round activities on the Fairgrounds. All of the members bring a strong business acumen and a commitment to Indiana agriculture. The Indiana State Fair Board is an advisory board to the Commission and consists of 17 members, including the governor, the director of the Department of Agriculture, the director of the Purdue University Cooperative Extension Service, seven governor-appointed members, and seven members elected by agricultural and educational organizations across the state.

**Purpose:** To preserve and enhance the Indiana State Fairgrounds and the annual Indiana State Fair for the benefit of all citizens of Indiana. The Indiana State Fairgrounds and Event Center is a year-round event enterprise located on a 250-acre campus at the outskirts of downtown Indianapolis. The Fairgrounds attracts approximately 2 million visitors to more than 350 events annually, ranging from automobile auctions to national conventions and the facility's cornerstone event, the great Indiana State Fair. The Indiana State Fair, which was held for the 163rd time in 2019, remains a showcase for agriculture and youth in an educational and entertaining environment. The business is managed by a team of full- and part-time professionals bolstered by passionate volunteers contributing to planning and production. By maintaining the resources that the state has entrusted to the commission, these events and their attendees represent a wide range of interests and diversity.

**Contact:** Indiana State Fair  
 1202 E. 38th St.  
 Indianapolis, IN 46205  
 Phone: (317) 927-7500  
 Internet: [www.in.gov/statefair](http://www.in.gov/statefair) and [www.indianastatefair.com/fairgrounds](http://www.indianastatefair.com/fairgrounds)

## Office of Indiana State Chemist and Seed Commissioner

**Governance:** The OISC consists of a staff of inspectors, investigators, administrators and analysts. The agency is under the direction of the state chemist, who also serves as seed commissioner.

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**Purpose:** The OISC is charged with administering several agricultural laws involving seeds, fertilizer, animal feeds, hemp and pesticides. The goal of these laws is to ensure truth in labeling, food safety, user safety and protection of the environment.

**Contact:** Office of Indiana State Chemist and Seed Commissioner  
175 S. University St.  
West Lafayette, IN 47907-2063  
Phone: (765) 494-1492  
Internet: [www.oisc.purdue.edu](http://www.oisc.purdue.edu)

## Community and Economic Development Agencies

### Department of Workforce Development (DWD)

**Governance:** The DWD was created in 1991 by the consolidation of the Department of Employment and Training Services, the Commission on Vocational and Technical Education, and the Office of Workforce Literacy. It operates under the leadership of a commissioner who is appointed by the governor.

**Purpose:** The DWD helps place people in suitable employment, trains and retrains workers for new and existing jobs, and administers the state's unemployment insurance program. It carries out these activities through public WorkOne Career centers serving employers and job applicants in all occupational fields and skill levels. The DWD also provides information on the labor market, including wages, employment levels, hours and trends.

**Contact:** Department of Workforce Development  
10 N. Senate Ave., Rm. SE 203  
Indianapolis, IN 46204  
Phone: (800) 891-6499  
Internet: [www.in.gov/dwd](http://www.in.gov/dwd)

### Indiana Commission for Women (ICW)

**Governance:** The ICW board of commissioners consists of 14 members who are appointed by the Senate president pro tempore and the speaker of the house, as well as the governor or his or her designee, who serves as an ex officio member. The chairperson of the commission is selected by the governor. Day-to-day affairs of the ICW are overseen by its executive director.

**Purpose:** The mission of the ICW is to understand the needs of Indiana women and their families, and to work strategically both within government and in our communities to help bring about positive solutions. ICW is committed to the full participation of women in all aspects of society in order to make Indiana a better place to live, work and raise a family. ICW works to remove the barriers that may hinder women's participation by increasing awareness of the status and issues of women and their families; recognizing



and promoting the contributions Hoosier women make; and providing balanced analyses of public policy issues that impact women. ICW works to assure that women's needs and viewpoints are heard and to ensure that women play a representative role in resolving the challenges they face.

**Contact:** Indiana Commission for Women  
Indiana Government Center North  
100 N Senate Ave., Rm. N103  
Indianapolis, IN 46204  
Phone: (317) 232-6720  
Internet: [www.in.gov/icw](http://www.in.gov/icw)

## **Indiana Commission on Hispanic/Latino Affairs**

**Governance:** The Indiana Commission on Hispanic/Latino Affairs was established in 2003. It consists of 20 members, one of whom is the elected chairperson. Day-to-day affairs are the responsibility of the commission's executive director. Staff and administrative support for the commission are provided by the Indiana Civil Rights Commission.

**Purpose:** The Commission on Hispanic/Latino Affairs is a non-partisan state agency working toward economic, educational, and social equality, including promoting cooperation and understanding. The Commission identifies measures and reviews programs, legislation and researches challenges and opportunities affecting the Hispanic/Latino community. The Commission identifies solutions and provides recommendations to the governor and legislature.

**Contact:** Indiana Commission on Hispanic/Latino Affairs  
Indiana Government Center North  
100 N. Senate Ave., Rm. N103  
Indianapolis, IN 46204  
Phone: (317) 233-5048  
Internet: [www.in.gov/ichla](http://www.in.gov/ichla)

## **Indiana Commission on the Social Status of Black Males**

**Governance:** The Indiana Commission on the Social Status of Black Males was established in 1993. It consists of 19 members, one of whom is elected chairperson and one elected as vice chair. Day-to-day affairs are the responsibility of the commission's executive director. Staff and administrative support for the commission are provided by the Indiana Civil Rights Commission.

**Purpose:** The mission of the Indiana Commission on the Social Status of Black Males is to study the social conditions of the state's black male population; develop strategies to remedy or assist in remedying serious adversities; and make recommendations to improve the educational, social, economic, employment and other circumstances for Hoosiers. The Commission serves policymakers and public interest groups, as well as the media, community organizations and members of the general public.

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**Contact:** Indiana Commission on the Social Status of Black Males  
Indiana Government Center North  
100 N. Senate Ave., N-300  
Indianapolis, IN 46204  
Phone: (317) 233-1744  
Internet: [www.in.gov/icssbm](http://www.in.gov/icssbm)

## Indiana Small Business Development Center

**Governance:** The Indiana Small Business Development Center (SBDC) is hosted by the Indiana Economic Development Center through a cooperative agreement with the U.S. Small Business Administration.

**Purpose:** The Indiana SBDC was created to have a positive and measurable impact on the formation, growth and sustainability of small businesses in Indiana, and to help Hoosier entrepreneurs start stronger, grow faster, and work smarter. It creates a positive and measurable impact on the formation, growth, and sustainability of Indiana's small businesses by providing entrepreneurs expert guidance and a comprehensive network of resources.

**Contact:** Indiana Small Business Development Center  
1 North Capitol Ave, Ste. 700  
Indianapolis, IN 46204  
Phone: (317) 233-4332  
Internet: [www.isbdc.org](http://www.isbdc.org)

## Indiana Stadium and Convention Building Authority

**Governance:** The Indiana Stadium and Convention Building Authority (ISCBA) is governed by a seven-member board, comprised of four appointments by the governor, two appointments by the mayor of Indianapolis, and one appointment by the governor following nomination from one of the counties surrounding Marion County.

**Purpose:** Effective May 15, 2005, the Indiana Stadium and Convention Building Authority (ISCBA) was established pursuant to House Bill 1120, which has now been codified at Ind. Code 5-1-17, as a new agency of the state to finance, design, construct and own the Lucas Oil Stadium and an expansion to the Indiana Convention Center. Now that the stadium is complete, it is leased and operated by the Capital Improvement Board of Managers of Marion County (CIB). The CIB has, in turn, entered into a sublease with the Indianapolis Colts, pursuant to which the Colts will play their home NFL games within the stadium. Lucas Oil Stadium is also marketed by the CIB, in conjunction with the Indianapolis Convention and Visitors Association, to host NCAA and other sporting events, conventions, concerts, tradeshow and other major public events. Lucas Oil Stadium was completed in August 2008.

**Contact:** Indiana Stadium and Convention Building Authority  
One North Capitol Ave., Ste. 900  
Indianapolis, IN 46204

Phone: (317) 233-4332  
Internet: [www.in.gov/iscba](http://www.in.gov/iscba)

## **Indiana Economic Development Corporation (IEDC)**

**Governance:** The Indiana Economic Development Corporation (IEDC) leads the state of Indiana's economic development efforts, helping businesses launch, grow and locate in the state. The IEDC was officially established in February 2005 to support economic development efforts in the state of Indiana, replacing the former Department of Commerce. The IEDC is organized as a public private partnership, governed by a 15-member board of directors chaired by the governor.

**Purpose:** The IDEC is committed to attracting and supporting new business investment, creating new jobs for Hoosiers, and furthering Indiana's legacy as one of the top states in the nation for business. The IEDC manages many initiatives, including performance-based tax credits, workforce training grants, innovation and entrepreneurship resources, public infrastructure assistance, and talent attraction and retention efforts.

**Contact:** Indiana Economic Development Corporation  
1 N. Capitol Ave., Ste. 700  
Indianapolis, IN 46204  
Phone: (317) 232-8800  
Internet: [www.iedc.in.gov](http://www.iedc.in.gov)

## **Indiana Gaming Commission**

**Governance:** The Indiana Gaming Commission was created in 1993 and is composed of seven individuals appointed by the governor. One member must be from a county contiguous to Lake Michigan and one must be from a county contiguous to the Ohio River. No more than four members may be affiliated with the same political party. One member must be experienced in law enforcement, one must be a certified public accountant, and one must be an attorney. All must have a reasonable knowledge of the practices, procedures and principles of gambling. The daily affairs of the commission are the responsibility of its executive director, who is also chosen by the governor.

**Purpose:** The Indiana Gaming Commission licenses and regulates riverboat gambling in Indiana and ensure compliance with applicable statutes, rules and regulations in a manner that promotes the integrity of gaming, and the best interest of Indiana and its citizens. IGC divisions include the athletic division, charity gaming, gaming agents and gaming control.

**Contact:** Indiana Gaming Commission  
101 W. Washington St.  
East Tower, Ste. 1600  
Indianapolis 46204  
Phone: (317) 233-0046  
Internet: [www.in.gov/igc](http://www.in.gov/igc)

## **Indiana Horse Racing Commission**

**Governance:** The Indiana Horse Racing Commission, created in 1989, consists of five members who are appointed by the governor. The commission in turn appoints an executive director.

**Purpose:** The Indiana Horse Racing Commission regulates and oversees horse racing within the state. This includes licensing of jockeys, trainers, owners, track officials, track veterinarians, and other race meet participants as well as regulation of on- and off-track betting.

**Contact:** Indiana Horse Racing Commission  
1302 N. Meridian St., Ste. 175  
Indianapolis, IN 46202  
Phone: (317) 233-3119  
Internet: [www.in.gov/hrc](http://www.in.gov/hrc)

## **State Lottery Commission of Indiana/Hoosier Lottery**

**Governance:** The State Lottery Commission, established in 1989 after a referendum to eliminate Indiana's constitutional ban on lotteries, has five members appointed by the governor. The Hoosier Lottery is managed by the executive director who is appointed by the governor.

**Purpose:** Hoosier Lottery transfers surplus revenue to the state of Indiana. In the budget process, these funds are distributed by the state legislature. Since 1989, Hoosier Lottery funds have supported local police and firefighters' pensions, the Indiana Teachers' Retirement Fund, and the Build Indiana Fund (now the Lottery Surplus Fund). The Hoosier Lottery now contributes \$30 million to local police and fire pensions and \$30 million to the Indiana Teachers' Retirement Fund each fiscal year. The remainder of the lottery earnings are used to reduce auto excise taxes by 50% for every Hoosier vehicle owner.

**Contact:** Indiana Lottery Commission/Hoosier Lottery  
1302 N. Meridian St., Ste. 100  
Indianapolis, IN 46202  
Phone: (317) 264-4800  
Toll-free: (800) 955-6886  
Internet: [www.hoosierlottery.com](http://www.hoosierlottery.com)

## **Indiana Native American/Indian Affairs Commission (INAIAC)**

**Governance:** The INAIAC was established in 2003. It consists of 15 voting members and 2 non-voting members, one of whom is elected chairperson. Staff and administrative support for the commission are provided by the Indiana Civil Rights Commission.

**Purpose:** The INAIAC studies and makes recommendations to appropriate federal, state and local governmental agencies in areas of concern to our state's Native and non-Native people and communities. The ultimate objectives are to bring the Native communities

together, help identify and provide opportunities to the Native American community, and enhance social, cultural, community and economic development in Indiana.

**Contact:** Indiana Native American/Indian Affairs Commission  
Indiana Government Center North  
100 North Senate Ave., Rm. N103  
Indianapolis, IN 46204  
Phone: (317) 234-4887  
Internet: [www.in.gov/inaiac](http://www.in.gov/inaiac)

## Indiana Office of Tourism Development

**Governance:** The Indiana Office of Tourism Development is overseen by the lieutenant governor and is also administered by a director.

**Purpose:** The IOTD works to coordinate efforts to promote travel throughout Indiana, as the state welcomes more than 80 million people to its many tourist attractions and events each year. Additionally, IOTD assists to enhance the visitor experience by providing up-to-date travel information for pre-planning activities and the duration of their Indiana vacation.

In addition to a web site, IOTD publishes printed materials to aid visitors. These free publications include the Indiana Travel Guide and Indiana Travel Map. IOTD also provides free travel information via monthly email newsletters and works with travel destinations to offer discounts to travelers.

**Contact:** Indiana Office of Tourism Development  
1 N. Capitol Ave., Ste. 600  
Indianapolis, IN 46204  
Phone: (800) 677-9800  
Internet: [www.VisitIndiana.com](http://www.VisitIndiana.com)

## Northwest Indiana Regional Development Authority (RDA)

**Governance:** The RDA board of directors is comprised of seven members named by elected bodies or officials. Five are named by the cities and counties that provide funding and two are appointed by the governor. They are all unpaid volunteers.

**Purpose:** The RDA was created to partner with others in the “heavy lifting” required to develop the infrastructure that will make northwest Indiana economically vibrant. The legislation that created the RDA directs the authority to focus on the region’s collective assets. These regional assets are interrelated as the basic building blocks of a local economy that must become globally competitive.

**Contact:** Northwest Indiana Regional Development Authority  
9800 Connecticut Drive  
Crown Point, IN 46307

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Phone: (219) 644-3500

Internet: [www.in.gov/rda](http://www.in.gov/rda)

### Office of Community and Rural Affairs (OCRA)

**Governance:** OCRA was created in 2005. It consists of a number of rural development programs, formerly found in different divisions of the state government. The office operates under the leadership of the lieutenant governor, who also serves as the Secretary of Agriculture and Rural Development. Day-to-day activities are managed by an executive director who is appointed by the lieutenant governor.

**Purpose:** OCRA works with local, state, and national partners to provide resources and technical assistance to aid communities in shaping their vision for community and economic development. OCRA administers funding from the U.S. Department of Housing and Urban Development (HUD) and the state of Indiana, which is used to provide grants, programming and opportunities to rural cities, towns, counties for community improvement projects.

**Contact:** Office of Community and Rural Affairs  
1 N. Capitol Ave., Ste. 600  
Indianapolis, IN 46204  
Phone: (800) 824-2476  
Internet: [www.in.gov/ocra](http://www.in.gov/ocra)

### Worker's Compensation Board of Indiana

**Governance:** The Worker's Compensation Board consists of seven members who are appointed by the governor. The chairperson of the board serves as the head of the agency.

**Purpose:** The board is responsible for administering Indiana's laws concerning workers who have been injured or have contracted an occupational disease through their work. Almost all employers in the state must purchase worker's compensation insurance to cover their employees. Some are self-insured by choice or law. The board also collects statistical information regarding workplace injuries in Indiana and provides dispute resolution for injured workers and their employers.

**Contact:** Worker's Compensation Board of Indiana  
Indiana Government Center South  
402 W. Washington St., Rm. W196  
Indianapolis, IN 46204  
Phone: (317) 232-3808  
Internet: [www.in.gov/workcomp](http://www.in.gov/workcomp)

## Cultural and Historical Agencies

### Indiana Archives and Records Administration (IARA)

**Governance:** The oversight committee on public records functions as the policy-making body for the administration, and consists of the governor, the secretary of state, the state examiner for the State Board of Accounts, the director of the State Library, the director of the Historical Bureau, the director of the Archives and Records Administration, the commissioner of the Department of Administration, the public access counselor and two lay members appointed by the governor for four-year terms.

**Purpose:** The administration became an independent state agency in 1979, and consists of: forms management, records management, state records center, state archives, micrographics and imaging services, and the conservation lab, thereby serving the entire life cycle of information and records. Together with the administrative staff, these divisions create, manage, distribute and preserve the information of the state of Indiana.

**Contact:** Indiana Archives and Records Administration  
402 W. Washington St., Rm. W472  
Indianapolis, IN 46204  
Phone: (317) 232-3380  
Internet: [www.in.gov/iara](http://www.in.gov/iara)

### Indiana Arts Commission (IAC)

**Governance:** The IAC consists of 15 gubernatorial appointments who establish the agency's policies and goals, plan its direction for the future, and approve all grant awards and programs. They are selected to represent various areas of the state and diverse arts, business and community backgrounds.

**Purpose:** The IAC works to positively impact the cultural, economic and educational climate of Indiana by providing responsible leadership for and public stewardship of artistic resources for all of our state's citizens and communities. The commission works to enhance public awareness of the arts, life-long learning opportunities, and arts education programs.

**Contact:** Indiana Arts Commission  
100 N. Senate Ave., Rm. N505  
Indianapolis, IN 46204  
Phone: (317) 232-1269  
Internet: [www.in.gov/arts](http://www.in.gov/arts)

### Indiana Historical Bureau

**Governance:** The Indiana Historical Bureau is governed by a five-member board that also oversees administration of the Indiana State Library. The individuals on the board are appointed by the governor, and they in turn hire a director to oversee the day-to-day affairs of the bureau.

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**Purpose:** The Indiana Historical Bureau provides publications, programs and other opportunities for Indiana citizens of all ages to learn and teach about the history of their communities, the state of Indiana and their relationships to the nation and the world. The bureau also provides the Indiana Historical Marker Program in addition to administering the Indiana Legislative Oral History Initiative.

**Contact:** Indiana Historical Bureau  
140 N. Senate Ave., Rm. 130  
Indianapolis, IN 46204  
Phone: (317) 232-2535  
Internet: [www.in.gov/history](http://www.in.gov/history)

## Indiana State Library

**Governance:** The Indiana State Library reports directly to the governor's office as an executive branch agency of state government. The State Library is also under the guidance of the Indiana Library and Historical Board, which approves public library standards, professional certification and distribution of federal library funds, and reviews the State Library budget. The daily affairs of the State Library are the responsibility of the State Librarian. The State Library also houses the Indiana Historical Bureau. The bureau provides publications, programs and other opportunities for Indiana citizens of all ages to learn and teach about the history of their communities, the state of Indiana and their relationships to the nation and the world. The Indiana Historical Bureau also administers the Indiana Historical Marker Program in addition to administering the Indiana Legislative Oral History Initiative.

**Purpose:** Just as the Library of Congress serves as the historical repository for our nation, the Indiana State Library is responsible for collecting and preserving all types of information and data about the State of Indiana. The State Library houses the largest collection of Indiana-related materials in the world and one of the largest genealogy collections in the Midwest. It also features a federal documents repository that is among the most complete in the nation. Additionally, the State Library is responsible for developing and providing high-quality statewide library services to Indiana citizens and the state government, encouraging and supporting the development of the library profession and strengthening the services of all Indiana libraries.

**Contact:** Indiana State Library  
315 West Ohio St.  
Indianapolis, IN 46202  
Phone: (866) 683-0008  
Internet: [www.IN.gov/library](http://www.IN.gov/library)

## Indiana State Museum and Historic Sites

**Governance:** The Indiana State Museum and Historic Sites is a State Public Corporation.

**Purpose:** The Indiana State Museum and Historic Sites preserve, interpret and present the material record of Indiana's science, culture and art to encourage people to discover the world as it was, as it is and as it can be.



**Contact:** Indiana State Museum and Historic Sites  
650 W. Washington St.  
Indianapolis, IN 46204  
Phone: (317) 232-1637  
Internet: [www.indianamuseum.org](http://www.indianamuseum.org)

## **Indiana War Memorials Commission (IWMC)**

**Governance:** The IWMC consists of nine commissioners, one from each of the state's congressional districts. All members must be veterans of one of the armed services. The governor also appoints an executive director to carry out the day-to-day functions of the IWMC.

**Purpose:** The IWMC manages 25 acres of property honoring veterans in downtown Indianapolis, including the Indiana War Memorial, Soldiers and Sailors Monument, American Legion Mall, Veterans Memorial Plaza, University Park, the Vietnam War Memorial, Korean War Memorial, the Medal of Honor Memorial, and the USS Indianapolis National Memorial. Only Washington, D.C. has more veterans' memorials than Indianapolis, and no other city has more total acreage dedicated to honoring veterans.

**Contact:** Indiana War Memorials Commission  
55 E. Michigan St.  
Indianapolis, IN 46204  
Phone: (317) 232-7615  
Internet: [www.in.gov/iwm](http://www.in.gov/iwm)

## **Meridian Street Preservation Commission (MSPC)**

**Governance:** The Commission consists of a nine-member board whose members are appointed by the mayor of Indianapolis and the governor to ensure that the Meridian Street Preservation Act is upheld. The Commission is chaired by a representative from the Indianapolis Department of Metropolitan Development. A representative from the state attorney general's office serves as counsel.

**Purpose:** In 1971, the Meridian Street Preservation Act was passed. It requires any owner in the North Meridian Street Preservation Area secure the approval of the MSPC for any proposed change in land use (rezoning) or zoning variance. In addition, the owners of properties on North Meridian Street must have proposed modifications of exterior features of their house and property through construction, reconstruction, alteration or demolition approved by the MSPC prior to beginning any work

**Contact:** Meridian Street Preservation Commission  
200 E. Washington St., Ste. 1842  
Indianapolis, IN 46204  
Phone: 317-327-7834  
Internet: [www.mspconline.org](http://www.mspconline.org)

## **Serve Indiana**

**Governance:** The Serve Indiana Commission consists of up to 25 commissioners who are appointed by the governor to advocate, review and adjust the state’s position on issues related to the community service and the volunteer sectors. It is comprised of community leaders with expertise in areas such as education, public safety, human services, volunteer activities, business/labor and government.

**Purpose:** The mission is to advance service and volunteerism by informing, connecting and promoting opportunities and resources that enrich the lives of Hoosiers.

**Contact:** Serve Indiana  
10 N. Senate  
Indiana Government Center South, SE 206  
Indianapolis, IN 46204  
Phone: (317) 233-4273  
Internet: [www.in.gov/serveindiana](http://www.in.gov/serveindiana)

## **Education Agencies (K-12)**

### **Department of Education**

**Governance:** The chief executive officer of the Department of Education is the superintendent of public instruction. The superintendent serves on the State Board of Education, but as of 2017 no longer automatically serves as the chair (although the superintendent can be a candidate for the chair position).

The remaining eight members are appointed by the governor: not more than one from each of the state’s nine congressional districts and one appointment from the Speaker of the House and Senate Pro Tempore each. No more than five of the eight governor-appointed members may be from the same political party, and at least six must be educators.

**Purpose:** The primary function of the Department of Education is to serve as a flow-through mechanism for state and federal funds. The department also serves in an advisory capacity to local schools, assures schools’ compliance with public policies, helps measure the attainment of established goals and makes recommendations to the governor and the legislature regarding educational needs (including financial concerns).

**Contact:** Indiana Department of Education  
115 W. Washington St.  
South Tower, Ste. 600  
Indianapolis, IN 46204  
Phone: (317) 232-6610  
Internet: [www.doe.in.gov](http://www.doe.in.gov)

## Indiana Charter School Board

**Governance:** The Indiana Charter School Board has a nine-member board appointed in the following manner: four members, whereas no more than two members appointed can be of the same political party, are appointed by the governor; one member, who has previous experience with or on behalf of charter schools, is appointed by the state superintendent of public instruction; and four additional members, who may not be legislators, appointed as follows: (a) one member appointed by the president pro tempore of the Senate; (b) one member appointed by the minority leader of the Senate; (c) one member appointed by the speaker of the House of Representatives; and (d) one member appointed by the minority leader of the House of Representatives.

**Purpose:** In May 2011, House Enrolled Act 1002 was passed by the Indiana legislature and signed into law by Gov. Mitch Daniels. Among other provisions, HEA 1002 established the Indiana Charter School Board, a new charter school authorizer established for the purpose of sponsoring charter schools around the state. The purpose of the board is to: (1) review a proposal to establish a charter school; (2) make a decision on the proposal as required; (3) monitor charter schools sponsored by the charter board; and (4) publish guidelines concerning the review process.

**Contact:** Indiana Charter School Board  
143 West Market St., Ste. 400  
Indianapolis, IN 46204  
Phone: (317) 232-7585  
Internet: [www.in.gov/icsb](http://www.in.gov/icsb)

## Indiana Education Employment Relations Board (IEERB)

**Governance:** The IEERB is a five-member board. Three members are appointed by the governor, one by the speaker of the House of Representatives, and one by the president pro tempore of the Senate. The board delegates daily functioning to its Executive Director, who manages IEERB's full-time staff of labor relations professionals and its ad hoc mediation/hearing officer panel.

**Purpose:** IEERB was established to promote harmonious and cooperative relationships between public school teachers and the school corporations they serve, thereby working to improve education for all Hoosier children. Among IEERB's major functions are collective bargaining, conciliation and mediation, fact-finding, research, unit determination and representation, compliance of teacher collective bargaining agreements, and unfair labor practice adjudication.

**Contact:** Indiana Education Employment Relations Board  
143 W. Market St., Ste. 400  
Indianapolis, IN 46204  
Phone: (317) 233-6620  
Internet: [www.in.gov/ieerb](http://www.in.gov/ieerb)

## **Indiana School for the Blind and Visually Impaired (ISBVI)**

**Governance:** The ISB is governed by a 10-member board. Seven of these individuals are voting members appointed by the governor; the other three are nonvoting members who represent the governor, state department of education and General Assembly, respectively. Day-to-day affairs of the school are overseen by the superintendent of the ISB, who is hired by the board.

**Purpose:** The ISBVI educates approximately 175 students on site in grades preschool through high school, with students ranging from three to 22 years of age.

The school's focus as an educational institution to this unique population is two-fold: first to teach blind students or those who have low vision how to master the Indiana core curriculum at the level identified on each student's Individual Education Plan and also to work with each student through an expanded core curriculum, one that teaches students how to navigate their physical, social and personal world.

**Contact:** Indiana School for the Blind and Visually Impaired (ISBVI)  
7725 N. College Ave.  
Indianapolis, IN 46240  
Phone: (317) 253-1481  
Internet: [www.isbvik12.org](http://www.isbvik12.org)

## **Indiana School for the Deaf (ISD)**

**Governance:** The ISD Board is comprised of seven voting members and three non-voting members. The voting members, which must include at least one parent, one alumnus, and one representative of a public school corporation are appointed to staggered, four-year terms by the governor. The non-voting members include representatives from the governor's office, the Indiana House of Representatives, and the Indiana Department of Education.

By statute, board members are public officials and serve at the pleasure of the governor. For this reason, board members represent all ISD community stakeholders. Day-to-day affairs of the school are overseen by the superintendent/CEO of the ISD, who is appointed by the board, subject to the approval of the governor.

**Purpose:** The Indiana School for the Deaf strives to be the premier comprehensive center providing education, services and resources for deaf and hard of hearing children, their families, and educational partners. The ISD promotes academic and social excellence for deaf and hard of hearing students through a bilingual/bicultural environment. It offers preschool through high school programs, free of charge on a residential or day-school basis, to young people in Indiana who are deaf or hard of hearing.

**Contact:** Indiana School for the Deaf  
1200 E. 42nd St.  
Indianapolis, IN 46205  
Phone: (317) 550-4800  
Internet: [www.deafhoosiers.com](http://www.deafhoosiers.com)

## Education Agencies (Postsecondary)

### Indiana Board for Proprietary Education (BPE)

**Governance:** The Indiana Board for Proprietary Education (BPE) operates under the authority of Indiana Code 21-18.5. It is governed by a seven-member board. Of those seven, two board members shall be the Indiana Superintendent of Public Instruction and the executive officer of the Indiana Commission for Higher Education (CHE), or their designees. The five remaining members are appointed by the governor to four-year terms. Of these appointees, one shall have had at least five years' experience in administering an industrial employee training program. A second shall have been an executive in a proprietary education institution for at least five years. The remaining three shall be representatives of the public at large. The public representatives may not be elected or appointed state or local officials, nor have any connection with a public, private, or proprietary school. No more than three of the members appointed by the governor shall be from any one political party. Commission for Higher Education staff carry out the day-to-day activities of the BPE.

**Purpose:** The Board's goal is to maintain the educational quality and effectiveness of credit bearing, degree granting, private career schools. Through BPE's accreditation process, regulated institutions are encouraged to demonstrate their commitment to the highest standards of educational conduct.

The BPE currently regulates over 30 institutions with more than 60 campuses. These schools offer classroom and online programs in a variety of business, technical, career, and professional occupations. Credentials awarded include certificates, diplomas, associate degrees, baccalaureate degrees, and advanced degrees.

Indiana Public and regionally accredited non-profit, private colleges, as well as institutions offering religious oriented instruction are not subject to BPE jurisdiction. No other private career schools may do business in Indiana without the Board's approval.

**Contact:** Indiana Board for Proprietary Education  
101 W. Ohio St., Ste. 300  
Indianapolis, IN 46204-4206  
Phone: (317) 232-1033  
Internet: [www.in.gov/bpe](http://www.in.gov/bpe)

### Indiana Commission for Higher Education

**Governance:** The Indiana Commission for Higher Education consists of 14 members appointed by the governor. Twelve members are lay citizens, and there must be at least one lay member from each congressional district in the state. Of the other members, one must be a student and one must be a faculty member at an institution of higher education located within the state. The commission appoints a commissioner and other staff to carry out the agency's daily responsibilities.

**Purpose:** The Indiana Commission for Higher Education is charged with defining the educational missions of the state's public colleges and universities, planning and coordinating

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Indiana's state-supported system of postsecondary education, reviewing budget requests from public institutions, approving the expansion or establishment of new programs on the campuses of Indiana's public colleges and universities, administering the state's financial aid programs and distributing state financial aid. The Indiana Commission for Higher Education ensures that Indiana's higher education system is aligned to meet the needs of students and the state.

**Contact:** Indiana Commission for Higher Education  
101 W. Ohio St., Ste. 300  
Indianapolis, IN 46204  
Phone: (317) 464-4400  
Internet: [www.in.gov/che](http://www.in.gov/che)

## Indiana Education Savings Authority (IESA)

**Governance:** The IESA is chaired by the treasurer of state. Other ex officio members include the commissioner for higher education, the superintendent of public instruction, and the state budget director. Five additional gubernatorial appointees must have knowledge, skill or experience in academic, business, financial, or educational fields. Daily affairs are the responsibility of the agency's executive director.

**Purpose:** The IESA serves as the governing board of the state's tax-advantaged CollegeChoice 529 program, which currently includes the CollegeChoice Direct, Advisor, and CD Savings Plans. The goal of the program is to help Indiana families and residents save in order to finance higher education for children, grandchildren, themselves or others.

**Contact:** Indiana Education Savings Authority  
1 N. Capitol Ave., Ste. 900  
Indianapolis, IN 46204  
Phone: (317) 232-5259  
Internet: [www.in.gov/tos/iesa](http://www.in.gov/tos/iesa)

## Environmental Agencies

### Department of Natural Resources (DNR)

**Governance:** The DNR is an agency of the executive branch of state government. The day-to-day operations of the DNR are handled by a director appointed by the governor, four deputy directors, and a statewide, full-time staff of more than 1,200 working in 15 divisions and in general administration. The Indiana Natural Resources Commission is an autonomous board that addresses issues pertaining to the Department of Natural Resources. This 12-member board and its membership include citizens chosen on bipartisan basis, as well as ex officio state agency membership. The commission meets a minimum of four times annually.

**Purpose:** The DNR has a wide range of responsibilities. It oversees the wise use of the state's natural, historical and cultural resources, including fish and wildlife, state parks and reservoirs, forestry, water, nature preserves, outdoor recreation, entomology and plant pathology, oil and gas, reclamation, and historic preservation and archaeology.

**Contact:** Department of Natural Resources  
402 W. Washington St.  
Indianapolis, IN 46204  
Phone: (317) 232-4200 or (877) 463-6367  
Internet: [www.dnr.in.gov](http://www.dnr.in.gov)

## **Indiana Department of Environmental Management (IDEM)**

**Governance:** IDEM is headed by a commissioner who is appointed by the governor. IDEM employs some of Indiana's most qualified engineers, scientists and environmental project managers specializing in air, land, pollution prevention and water quality issues.

**Purpose:** IDEM's mission is to implement federal and state regulations to protect human health and the environment while allowing the environmentally sound operations of industrial, agricultural, commercial and government activities vital to a prosperous economy. It does this by providing quality environmental oversight and technical assistance in local communities and around the state. Whether you're a business owner, consultant, student, farmer, teacher or parent, IDEM is here to help you.

**Contact:** Indiana Department of Environmental Management  
100 N. Senate Ave.  
Indianapolis, IN 46204  
Phone: (317) 232-8603  
Internet: [www.in.gov/idem](http://www.in.gov/idem)  
Email: [info@idem.in.gov](mailto:info@idem.in.gov)

## **Office of Energy Development (OED)**

**Governance:** The OED, under the leadership of the governor, is responsible for Indiana's energy policy.

**Purpose:** OED coordinates state energy policy with executive branch agencies, houses energy-related programs, and works to support a coordinated energy plan for Indiana. The office also administers grant programs funded by the U.S. Department of Energy. These grants promote the use of alternative power and fuels, energy efficiency and public education on energy issues in Indiana.

**Contact:** Office of Energy Development  
1 N. Capitol Ave., Ste. 900  
Indianapolis, IN 46204  
Phone: 317-232-8939  
Internet: [www.in.gov/oed](http://www.in.gov/oed)

## **Office of Environmental Adjudication (OEA)**

**Governance:** The OEA director, who also serves as the agency's chief environmental law judge, is selected by the governor from a list of candidates recommended by a five-member appointed panel.

**Purpose:** The Office of Environmental Adjudication (OEA) was created in 1995 to review the decisions of the Indiana Department of Environmental Management (IDEM). The petitions fall into one of two categories: the appeal of enforcement actions brought by IDEM, or the appeal of an IDEM decision to issue or deny a permit.

Appeals of enforcement actions concern violations of the following environmental laws of the state of Indiana:

- Air pollution control laws
- Water pollution control laws
- Environmental management laws
- Solid waste management laws

The OEA receives approximately 300 petitions for administrative review each year. These are heard by one of the two environmental law judges employed by the agency. Some cases may involve multiple parties and a number of complex legal and technical issues that affect the entire state or regional environment and may take several years to resolve.

**Contact:** Office of Environmental Adjudication  
Indiana Government Center North  
100 North Senate Ave., Rm. N103  
Indianapolis, IN 46204  
Phone: (317) 233-0850  
Internet: [www.in.gov/oea](http://www.in.gov/oea)

## **White River State Park Development Commission**

**Governance:** The White River State Park Development Commission consists of 10 voting members, including seven members appointed by the governor, as well as the commission's executive director, a representative of the Indianapolis mayor's office and a representative of the president of Indiana University. There are also four non-voting members of the General Assembly, one from each caucus, who are appointed by their caucus leaders. The commission's executive director is appointed by the governor.

**Purpose:** The commission oversees the continuing development of the cultural, educational, athletic and recreational projects and facilities located within the White River State Park, on the banks of White River, in downtown Indianapolis.

**Contact:** White River State Park Development Commission  
801 W. Washington St.  
Indianapolis, IN 46204  
Phone: (800) 665-9056 or (317) 233-2434  
Internet: [www.WhiteRiverStatePark.org](http://www.WhiteRiverStatePark.org)



## Executive, Legislative and Administrative Agencies

### Department of Administration (IDOA)

**Governance:** The IDOA is under the direction of a commissioner who is appointed by the governor.

**Purpose:** The IDOA provides support services to other state agencies. IDOA centrally manages activities relating to state purchasing, the vehicle fleet, state travel, real estate leases, property disposition, and the Government Center Campus, among others. In addition to agency support, the department provides assistance to Minority and Women's Business Enterprises as well as Indiana Veteran-Owned Small Businesses interested in state contracting opportunities. Through its activities, IDOA helps to ensure the smooth functioning of state government, finding efficient and effective solutions to government-wide needs.

**Contact:** Department of Administration  
Indiana Government Center South  
402 W. Washington St., Rm. W478  
Indianapolis, IN 46204  
Phone: (317) 232-3150  
Internet: [www.in.gov/idoa](http://www.in.gov/idoa)

### Department of Insurance (IDOI)

**Governance:** The IDOI is headed by a commissioner who is appointed by the governor. The commissioner oversees a staff of approximately 90.

**Purpose:** The purpose of IDOI is to protect Hoosiers as they purchase and use insurance products to keep their assets and their families from loss or harm. Consumers may need assistance with certain claim situations or help in understanding how their policies work. The department's other primary obligation is to monitor the financial solvency of the insurance companies domiciled in Indiana so that the legal promises made in insurance policies are honored.

**Contact:** Indiana Department of Insurance  
311 W. Washington St., Ste. 103  
Indianapolis, IN 46204  
Phone: (317) 232-2385  
Internet: [www.in.gov/idoi](http://www.in.gov/idoi)

### Indiana Department of Labor (IDOL)

**Governance:** The Indiana Department of Labor (IDOL) is led by a commissioner who is appointed by the governor. The department consists of approximately 90 employees.

**Purpose:** The mission of the Indiana Department of Labor is to advance the safety, health and prosperity of Hoosiers in the workplace. In order to make significant strides in achieving

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this mission, the department emphasizes both enforcement and voluntary compliance for employers. The department works toward this goal through several divisions, including the INSAFE and IOSHA programs, the Wage and Hour Division, the Bureau of Child Labor, the Bureau of Mines, and the Research and Statistics Division.

**Contact:** Indiana Department of Labor  
402 W. Washington St., Rm. W195  
Indianapolis, IN 46204  
Phone: (317) 232-2655  
Internet: [www.in.gov/labor](http://www.in.gov/labor)

## Indiana State Personnel Department (INSPD)

**Governance:** The director of the Indiana State Personnel Department (INSPD) is appointed by the governor and oversees a staff of approximately 230 people.

**Purpose:** INSPD is the centralized HR service provider for the state of Indiana's executive branch of government, servicing approximately 30,000 employees and 75 business units statewide. HR services include but are not limited to the following: personnel policy administration, HR consultation and strategic workforce planning, benefits and wellness, compensation and organizational design, diversity and inclusion, employee engagement, employee relations, HR data and analytics, learning and development, leave administration, performance management, and talent acquisition.

**Contact:** Indiana State Personnel Department  
402 W. Washington St., Rm. W161  
Indianapolis, IN 46204  
Phone: (855) SPD-INHR  
Internet: [www.in.gov/spd](http://www.in.gov/spd)

## Indiana Advisory Commission on Intergovernmental Relations (IACIR)

**Governance:** The IACIR consists of 24 members, 11 of whom represent the state government, 11 of whom represent local government at the city, county, township and regional levels, and two citizens. The commission selects a director who oversees the agency's day-to-day activities.

**Purpose:** The mission of the IACIR is to create effective communication, cooperation and partnerships between federal, state and local units of government to improve the delivery of services to the citizens of Indiana. This involves working toward better understanding of the process of government, better communication between all levels of government and citizens, long-term planning between all levels of government and applied research on policy areas.

**Contact:** Indiana University Public Policy Institute  
O'Neill School of Public and Environmental Affairs  
101 W. Ohio St., Ste. 400  
Indianapolis, IN 46204-4206

Phone: (317) 278-1345  
 Internet: [iacir.spea.iupui.edu](http://iacir.spea.iupui.edu)

## Indiana Election Commission

**Governance:** The Indiana Election Commission consists of four individuals, with no more than two members from the same major political party. The governor appoints each member to a two-year term following nominations from the appropriate state party chairmen. The commission is served by the Indiana Election Division, which is a department within the office of the secretary of state. The two co-directors of the division are appointed by the governor.

**Purpose:** The Indiana Election Commission is responsible for implementing state and federal election laws, advising local election officials, certifying voting systems used and sold in Indiana, enforcing campaign finance penalties and disclosure requirements, determining the eligibility of state and legislative candidates, and overseeing the establishment of precinct boundaries.

**Contact:** Indiana Election Commission  
 Indiana Government Center South  
 302 W. Washington St., Rm. E204  
 Indianapolis, IN 46204  
 Phone: (317) 232-3939  
 Internet: [www.in.gov/sos/elections](http://www.in.gov/sos/elections)

## Indiana Lobby Registration Commission (ILRC)

**Governance:** The ILRC is governed by a four-member, bipartisan commission, with each member appointed by the legislative leadership to a term of four years. Daily affairs are overseen by the agency's executive director.

**Purpose:** The ILRC is responsible for registering lobbyists and monitoring lobbying activities to ensure compliance with the law. The commission may receive and hear complaints alleging violations of the lobby law, and it may conduct investigations and hearings related to these allegations. The commission's goal is to make available to the public a general profile of lobbying activity in Indiana. The commission maintains lobbyist records, which are accessible to the public at its office and online.

**Contact:** Indiana Lobby Registration Commission  
 10 W. Market St., Ste. 2070  
 Indianapolis, IN 46204  
 Phone: (317) 232-9860  
 Internet: [www.in.gov/ilrc](http://www.in.gov/ilrc)

## Indiana Utility Regulatory Commission (IURC)

**Governance:** The IURC consists of five commissioners, at least one of whom must be an attorney. The commissioners are appointed to four-year terms by the governor with the aid of a nominating committee, with reappointments made by the governor.

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**Purpose:** The IURC is an administrative agency that hears evidence in cases filed before it and makes decisions based on the evidence presented in those cases. An advocate of neither the public nor the utilities, the IURC is required by state statute to make decisions in the public interest to ensure the utilities provide safe and reliable service at just and reasonable rates.

**Contact:** Indiana Utility Regulatory Commission  
101 W. Washington St., Ste. 1500E  
Indianapolis, IN 46204  
Phone: (317) 232-2701  
Internet: [www.in.gov/iurc](http://www.in.gov/iurc)

## Legislative Services Agency

**Governance:** The Legislative Services Agency is the staff arm of the General Assembly's Legislative Council. It is led by an executive director who is appointed by the council.

**Purpose:** The Legislative Services Agency's duties include drafting bills, research, code revision and publication, fiscal analysis, administrative and other services as requested by the Legislative Council.

**Contact:** Legislative Services Agency  
200 W. Washington St., Ste. 301  
Indianapolis, IN 46204  
Phone: (317) 233-0696 or (317) 232-9856  
Internet: [www.iga.in.gov](http://www.iga.in.gov)

## Management Performance Hub (MPH)

**Governance:** The Management Performance Hub (MPH) became an agency on July 1, 2017, when the Indiana Open Data Act codified interagency data sharing, formally incorporating data-driven decision-making into state government culture. MPH is managed by the state's chief data officer who is appointed by the governor.

**Purpose:** MPH's projects align with the governor's priorities, supporting partner agencies' initiatives around modernizing economic development tools, preparing our future workforce through education and career training, improving health and attacking the drug epidemic, and providing great government service. Other organizations are benefitting as well. The public now has access to open datasets through the Indiana Data Hub. Organizations are also collaborating on data initiatives with the state through the Indiana Data Partnership. These efforts allow state initiatives to move beyond the confines of state agencies and empower external entities to generate positive returns for Hoosiers.

**Contact:** Indiana Management Performance Hub  
200 W. Washington St., Rm. 105  
Indianapolis, IN 46204  
Phone: (317) 232-2698  
Internet: [www.in.gov/mph](http://www.in.gov/mph)

## Indiana Office of Utility Consumer Counselor (OUCC)

**Governance:** The OUCC is headed by the utility consumer counselor, who is appointed by the governor. The counselor directs an office of more than 50 people, including attorneys, accountants, economists, engineers, external affairs representatives and administrative staff.

**Purpose:** The OUCC is the state agency that represents the interests of Indiana utility ratepayers – including residential, commercial and industrial consumers – in state and federal regulatory proceedings. This includes more than 300 cases before the Indiana Utility Regulatory Commission each year, along with proceedings before the Federal Energy Regulatory Commission, Indiana Court of Appeals, and Indiana Supreme Court. The OUCC’s mission is to represent all Indiana consumers to ensure quality, reliable utility services at the most reasonable prices possible through dedicated advocacy, consumer education and creative problem solving.

**Contact:** Indiana Office of Utility Consumer Counselor  
115 W. Washington St., Ste. 1500 South  
Indianapolis, IN 46204  
Phone: (317) 232-2494  
Internet: [www.in.gov/oucc](http://www.in.gov/oucc)

## Professional Licensing Agency

**Governance:** The Professional Licensing Agency is headed by an executive director who is appointed by the governor. This staff oversees the operations of licensing boards, commissions and committees that license over 90 individual license types, temporary permits, facility/company license types, Controlled Substance Registration types, different corporation types, and registration types.

**Purpose:** To provide efficient and effective administrative support services to Indiana’s professional licensing boards and commissions in order to facilitate the delivery of competent consumer services by regulated professionals to the citizens of Indiana. To provide an expedient licensing process for regulated professionals by maintaining a climate that fosters the growth of commerce while ensuring the health, safety and welfare of the citizens of our great state.

**Contact:** Professional Licensing Agency  
Indiana Government Center South  
402 W. Washington St., Rm. W072  
Indianapolis, IN 46204  
Phone: (317) 234-3022  
Internet: [www.in.gov/pla](http://www.in.gov/pla)

## State Employees’ Appeals Commission (SEAC)

**Governance:** The State Employees’ Appeals Commission (SEAC) is established by statute (IC 4-15-1.5) and its commission members are appointed by the governor.

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**Purpose:** SEAC impartially and fairly hears qualified state employees' appeals under the Civil Service System (IC 4-15-2.2). It is SEAC's goal to provide reliable, prompt and excellent service to the parties and constituents before the commission.

**Contact:** State Employees' Appeals Commission  
Indiana Government Center North  
100 N. Senate Ave., Rm. N103  
Indianapolis, IN 46204  
Phone: (317) 232-3135  
Internet: [www.in.gov/seac](http://www.in.gov/seac)

## Human Services Agencies

### Indiana Department of Child Services (DCS)

**Governance:** DCS is headed by a director who is appointed by the governor. This individual oversees thousands of employees throughout all parts of the state.

**Purpose:** DCS was created by executive order of the governor in 2005. The DCS is charged with providing more direct attention and oversight of two critical areas: protection of children and child support enforcement. DCS protects children who are victims of abuse or neglect and strengthens families through services that focus on family support and preservation. The department also administers child support, child protection, adoption and foster care throughout the state.

**Contact:** Indiana Department of Child Services  
Indiana Government Center South  
302 W. Washington St., Rm. E306  
Indianapolis, IN 46204  
Phone: (317) 234-5437  
Internet: [www.in.gov/dcs](http://www.in.gov/dcs)

### Indiana Department of Veterans' Affairs

**Governance:** The Indiana Department of Veterans Affairs is supervised by a director and a nine-member commission, all appointed by the governor. Four non-voting advisory members of the general assembly are appointed. Two members of the Senate – one from each political party – are appointed by the president pro tempore of the Senate. Two members of the House of Representatives – one from each political party – are appointed by the speaker of the House of Representatives. These members must serve on a standing committee in the House or Senate that has subject matter jurisdiction over military and veterans affairs.

**Purpose:** The Indiana Department of Veterans Affairs is focused on aiding and assisting Hoosier veterans and their family members in accessing state or federal benefits. Its responsibilities include: training and certifying county veterans service officers; overseeing the Indiana Veterans' Home; overseeing the Indiana Veterans Memorial Cemetery in Madison;

administering the Military Family Relief Fund; reviewing and approving eligibility for disabled Hoosier veteran license plates, property tax deductions, and hunting and fishing licenses; and overseeing implementation of the tuition and fee remission program. The department also administers the State Approving Agency (SAA), which is tasked with the responsibility of approving all public/private schools, universities, and apprenticeship programs for those eligible for GI Bill educational benefits. In addition, the SAA approves on-the-job training for medical- and hospital-based programs, flight schools, real estate and barber/beauty schools.

**Contact:** Indiana Department of Veterans' Affairs  
Indiana Government Center South  
302 W. Washington St., Rm. E120  
Indianapolis, IN 46204  
Phone: (800) 400-4520  
Internet: [www.in.gov/dva](http://www.in.gov/dva)

## **Indiana Family and Social Services Administration (FSSA)**

**Governance:** The FSSA is directed by the secretary who is appointed by the governor and who is a member of the governor's cabinet. The secretary oversees a staff of 5,000 people in offices and facilities throughout the state.

**Purpose:** The FSSA is a health care and social service funding agency. It is the primary agency financing social service programs for the state of Indiana. The FSSA staff and hundreds of contract providers serve low-income individuals and families, senior citizens, people with mental illness, people with addictions, and people with physical and developmental disabilities. The agency administers the state's Medicaid program, state mental hospitals and community mental health centers, and licensing childcare providers, to name but a few.

**Contact:** Indiana Family and Social Services Administration  
Indiana Government Center South  
402 W. Washington St., Rm. W461  
Indianapolis, IN 46204  
Phone: (317) 233-4454  
Internet: [www.in.gov/fssa](http://www.in.gov/fssa)

## **Indiana Governor's Council for People with Disabilities**

**Governance:** The Indiana Governor's Council for People with Disabilities (GCPD) consists of a board appointed by the governor. Of the board members, 60% must be people with disabilities or their family members. Daily affairs of the agency are the responsibility of an executive director.

**Purpose:** The mission of the GCPD is to promote public policy that leads to the independence, productivity and inclusion of people with disabilities in all aspects of society. This mission is accomplished through planning, evaluation, collaboration, education, research and advocacy.

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**Contact:** Indiana Governor's Council for People with Disabilities  
402 W. Washington St., Rm. E145  
Indianapolis, IN 46204  
Phone: (317) 232-7770  
Internet: [www.in.gov/gcpd](http://www.in.gov/gcpd)

## Indiana State Department of Health

**Governance:** The Indiana State Department of Health is headed by the state health commissioner, a licensed physician appointed by the governor. The commissioner functions as the secretary of the 11-member executive board, whose members are appointed by the governor for overlapping terms of four years.

**Purpose:** The State Department of Health is the major public health agency in Indiana. Its mission is to promote and provide public health services to create a healthier and safer Indiana. To carry out its mission, the department is organized into six commissions: Health and Human Services; Consumer Service and Health Care Regulation; Operational Services; Public Health and Epidemiology; Public Health Protection and Laboratory Services; and Tobacco Prevention and Cessation.

**Contact:** Indiana State Department of Health  
2 N. Meridian St.  
Indianapolis, IN 46204  
Phone: (317) 233-1325  
Internet: [www.in.gov/isdh](http://www.in.gov/isdh)

## Indiana Tobacco Prevention and Cessation Commission

**Governance:** The Indiana Tobacco Prevention and Cessation Commission is headed by the director of Tobacco Prevention and Cessation.

**Purpose:** The Tobacco Prevention and Cessation Commission exists to prevent and reduce the use of all tobacco products in Indiana and to protect citizens from exposure to tobacco smoke. The board coordinates and allocates resources from the Trust Fund to:

- change the cultural perception and social acceptability of tobacco use in Indiana;
- prevent the initiation of tobacco use by Indiana youth;
- assist tobacco users in cessation;
- assist in reduction and protection from secondhand smoke;
- support the enforcement of tobacco laws concerning the sale of tobacco to youth and use of tobacco by youth; and
- eliminate minority health disparities related to tobacco use and emphasize prevention and reduction of tobacco use by minorities, pregnant women, children, youth and other at-risk populations.

**Contact:** Indiana Tobacco Prevention and Cessation Commission  
Indiana State Department of Health



2 N. Meridian St.  
 Indianapolis, IN 46204  
 Phone: (317) 234-1784  
 Internet: [www.in.gov/isdh/tpc](http://www.in.gov/isdh/tpc)

## Legal/Correction Agencies

### Indiana Alcohol and Tobacco Commission (ATC)

**Governance:** The ATC is composed of four members appointed by the governor of Indiana. There are also local alcoholic beverage boards in each of the state's 92 counties that consider and review all applications for alcoholic beverage permits in their particular area. An important part of the Commission is its law enforcement division, the Indiana State Excise Police. State Excise Police enforce the laws of the state of Indiana related to alcoholic beverages, as well as the rules of the Commission.

**Purpose:** The Indiana Alcoholic Beverage Commission was created by an Act of the Indiana General Assembly in 1933, following the repeal of Prohibition. Effective July 1, 2001, the name was changed to the Alcohol and Tobacco Commission. The general purposes of the Alcohol and Tobacco Commission's work, as defined by law, are:

- to protect the economic welfare, health, peace, and morals of the people of this state;
- to regulate and limit the manufacture, sale, possession, and use of alcohol and alcoholic beverages; and
- to provide for the raising of revenue.

**Contact:** Indiana Alcohol and Tobacco Commission  
 Indiana Government Center South  
 302 W. Washington St., Rm. E114  
 Indianapolis, IN 46204  
 Phone: (317) 232-2430  
 Internet: [www.in.gov/atc](http://www.in.gov/atc)

### Indiana Civil Rights Commission

**Governance:** The Indiana Civil Rights Commission was established in 1961. It is led by a seven-member supervisory commission and a director, all of whom are appointed by the governor.

**Purpose:** The ICRC enforces Indiana's civil rights laws and provides education and services to the public in an effort to ensure equal opportunity for all Hoosiers and visitors to the state of Indiana. The ICRC investigates complaints of discrimination and educates organizations, companies, landlords, associations and individuals on their rights and responsibilities under Indiana civil rights laws.

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**Contact:** Indiana Civil Rights Commission  
100 N. Senate Ave., Rm. N300  
Indianapolis, IN 46204  
Phone: (317) 232-2600  
Internet: [www.in.gov/icrc](http://www.in.gov/icrc)

## Indiana Department of Correction (IDOC)

**Governance:** The Department of Correction is headed by a commissioner who is appointed by the governor. With more than 6,000 employees, the IDOC is comprised of 18 adult facilities, three juvenile facilities, 10 parole districts, 89 community corrections counties, a central administrative office and countless community partnerships. The department is responsible for the safety and security of more than 27,000 adults and 400 juveniles inside Indiana's correctional facilities.

**Purpose:** The Indiana Department of Correction advances public safety and successful re-entry through dynamic supervision, programming and partnerships. The department operates the state's correctional facilities and minimum-security programs, including work release and parole supervision. For offenders, it provides a variety of academic and vocational training programs and farm and industry jobs.

**Contact:** Indiana Department of Correction  
Indiana Government Center South  
302 W. Washington St., Rm. E334  
Indianapolis, IN 46204  
Phone: (317) 232-5711  
Internet: [www.in.gov/idoc](http://www.in.gov/idoc)

## IDOC – Division of Youth Services (DYS)

**Governance:** The Division of Youth Services (DYS) was created to serve the needs of those youth adjudicated to the Indiana Department of Correction (IDOC). Dys provides services for all 92 counties in the state of Indiana, providing secure care in the three juvenile facilities and providing re-entry services, parole and community placement oversight. Dys also oversees juvenile community corrections and conducts inspections of local detention centers.

**Purpose:** Dys is committed to providing services to youth in the least restrictive setting possible. Dys continually works toward enhancing the services we provide to the youth in our care. Several major reform efforts that underscore our commitment and dedication to foster positive developments in the field of juvenile justice. Through these efforts and future collaborations with juvenile justice stakeholders throughout the state of Indiana, we will work to improve the level of juvenile services provided to the youth in our care, and assist in improving services throughout all levels of the juvenile justice system. In so doing, we believe we can improve the lives and futures of these youth, and reduce both juvenile and adult recidivism rates.

**Contact:** IDOC – Division of Youth Services  
302 W. Washington St., Rm. E334

Indianapolis, IN 46204  
Phone: (317) 232-5711  
Internet: [www.in.gov/idoc/dys](http://www.in.gov/idoc/dys)

## Indiana Law Enforcement Academy (ILEA)

**Governance:** The governing body of the ILEA and satellite academies is the Law Enforcement Training Board. Board members are selected by the governor and consist of three county sheriffs, four chiefs of police, one prosecuting attorney, one judge with criminal jurisdiction, and one member representing each of the following groups: professional journalism, medical profession, education, business and industry, labor, and one member representing Indiana elected officials of counties, cities and towns. The superintendent of the Indiana State Police serves as chairperson of the board and the deputy director of the division of preparedness and training of the Department of Homeland Security serves as vice chairperson. In turn, the board appoints an executive director as the administrative head of the academy.

**Purpose:** The ILEA is Indiana's center for law enforcement education. The academy prepares the state's law enforcement professionals through rigorous training in areas including criminal and traffic law, firearms proficiency, emergency vehicle operations, physical tactics, human behavior, conflict management, ethics and cultural awareness. The academy also provides specialized training programs for town marshals, reserves, and jail and communication officers.

**Contact:** Indiana Law Enforcement Academy  
5402 Sugar Grove Rd.  
P.O. Box 313  
Plainfield, Indiana 46168  
Phone: (317) 839-5191  
Internet: [www.in.gov/ilea](http://www.in.gov/ilea)

## Indiana Prosecuting Attorneys Council (IPAC)

**Governance:** IPAC is overseen by a 10-member board of directors who are elected by council members throughout the state. Daily activities of the council are overseen by an executive director who is employed by the board.

**Purpose:** The IPAC assists prosecuting attorneys by preparing manuals, providing legal research, and conducting training seminars. It serves as a liaison to local, state, and federal agencies, study commissions, and community groups in an effort to support law enforcement and promote the fair administration of justice.

**Contact:** Indiana Prosecuting Attorneys Council  
Indiana Government Center South  
302 W. Washington St., Rm. E205  
Indianapolis, IN 46204  
Phone: (317) 232-1836  
Internet: [www.in.gov/ipac](http://www.in.gov/ipac)

## **Indiana Public Defender Council (IPDC)**

**Governance:** The IPDC is governed by an 11-member board of directors; 10 members are elected by council members throughout the state, and the 11th member is the state public defender. Daily activities of the council are overseen by an executive director who is employed by the board.

**Purpose:** IPDC membership consists of all salaried and contractual public defenders and attorneys regularly appointed to represent indigent people in Indiana. The purpose of the council is to provide training, publications and research to its members, and maintain liaison contact with study commissions, organizations and agencies of all branches of local, state and federal government that will benefit criminal defense as part of the fair administration of justice in Indiana.

**Contact:** Indiana Public Defender Council  
309 W. Washington St., Ste. 401  
Indianapolis, IN 46204  
Phone: (317) 232-2490  
Internet: [www.in.gov/pdc](http://www.in.gov/pdc)

## **Indiana State Department of Toxicology (ISDT)**

**Governance:** The ISDT's staff is overseen by a director, and the agency also has a general counsel.

**Purpose:** ISDT supports the criminal justice system through analyses for alcohol and selected drugs in blood samples submitted by law enforcement agencies and coroners; furnishing expert testimony and education on the pharmacology and toxicology of drugs; training and certifying law enforcement officers to administer breath tests for alcohol; inspecting, maintaining, and certifying breath test instruments; and certifying ignition interlock device models. We believe quality results are obtained through professional, ethical and unbiased analyses of evidentiary specimens entrusted to the department for testing. The key to interpreting and understanding these results is achieved through the department's open communication and willingness to instruct others on the science of forensic toxicology.

**Contact:** Indiana State Department of Toxicology  
550 W. 16th Street  
Indianapolis, IN 46202  
Phone: (317) 921-5000  
Internet: [www.in.gov/isdt](http://www.in.gov/isdt)

## **Indiana State Ethics Commission**

**Governance:** The Indiana State Ethics Commission is made up of five people appointed by the governor. They hold four-year terms, renewable by the governor. No more than three members may be of the same political party, and no member may hold state office, be employed by the state or be a registered lobbyist. An executive director oversees the day-to-day activities of the agency.

**Purpose:** The mission of the Indiana State Ethics Commission is to promote the ethical conduct of state officers, employees, and special state appointees in the executive branch of state government. To this end, the commission issues advisory opinions and receives and hears complaints of Code of Ethics violations.

**Contact:** Indiana State Ethics Commission  
315 W. Ohio St., Rm. 104  
Indianapolis, IN 46202  
Phone: (317) 232-3850  
Internet: [www.in.gov/ig](http://www.in.gov/ig)

## Office of the Inspector General

**Governance:** The Office of the Inspector General was established first by executive order in 2005 and made permanent by statute in IC 4-2-7-2. The office is led by the inspector general who is appointed by the governor. The inspector general must be an attorney licensed to practice in Indiana.

**Purpose:** The mission of the Office of the Inspector General is to reduce fraud, waste, abuse, mismanagement and wrongdoing in state executive branch agencies. Through education, advice, investigations, prosecutions and legislative recommendations, the inspector general fosters a culture of integrity that contributes to public confidence in state government. The inspector general investigates only the executive branch and its administrative agencies, not the legislative or judicial branches of Indiana government.

**Contact:** Office of the Inspector General  
315 W. Ohio St., Room 104  
Indianapolis, IN 46204  
Phone: (317) 232-3850  
Internet: [www.in.gov/ig](http://www.in.gov/ig)

## Office of the Public Access Counselor

**Governance:** The Office of the Public Access Counselor is led by the public access counselor, who is a gubernatorial appointee. The counselor must be a practicing attorney.

**Purpose:** The Office of the Public Access Counselor was created in order to provide advice and assistance concerning Indiana's public access laws to members of the public and to government officials and their employees. The two primary public access laws are the Access to Public Records Act, which permits members of the public to inspect and copy records held by government agencies, and the Open Door Law, which requires meetings of government bodies to be held in public. Other important responsibilities of this agency include providing education and training to those who have an interest in learning more about Indiana's public access laws.

**Contact:** Office of the Public Access Counselor  
Indiana Government Center South  
402 W. Washington St., Rm. W470

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Indianapolis, IN 46204  
Phone: (317) 234-0906  
Internet: [www.in.gov/pac](http://www.in.gov/pac)

## Indiana Correctional Industries

**Governance:** Indiana Correctional Industries is a division of the Indiana Department of Correction.

**Purpose:** Indiana Correctional Industries is dedicated to providing offenders real-world training programs that develop work ethics, skills and abilities to support successful re-entry.

**Contact:** Indiana Correctional Industries  
2010 E. New York St.  
Indianapolis, IN 46201  
Phone: (317) 955-6800  
Internet: [www.IndianaCorrectionalIndustries.com](http://www.IndianaCorrectionalIndustries.com)

## Public Safety Agencies

### Coroners Training Board

**Governance:** The Indiana State Coroners Training Board was established by the Indiana General Assembly in 1994. The Training Board is made up of six persons: the chairperson of the Indiana State Department of Health (or designee), the superintendent of the Indiana State Police (or designee), and four elected coroners appointed by the governor. The Training Board has two employees: the executive administrative assistant and the director of training. These two employees oversee the daily business of the board, conduct certification trainings and in-service trainings. The Training Board then contracts with a private company to oversee testing and testing results.

**Purpose:** The Training Board was created to establish a certification training course and continuing education course for coroners and their deputies. The Training Board was established at the request of coroners throughout Indiana to provide more professionalism to the office and to make sure all death investigations collectively were conducted in a uniform manner.

**Contact:** Indiana State Coroners Training Board  
Phone: (765) 479-1934  
Internet: [www.in.gov/ctb](http://www.in.gov/ctb)

### Department of Homeland Security (IDHS)

**Governance:** The Department of Homeland Security is headed by an executive director who is appointed by the governor.

**Purpose:** The Department of Homeland Security (IDHS) was created in 2005 through the combination of several existing agencies aimed at emergency management, domestic security and public safety by providing statewide leadership that is responsive to Hoosiers'

concerns, and expertise for the enhancement of public and private partnerships and the support of local, state and federal collaboration. The goal is to protect Indiana's people, property and prosperity.

The **Division of Emergency Response and Recovery** supports first responders and communities as they prepare for and respond to a disaster or large-scale event. The division also works with local emergency response leaders (such as a county emergency management agency staff, emergency medical technicians and firefighters) and local jurisdictions including individuals, local governments, businesses, and non-profit and community groups during the recovery process following an emergency. Finally, staff assist with mitigation programs across the state that work to provide long-term solutions to reduce the impact of future disasters.

The **Division of Planning, Training, Exercise and Grants** is responsible for the oversight of statewide all-hazards emergency preparedness. This includes the development of statewide emergency management plans, preparing and educating emergency responders, exercising response capabilities throughout the state, and assisting jurisdictions in successful grant management to better prepare communities.

**Contact:** Department of Homeland Security  
Indiana Government Center South  
302 W. Washington St., Rm. E208  
Indianapolis, IN 46204  
Phone: (317) 232-2222  
Internet: [www.in.gov/dhs](http://www.in.gov/dhs)

## **Indiana Criminal Justice Institute (ICJI)**

**Governance:** ICJI is governed by a board of trustees consisting of the governor, attorney general, superintendent of the state police, and commissioner of the Department of Correction, or their designees; the executive directors of the Indiana Office of Court Services, Prosecuting Attorneys Council, and Public Defenders Council; and eight other members appointed by the governor. Of these eight members, one must be a sheriff, one must be a chief of police, one must be a judge, and the remaining five must be citizens who have manifested an interest in criminal or juvenile justice, one of whom must be a member of the state advisory group under the Juvenile Justice Act. A senator appointed by the president pro tempore and a representative appointed by the speaker of the House of Representatives serve as nonvoting advisors. Daily affairs of the agency are the responsibility of an executive director.

**Purpose:** ICJI serves as the state's planning and administrating agency for criminal justice, juvenile justice, traffic safety, and victim services. The Institute develops long-range strategies for the effective administration of Indiana's criminal and juvenile justice systems and administers federal and state funds to carry out these strategies. The Institute evaluates state and local programs associated with law enforcement, the administration of criminal and juvenile justice, and the prevention, detection, and solution of criminal offenses. ICJI is also responsible for stimulating research by an alliance of state universities to find new methods for reduction of crime and delinquency.

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**Contact:** Indiana Criminal Justice Institute  
101 W. Washington St.  
East Tower, Ste. 1170  
Indianapolis, IN 46204  
Phone: (317) 232-1233  
Internet: [www.in.gov/cji](http://www.in.gov/cji)

## Indiana Intelligence Fusion Center (IIFC)

**Governance:** Governance by state statute is via the Indiana State Police.

**Purpose:** The purpose of IIFC is to collect, integrate, evaluate, analyze and disseminate information and intelligence to support local, state and federal agencies in detecting, preventing and responding to criminal and terrorist activity. The IIFC co-locates representatives of these agencies to share information and to facilitate joint efforts to prevent and solve crimes to protect the public.

Following the events of September 11, 2001, many local, state and federal agencies initiated efforts to improve information sharing and intelligence gathering. Throughout the nation, numerous states developed new workgroups to develop these efforts. Indiana was among these states and in 2006 created the Indiana Intelligence Fusion Center (IIFC).

**Contact:** Indiana Intelligence Fusion Center  
302 W. Washington St., Rm. W-043  
Indianapolis, IN 46204  
Phone: (866) 400-IIFC  
Internet: [www.in.gov/iifc](http://www.in.gov/iifc)

## Indiana National Guard

**Governance:** The governor is commander-in-chief of the Indiana National Guard. Day-to-day operations of the Indiana National Guard, however, are the responsibility of the adjutant general, who is the executive and administrative head of the department. The adjutant general is appointed by the governor, and then in turn appoints two assistant adjutants general. One assistant is responsible for the operation of the Indiana Army National Guard, and one is responsible for the Indiana Air National Guard. All facilities used by the Indiana National Guard are provided, managed and cared for by the state armory board, which consists of the governor, the adjutant general and five members appointed by the governor, all of whom must be or must have been military officers.

**Purpose:** The state mission of the Indiana National Guard is to provide forces for domestic emergencies, provide disaster relief, maintain public peace and order, and participate in civil defense pre-attack planning. During emergencies, the Indiana National Guard assists the Indiana Department of Homeland Security at the direction of the governor. The federal mission is to maintain properly trained and equipped units available for war and national emergencies. Under normal circumstances, the Indiana National Guard is under the command and control of the governor and adjutant general; when federalized, the Guard is under the command and control of the president of the United States.



**Contact:** Indiana National Guard  
2002 S. Holt Rd.  
Indianapolis, IN 46241  
Phone: (317) 247-3300  
Internet: [www.in.ng.mil](http://www.in.ng.mil)

## **Indiana Office of Defense Development (IODD)**

**Governance:** The Indiana Office of Defense Development (IODD) was established by Executive Order 13-6 in January of 2013 and soon after established by Senate Bill 529 with 100% backing by both the Indiana House and Senate membership. IODD falls under the lieutenant governor's family of businesses and plans to capitalize on the rich heritage Indiana has of serving our nation in the area of defense. Indiana is an extremely patriotic state and Hoosiers place a high value on Indiana's defense installations and defense-related industry. Indiana has the fourth-largest National Guard and is consistently one of the largest military recruiting states on a per capita basis.

**Purpose:** IODD focuses on growing Indiana's defense sector by promoting the defense assets located in Indiana. We work to create new products that preserve and grow Indiana's military installations and attract companies – those that are presently in Indiana as well as those that are interested in relocating – to retain and grow the defense-related industry in Indiana. IODD assists in the commercialization of DoD and other federal intellectual property and assets creating additional high-quality jobs for Indiana.

**Contact:** Indiana Office of Defense Development (IODD)  
101 West Kirkwood Ave., Ste. 310  
Bloomington, IN 47404  
Phone: 812-583-2482  
Internet: [www.in.gov/iodd](http://www.in.gov/iodd)

## **Indiana State Excise Police**

**Governance:** The Indiana State Excise Police is the law enforcement division of the Alcohol and Tobacco Commission. State excise officers are empowered by statute to enforce the laws and rules of the Alcohol and Tobacco Commission and the laws of the state of Indiana.

**Purpose:** The agency is committed to excellence and professionalism, utilizing advanced technology, professional law enforcement development and training, as well as partnerships with other state, local and federal agencies to ensure public safety. The agency's primary goal is to reduce the access and availability of alcohol and tobacco products to minors. To achieve this important goal, the agency offers training programs to the alcoholic beverage industry and tobacco vendors, and provides civic and educational programs for youth.

**Contact:** Indiana State Excise Police  
Indiana Government Center South  
302 W. Washington St., Room E-112  
Indianapolis, IN 46204

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Phone: (317) 232-2452  
Internet: [www.in.gov/atc/iseip](http://www.in.gov/atc/iseip)

### Indiana State Police

**Governance:** The chief administrative officer of the Indiana State Police is a governor-appointed superintendent. The governor also names a bipartisan State Police Board that consists of six people, each representing a geographical area of the state and serving a four-year term.

**Purpose:** The Indiana State Police exercise general police functions in Indiana. They are charged with enforcing all criminal and traffic laws while also cooperating with the Department of Transportation to enforce state laws relative to oversize trucks and trailers. The Indiana State Police is composed of operational divisions: Commercial Vehicle Enforcement, Communications, Criminal Investigation, Field Enforcement, Fiscal, Human Resources, Information Technology, Laboratory, Logistics, Public Information, and Records and Training.

**Contact:** Indiana State Police  
Indiana Government Center North  
100 N. Senate Ave., Ste. N302  
Indianapolis, IN 46204  
Phone: (317) 232-8264  
Internet: [www.in.gov/isp](http://www.in.gov/isp)

### Indiana Veterans Home

**Governance:** The Indiana Veterans Home falls under the governance of the Indiana Department of Veterans' Affairs.

**Purpose:** The Indiana Veterans Home in West Lafayette provides nursing care, short-term rehabilitation services and domiciliary care for honorably discharged Hoosier veterans and their spouses. Eligible veterans have resided in Indiana for at least 12 months prior to admission, although residency waiver requests may be considered. There is no wartime service requirement.

**Contact:** Indiana Veterans Home  
3851 N. River Rd.  
West Lafayette, IN 47906  
Phone: (765) 463-1502  
Internet: [www.in.gov/ivh](http://www.in.gov/ivh)

### Indiana Veterans Memorial Cemetery

**Governance:** The Indiana Veterans Memorial Cemetery falls under the governance of the Indiana Department of Veterans' Affairs.

**Purpose:** The Indiana Veterans Memorial Cemetery is dedicated to veterans and their families as

a lasting memorial and final resting place, in appreciation and gratitude for their service and sacrifice to our nation.

**Contact:** Indiana Veterans Memorial Cemetery  
1415 North Gate Rd.  
Madison, IN 47250  
Phone: (812) 273-9220  
Internet: [www.in.gov/dva/2328.htm](http://www.in.gov/dva/2328.htm)

## **Integrated Public Safety Commission (IPSC)**

**Governance:** The IPSC consists of 12 members representing a variety of public safety agencies, along with municipal and county executives. The commission has representation from jurisdictions throughout Indiana. The agency is headed by an executive director appointed by the commission members.

**Purpose:** The IPSC mission is to facilitate statewide public safety communications. IPSC provides an interoperable and reliable public safety communications system to all Hoosier first responders and public safety professionals for use during routine, emergency and task force situations. The IPSC's primary goal is to strengthen community safety and security by minimizing the financial and technological barriers to interoperable communications through interagency cooperation.

**Contact:** Integrated Public Safety Commission  
100 N. Senate Ave., Rm. N340  
Indianapolis, IN 46204  
Phone: (317) 234-1541  
Internet: [www.in.gov/ipsc](http://www.in.gov/ipsc)

## **Tax and Finance Agencies**

### **Department of Financial Institutions (DFI)**

**Governance:** The policy-making power of the Department of Financial Institutions is vested in a seven-member bipartisan board appointed by the Governor. The director, who is an ex officio, voting member, oversees the day-to-day operations of the department. The department is comprised of five divisions: Banks and Trust Companies, Consumer Credit, Credit Unions, Administration, and Legal.

**Purpose:** The department was created by the Indiana Financial Institutions Act of 1933. This act commissioned the department with the responsibility for supervising commercial banks, trust companies, private banks, savings banks, building and loan associations, credit unions and finance companies incorporated under the laws of the State of Indiana. Since that time the scope of regulatory responsibility with which the department has been charged has been broadened to include the supervision of industrial loan and investment companies, pawnbrokers, money transmitters, check cashers, debt management companies, rental purchase companies, licensees and registrants under

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the Uniform Consumer Credit Code, licensees under the Indiana Small Loan Act, first lien mortgage lending companies and loan originators employed by licensed mortgage lenders. Through safety and soundness examinations and compliance examinations, the DFI seeks to assure the protection of the interests of depositors, borrowers, shareholders and consumers.

**Contact:** Department of Financial Institutions  
30 S. Meridian St., Ste. 300  
Indianapolis, IN 46204  
Phone: (317) 232-3955  
Toll-free: (800) 382-4880  
Internet: [www.in.gov/dfi](http://www.in.gov/dfi)

## Department of Local Government Finance (DLGF)

**Governance:** The DLGF is directed by a commissioner who is appointed by the governor and serves as the executive and chief administrative officer of the department. The commissioner must be an individual with appropriate training and experience.

**Purpose:** The Department of Local Government Finance is responsible for ensuring property tax assessment and local government budgeting are carried out in accordance with Indiana law. The Department is charged with publishing property tax assessment rules and annually reviewing and approving the tax rates and levies of every political subdivision in the state, including all counties, cities, towns, townships, school corporations, libraries, and other entities with tax levy authority.

**Contact:** Department of Local Government Finance  
100 N. Senate Ave., Rm. N1058(B)  
Indianapolis, IN 46204  
Phone: (317) 232-3777  
Internet: [www.in.gov/dlhf](http://www.in.gov/dlhf)

## Department of Revenue (DOR)

**Governance:** The DOR is headed by a commissioner who is appointed by the governor. The commissioner reports to the director of the Office of Management and Budget and oversees approximately 650 full-time employees, as well as an additional 100 temporary employees during tax season.

**Purpose:** The DOR administers tax laws and collects tax revenues in a fair, consistent and efficient manner for Indiana taxpayers and provides funding and information to state and local constituents. It also maintains operation of the Returns Processing Center and the Motor Carrier Services Division at the Ameriplex complex, west of Indianapolis. Additionally, the DOR provides service through 12 district offices located throughout Indiana, and representatives in nine other states. The department conducts operations through 10 internal divisions, each responsible for a specific business function.

**Contact:** Department of Revenue  
100 N. Senate Ave.  
Indianapolis, IN 46204  
Phone: (317) 232-2240  
Internet: [www.in.gov/dor](http://www.in.gov/dor)

## Indiana Board for Depositories

**Governance:** The Indiana Board for Depositories consists of the governor, treasurer of state, state auditor, chairperson of the Commission for Financial Institutions, chief examiner of the State Board of Accounts, one member appointed by the speaker of the House of Representatives, one speaker appointed by the president pro-tempore of the Senate, and two members appointed by the governor. The governor serves as chairperson of the board. The treasurer of state serves as secretary/investment manager and administers the board's activities.

**Purpose:** The Indiana Board for Depositories is an independent body created to ensure the safekeeping and prompt payment of all public funds deposited in any approved depository to the extent that they are not covered by federal insurance. The board maintains and operates the Public Deposit Insurance Fund.

**Contact:** Indiana Board for Depositories  
1 N. Capitol Ave., Ste. 900  
Indianapolis, IN 46204  
Phone: (317) 232-5257  
Internet: [www.in.gov/tos/deposit](http://www.in.gov/tos/deposit)

## Indiana Board of Tax Review (IBTR)

**Governance:** A bi-partisan, three-member board oversees the IBTR's daily operations and issues final determinations on appeal petitions. The IBTR employs 10 administrative law judges, three senior administrative law judges, and three administrative assistants.

**Purpose:** The IBTR is a quasi-judicial body that decides property-tax appeals, including appeals concerning real and personal property assessments, exemptions and deductions. To resolve an appeal, the IBTR holds a hearing at which the parties offer evidence and argument in support of their respective positions. The IBTR then issues a final determination based on the hearing record and applicable law. The IBTR must hold hearings and issue determinations within statutorily prescribed time limits, and its determinations are subject to judicial review by the Indiana Tax Court.

**Contact:** Indiana Board of Tax Review  
100 N. Senate Ave., Rm. N-1026  
Indianapolis, IN 46204  
Phone: (317) 232-3786  
Internet: [www.in.gov/ibtr](http://www.in.gov/ibtr)

## **Indiana Bond Bank**

**Governance:** The Indiana Bond Bank is governed by a seven-member board. Statutorily appointed to the Board are the Treasurer of State, who serves as chairperson, and the Director of the Indiana Finance Authority. The governor appoints the other five board members. Daily affairs are the responsibility of an executive director.

**Purpose:** The Indiana Bond Bank's primary mission is to assist local units of government in debt issuance to finance necessary infrastructure investments. The organization operates as a financing conduit, purchasing the bonds of communities or other local government entities, and, in turn, issuing its own obligations in the financial markets. This pooling process allows local communities to realize savings by sharing otherwise fixed costs and creating economies of scale.

**Contact:** Indiana Bond Bank  
10 W. Market St., Ste. 2410  
Indianapolis, IN 46204  
Phone: (317) 233-0888  
Internet: [www.inbondbank.com](http://www.inbondbank.com)

## **Indiana Finance Authority (IFA)**

**Governance:** The members of the IFA meet monthly; there are five statutory members. The members are the director of the office of management and budget, the treasurer of the state, and three other members appointed by the governor. No more than two of the governor's appointees may be members of the same political party, and they all must be residents of the state. The IFA is managed by the Public Finance Director of the State of Indiana.

**Purpose:** The IFA's mission is to oversee state-related debt issuance and provide efficient and effective financing solutions to facilitate state, local government and business investment in Indiana. In order to provide economic efficiencies and management synergies and enable state to communicate as one voice with the various participants in the financial markets, the Indiana Development Finance Authority, the State Office Building Commission, the Indiana Transportation Finance Authority, the Recreational Development Commission, the State Revolving Fund Programs and the Indiana Brownfields Program were consolidated into the IFA on May 15, 2005. The Indiana Health and Educational Facility Financing Authority was consolidated into the IFA on August 21, 2007.

As the successor entity to these formerly separate debt-issuing entities, the IFA is authorized to issue revenue bonds payable from lease rentals under lease agreements with various state agencies and to finance or refinance the cost of acquiring, building and equipping structures for state use including state office buildings, garages, highways, bridges, airport facilities, correctional facilities, state hospitals and recreational facilities related to state parks. The IFA also manages the State Revolving Fund Loan Program and the Indiana Brownfields Program.

**Contact:** Indiana Finance Authority  
1 N. Capitol Ave., Ste. 900  
Indianapolis, IN 46204

Phone: (317) 233-4332

Internet: [www.in.gov/ifa](http://www.in.gov/ifa)

## **Indiana Housing and Community Development Authority**

**Governance:** The bipartisan, seven-member IHEDA board of directors includes three ex officio members: the lieutenant governor, the state treasurer and the director of the Indiana Finance Authority. The governor appoints the other members. The lieutenant governor serves as chairperson of the board, and daily affairs of the agency are overseen by an executive director.

**Purpose:** The IHEDA creates housing opportunities, generates and preserves assets and revitalizes neighborhoods by facilitating the collaboration of multiple stakeholders, investing financial and technical resources in development efforts, and helping build capacity of qualified partners throughout Indiana.

**Contact:** Indiana Housing & Community Development Authority  
30 S. Meridian St., Ste. 900  
Indianapolis, IN 46204  
Phone: (317) 232-7777  
Toll-free: (800) 872-0371  
Internet: [www.in.gov/iheda](http://www.in.gov/iheda)

## **Indiana State Board of Accounts**

**Governance:** The Indiana State Board of Accounts is headed by the state examiner, who is assisted by two deputy state examiners. No more than two of the three individuals appointed to the board may be members of the same political party. All positions are appointed by the governor for four-year terms, and the state examiner appointment is reviewed and approved by the Audit Subcommittee of the Legislative Council.

**Purpose:** The primary function of the State Board of Accounts is to audit or examine the accounts and records of all state and local departments, institutions, offices or other agencies, including nonprofit agencies handling public funds. Shortages of funds may be referred to the attorney general and county prosecutors for legal action. The Board of Accounts also prescribes systems of accounting and reporting for public officers in Indiana and minimum standards for internal controls that government units must design and implement.

**Contact:** Indiana State Board of Accounts  
Indiana Government Center South  
302 W. Washington St., Rm. E418  
Indianapolis, IN 46204  
Phone: (317) 232-2513  
Internet: [www.in.gov/sboa](http://www.in.gov/sboa)

## **Office of Management and Budget (OMB)**

**Governance:** The OMB is led by a director who is appointed by the governor. The director serves as chief financial officer of the state.

**Purpose:** The OMB was first created by executive order of the governor in 2005. It is responsible for comprehensive budgeting, tax, and fiscal policy of the State of Indiana as well as performance management of state agencies and their regulatory efforts. This agency oversees budgeting and financial analysis performed by the State Budget Agency. OMB also oversees tax and fiscal policy administration performed by the Department of Revenue, Department of Local Government Finance, State Budget Agency, and Indiana Board of Tax Review. This office is responsible for examining state government spending, assessing the potential financial impact of proposed laws and regulations, monitoring the General Assembly's action on spending legislation, and coordinating efforts with the Indiana Public Retirement System and the Indiana Finance Authority.

**Contact:** Office of Management and Budget  
200 W. Washington St., Rm. 212  
Indianapolis, IN 46204  
Phone: (317) 232-5617  
Internet: [www.in.gov/omb](http://www.in.gov/omb)

## **Indiana Public Retirement System (INPRS)**

**Governance:** The establishment of INPRS on July 1, 2011, completed the merging of the administration of funds between the Public Employees' Retirement Fund (PERF) and the Teachers' Retirement Fund (TRF). The INPRS Board is made up of nine members. By law, these members are appointed by the governor or hold office *ex officio*. The executive director carries out the policies set by the board and administers the funds on a daily basis.

**Purpose:** With approximately \$34 billion in assets under management at fiscal year-end 2018, INPRS is among the largest 100 pension funds in the United States. The fund serves the needs of approximately 460,000 members and retirees representing more than 1,200 employers including public universities, school corporations, municipalities and state agencies.

**Contact:** Indiana Public Retirement System  
One North Capitol, Ste. 001  
Indianapolis, IN 46204  
Phone: (888) 286-3544  
Internet: [www.in.gov/inprs](http://www.in.gov/inprs)



## Technology Agencies

### Indiana Office of Technology (IOT)

**Governance:** The IOT is led by a director who is appointed by the governor. The director serves as chief information officer of the state.

**Purpose:** IOT was created by executive order of the governor and legislative action in 2005. The major functions of IOT include developing and maintaining the state government's information technology strategies and networks, coordinating state information technology planning and procurement, and providing technical support for all state agencies.

**Contact:** Indiana Office of Technology  
100 N. Senate Ave., Rm. N551  
Indianapolis, IN 46204  
Phone: (317) 234-HELP  
Internet: [www.in.gov/iot](http://www.in.gov/iot)

### Next Level Indiana Fund

**Governance:** The Next Level Indiana Fund Investment Board exercises authority and control over the management of NLF by setting policy and procedures which the program administrator executes either internally or through the use of contractors

**Purpose:** The Next Level Indiana Fund, which was created in 2017 and replaces the Next Generation Trust Fund originally funded by former Gov. Mitch Daniels' lease of the Indiana Toll Road, allows the state to invest in high-growth Indiana companies. The fund had already been making investments in low-risk asset classes such as bonds, but lawmakers now allow the fund to invest in higher-risk asset classes like venture capital, setting the cap at \$250 million.

**Contact:** Next Level Indiana Fund  
55 Monument Circle, Ste. 719  
Indianapolis, IN 46204  
Phone: (317) 794-3228  
Internet: [www.nextlevelindianafund.com](http://www.nextlevelindianafund.com)

### 21<sup>st</sup> Century Fund

**Governance/  
Purpose:** Created by the Indiana General Assembly in 1999 and brought under the leadership of the Indiana Economic Development Corporation in 2004, the 21st Century Fund has the goal of enhancing the commercial development of new technologies and encouraging the creation of partnerships between universities and businesses. These partnerships build on the innovation process of converting research ideas into products, which in turn creates jobs for Indiana communities.

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Since 2009, the 21 Fund has been focusing on high-growth companies with accelerated product commercialization into the marketplace that would result in rapid increase in revenue and hiring. Such investment activities are accompanied by a disciplined selection and assistance process through Elevate Ventures, a venture development organization with an extensive network of Entrepreneurs-in-Residence and business and community leaders.

Elevate Ventures also implements several other seed and early-stage assistance and investment programs, with an explicit goal of supporting the Indiana entrepreneurial communities and building a vibrant pipeline of opportunities for the 21 Fund.

**Contact:** For more information on programs and criteria, please visit [www.elevateventures.com](http://www.elevateventures.com).

## Transportation Agencies

### Bureau of Motor Vehicles (BMV)

**Governance:** The BMV is headed by a commissioner who is appointed by the governor. The commissioner also oversees the Bureau of Motor Vehicles Commission, a five-member body that oversees the state's network of license branch offices.

**Purpose:** The BMV is responsible for the registration and titling of motor vehicles and the licensing of motor vehicle operators. The bureau administers and maintains more than 6.5 million vehicle titles and registrations, as well as approximately 5.2 million driver's licenses, permits and ID credentials.

**Contact:** Bureau of Motor Vehicles  
100 N. Senate Ave., Rm. 402  
Indianapolis, IN 46204  
Phone: (888) 692-6841  
Internet: [www.in.gov/bmv](http://www.in.gov/bmv)

### Indiana Department of Transportation (INDOT)

**Governance:** INDOT is directed by a commissioner who is appointed by the governor.

**Purpose:** INDOT empowers businesses to deliver Indiana to the world and bring the world to Indiana by providing a transportation network that is second to none. The agency builds and maintains more than 28,000 lane miles of highway and 5,600 bridges, and provides oversight for 117 public aviation facilities and more than 4,000 miles of active rail lines.

**Contact:** Indiana Department of Transportation  
100 N. Senate Ave., Rm. N755  
Indianapolis, IN 46204  
Phone: (855) 463-6848  
Internet: [www.in.gov/indot](http://www.in.gov/indot)

## **Indiana Port Commission/Ports of Indiana**

**Governance:** The Indiana Port Commission is a seven-member board whose members are appointed by the governor. The daily affairs of the commission are the responsibility of an executive director who is employed by the board.

**Purpose:** The Indiana Port Commission governs the Ports of Indiana, a quasi-state enterprise that develops and maintains the state's three public ports. These include the Port of Indiana-Burns Harbor/Portage on Lake Michigan, the Port of Indiana-Mount Vernon on the Ohio River and the Port of Indiana-Jeffersonville, also on the Ohio River. All three of these ports have been designated as foreign-trade zones by the U.S. Department of Commerce.

**Contact:** Indiana Port Commission  
150 W. Market St., Ste. 100  
Indianapolis, IN 46204  
Phone: (317) 232-9200  
Internet: [www.portsofindiana.com](http://www.portsofindiana.com)



## Part II

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# **Local Government**



# Chapter 3

## Understanding Indiana's Local Governments

Local government in Indiana functions with interlocking and often overlapping governmental units, districts and jurisdictions. Geographically, the major local governmental civil units are counties, townships, cities and towns. The governmental organization within and among these units is much more complex, however, than a simple study of their boundary lines would indicate.

### How Does Indiana Compare to Other States?

Some states are home to significant numbers of local governments, with numerous jurisdictional boundaries and overlapping special districts.

Nationally, there were a total of 38,779 general-purpose governments in the United States in 2017. General purpose governments include all counties, cities, towns, townships, villages and other jurisdictions serving as the primary government in an area. States with the most counties, cities, towns and other general local governments in 2017 were:

- 1. Illinois: 2,828
- 2. Minnesota: 2,720
- 3. Pennsylvania: 2,625
- 4. Ohio: 2,327
- 5. Kansas: 1,993
- 6. Wisconsin: 1,924
- 7. Michigan: 1,856
- 8. North Dakota: 1,718
- 9. Indiana: 1,662
- 10. New York: 1,587

Local Government Units in Indiana	
Counties*	92
Cities/Towns	585
Townships**	1,004
*48 U.S. states have counties	
**20 U.S. states have townships	

The Census Bureau conducts the Census of Governments every five years, categorizing each government in the country.

Local units of government are authorized by the state of Indiana to cooperate in the performance of special duties or functions, such as flood protection, public education, police and fire protection, highway or street construction and planning administration. In such arrangements, the administrative setup is established by an interlocal agreement of the cooperating units of government. The state attorney general then determines the legality of the agreement.

Until recent decades, local units of government were totally "creatures of the legislature," possessing only those powers granted to them by the Indiana General Assembly. They were dependent on the General Assembly to resolve their individual problems by means of special legislative statutes, each applying to one

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or a few local units of government. The concept of home rule by these local governmental units applied only in a limited sense. In 1980 and 1981, however, the General Assembly passed a series of bills and resolutions stating that local units of government may exercise any powers not specifically denied to them or reserved to the state. At that time, many existing statutes relating to local government were repealed, and the remainder were recoded and consolidated. Townships were initially exempt from many of these measures, but in 1993, they also gained the right of home rule. Township boards, by passage of a resolution, may engage in any activity relevant to township government if there is not law to the contrary.

# **Units of Local Government**

In Indiana, local governments take a number of different forms, including counties, civil cities, civil towns, civil townships, school cities, school towns, school townships, special districts and election districts. The following sections provide brief descriptions of these units of local government, including their functions and services and the powers and duties of local officials. (Counties, townships, cities and towns will all be discussed in depth in the following chapters in this unit.) Each case describes the standard unit of government, with the understanding that instances of variation from the standard do exist throughout the state. All units listed derive their authority from the state constitution and acts of the General Assembly.

## **Counties**

Indiana has 92 counties that range in population from 6,128 (Ohio County) to 903,393 (Marion County), according to the 2010 census. Counties are responsible for the administration of county governmental affairs, including law enforcement in rural areas, maintenance of county highway systems, operation of county institutions, tax collection, record keeping, operation of court systems, conducting voter registrations and elections, landfill operations, emergency medical services and operation of public health departments. County jurisdiction is within the county boundary lines. Administrative duties are divided among various elected or appointed county officials. The board of county commissioners has both administrative and legislative powers, while the county council is a legislative body with its responsibility confined almost exclusively to the fiscal affairs of the county.

## **Cities**

Cities are responsible for administration of the civil affairs of a city, including street maintenance; police/fire protection; traffic regulation; planning; maintenance of recreational facilities, public health programs, and sewage disposal and sanitation facilities; and related services. The mayor is the chief administrative official and the city council is the legislative and fiscal body. There are three classifications of cities in Indiana, based on population. Indianapolis is Indiana's only "first-class city," based on its population of 600,000 or more inhabitants. According to the Department of Local Government Finance (DLGF), there are 25 second-class cities with populations of 35,000 to 599,999, and 94 third-class cities with populations of less than 35,000.

## **Towns**

There are 465 towns in Indiana, according to the DLGF. They are responsible for the administration of civil town affairs, such as maintenance of streets, policing, fire protection and related services provided by



town government. The town council and subordinate officials, including an appointed town manager, carry out the administrative, fiscal and legislative functions.

## Townships

Indiana has 1,004 townships that are responsible chiefly for the administration of township assistance, sometimes providing for fire protection outside cities and towns, and certain other minor functions, such as maintaining abandoned cemeteries. Thirteen townships in Indiana currently assess real and personal property for taxation purposes. The chief administrative official is the township trustee and the legislative body is the township board.

## School Cities

School cities are responsible for the operation of city school systems in those cities that maintain their own school systems. Boards of school trustees or commissioners and their appointees administer the school city affairs. The city council or the mayor appoints members of the school board, or they are elected by popular vote, depending on the state statute under which they operate.

## School Corporations

Indiana has 289 separate school corporations that are responsible for educating children from kindergarten through grade 12. A local public school corporation is established under Indiana law to include a school city, school town, metropolitan school district, consolidated school corporation, county school corporation, community school corporation and united school corporation. They have separate taxing authority as a unit of local government.

## School Towns

School towns are responsible for the administration of town school systems in towns that maintain their own school systems. Administrative and legislative functions of the school town rest with the board of school trustees, members of which are appointed by the town council.

## School Townships

School townships exercise the functions of financing (through local taxes supplemented by state grants) and administering the township public school systems. Areas that are served by town, city and metropolitan area school units (county school units and areas within the geographical townships) are excluded from the school township units. The township trustee is the chief administrative official of the school township as well as of the civil township.

## Special Districts

There are over 1,000 special districts in Indiana that provide specific governmental services which are sometimes superimposed upon the major governmental units. These districts include: airport, road, drainage, horticulture, sanitary, health and hospital, library, lighting, sewer, park, conservancy, harbor, public utility,

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court, flood prevention, levee authority, capital improvement authority, thoroughfare, water sewage and waste disposal. Such districts – which are maintained in conjunction with township, town, city or county governments or a combination of such governments – are organized to finance and provide special services or meet special needs.

## **Election Districts**

Regardless of the boundaries of governmental units, districts and jurisdictions, other districts have been established for the purpose of electing legislative and judicial officers, including congressional representatives, state senators, state representatives, county commissioners, county council members and judges. These election districts provide for representative government where the geographical units of local government (principally due to wide variation in population) do not properly lend themselves to this purpose.

## **Local Government Reorganization**

With the desire to make the structure of units of local government better fit the need in each community, in 2006 the Indiana General Assembly passed House Enrolled Act 1362. This law creates a process where one unit of local government could combine with another unit of local government without going to the legislature for approval. For example, a township, or even several townships, could combine with the county government to create a new, combined unit of government and a more efficient way to deliver services to citizens.

The process to reorganize is initiated and controlled at the local level. It requires the legislative bodies of local governmental units to pass resolutions in order to start the process. At the end of the process, the voters of both units are required to pass a voter referendum for approval. It was initiated to create a more efficient local government structure, reduce duplication and increase the effectiveness of units of local government.

## **How Local Government is Funded**

Funding is provided through property tax, local income tax, and other miscellaneous revenue including locally collected fines, fees, and collections. These are described in detail below.

## **Property Taxes**

Property taxes are levied on privately owned land and buildings as well as on business equipment and other tangible property. Property taxes have historically been the principal source of revenue for local governments, although this reliance has been reduced somewhat by the increase of local income taxes.

Property tax levels are governed by a system of levy controls that determine the amount by which local governmental units can increase their property tax revenue from year to year. There are also caps on tax bills that limit the amount any taxpayer will pay in a given year. Property taxes are the primary source for financing capital projects (e.g., buildings, bridges, etc.). Projects exceeding certain cost thresholds must first be approved by the taxpayers via a public ballot referendum.

## **Local Income Taxes**

Indiana statutes authorize counties to adopt a variety of local income taxes (LIT). LIT revenues, although restricted in some cases, are used to supplement and/or replace local property tax revenues. The counties determine the rates within increments and the rates are capped according to the options selected. Rates fall between 0.35% and 3.38%. The taxes are collected by the Department of Revenue and then distributed to the local government units based on where the tax individual resides.

## **Other Local Option Taxes**

Counties may also adopt a "food and beverage tax" on consumable items prepared and sold by retail merchants (1%, plus an additional 1% for Marion and surrounding counties/municipalities), and an "innkeeper's tax" collected by hotel, motels, etc. (These rates vary under the authorizing statutes.) These taxes are, for the most part, designated for capital improvements and local tourism development funds.



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## County Government

As introduced in Chapter 3, counties are one of the most important units of local government in Indiana. Like the state government, county governments consist of a number of elected and appointed officials, and they contain a variety of different agencies. Before examining these officials and agencies, however, it is helpful to begin with a brief history of the establishment of Indiana's 92 counties.

### The Origin of Indiana's Counties

Indiana's counties had their inception in the Ordinance of 1787, which created the vast Northwest Territory. This federal act set up the basic governmental structure in the area that later became the states of Ohio, Indiana, Michigan, Illinois and Wisconsin. Under that document, the territorial governor was directed to "proceed, from time to time, as circumstances may require, to lay out the parts of the district in which the Indian titles shall have been extinguished, into counties and townships, subject, however, to such alterations as may thereafter be made by the legislature."

The original incentive toward creating counties in the new territory came in 1785, when the Continental Congress provided for the survey and sale of public lands and directed that the land be divided into six-mile square areas. These areas are now known as townships. The county, however, was derived from England and was a unit of government along the Atlantic seaboard before the territory west of the Alleghenies began to fill with settlers.

Under the Ordinance of 1787, Arthur St. Clair, the governor of the Northwest Territory, organized Knox County in 1790, thereby establishing the first local governmental unit in what was later to become Indiana. By proclamation, William Henry Harrison, governor of the Indiana Territory, created Clark County in 1801 and Dearborn County in 1803. Harrison County, established in 1808, was the first county created by legislative action. Before Indiana was admitted to statehood in 1816, Franklin, Gibson, Jackson, Jefferson, Orange, Perry, Posey, Switzerland, Warrick, Washington and Wayne counties were also organized.

Indiana's county boundaries were set arbitrarily, without reference to population or area. Because the Indiana constitution allows the creation of new counties, early settlers brought the practice of establishing smaller units of government within the larger state structure. These smaller units gave people a source of governmental authority close at hand in the days when travel was difficult. After the original states agreed to form a new union, creation of county units continued in the new states carved out of the Northwest Territory. In 1859, Indiana set the boundaries of all 92 counties.

Neither the original state constitution of 1816 nor the later constitution of 1851 contains any direct authorization for the organization of counties. Their creation seems to have been taken for granted. However, by the frequent references to county officers in both constitutions, we can infer that their organization is not in contrast to the visionary government the framers intended. Because most of the original counties embraced wide areas of the new territory, the first constitution felt compelled to provide that "the general assembly, when they lay off any new county, shall not reduce the old county or counties from which the same shall be taken to less than 400 square miles." The new constitution contains the same guarantee in that it provides that "no county shall be reduced to an area less than 400 square miles, nor shall any county, under that area, be further reduced."

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By the time Indiana adopted its second constitution in 1851, all 92 counties as they are known today were established, with the exception of Newton County. The boundaries for Newton County were first laid out in 1835, but several years went by without the government being organized. Because of this, Newton County was consolidated with Jasper County in 1839. Later, in 1859, it was created again and the separate county was formally organized.

## Indiana Counties Today

Today, Indiana's counties vary widely in terms of both area and population. For instance, county populations at the 2010 census ranged from 903,393 in Marion County to 6,128 in Ohio County, with the average being 70,476. (The 1970 average was 56,453.) County areas range from 671 square miles in Allen County to 87 square miles in Ohio County, with the average being 393 square miles.

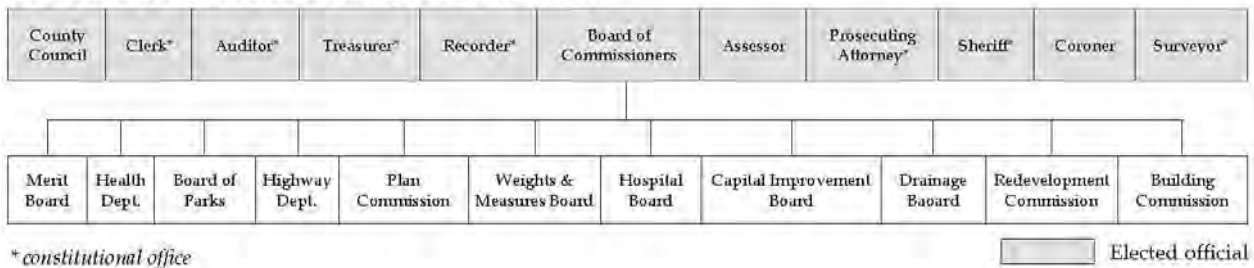
## Organizational Structure of County Government

The entire state of Indiana is divided into counties and townships. As involuntary extensions of state government, state statutes primarily prescribe the responsibilities and organization of these local governmental units.

At the county level, the Indiana Constitution calls for the election of the clerk, auditor, treasurer, recorder, sheriff, coroner, surveyor and prosecuting attorney. Through the Indiana Code, the state legislature requires the election of a three-member Board of Commissioners, a seven-member County Council and a county assessor.

The organizational structure of Indiana's county government differs from other forms of federal, state and municipal government. The three county commissioners are responsible for county executive and legislative functions. The county council performs the fiscal functions by approving county budgets.

**Diagram 1: Current County Organization**



## Powers of County Governments

The home rule law enacted in 1980 granted Indiana counties "all the powers that they need for the effective operation of government as to local affairs." Counties now have no limits on their powers except for certain powers reserved to the state. In addition, the home rule law repealed all salary minimums for county officials. Each county council now sets salaries individually on the recommendation of the county commissioners. The laws authorizing such positions as county purchasing agents and data processing boards were also repealed, giving counties free rein to determine for themselves all such matters of personnel and operational procedures.

## Powers Reserved to the State

As mentioned above, the home rule revisions still reserve certain powers to the state. More specifically, counties are denied the power to do any of the following:

- Condition or limit their civil liability, except as expressly granted by statute
- Prescribe law governing civil actions between private people
- Impose duties on another political subdivision, except as expressly granted by statute
- Impose a tax, except as expressly granted by statute
- Impose a license or other fee greater than that reasonably related to the administrative cost of exercising a regulatory power
- Impose a service charge greater than that reasonably related to the cost of the service provided
- Regulate conduct that is regulated by a state agency, except as granted by statute
- Prescribe a penalty for conduct constituting a crime or infraction under statute
- Prescribe a penalty of imprisonment for an ordinance violation
- Prescribe a penalty or a fine of more than \$10,000 for the violation of an ordinance or a regulation concerning air emissions adopted by a county that has received approval to establish an air program
- Invest money, except as expressly granted by statute
- Conduct elections, except as granted by statute

## County Offices

Although the state constitution does not specifically address the organization of counties, it does provide for a number of specific county officers, including clerk of the circuit court (commonly called the county clerk), auditor, recorder, treasurer, sheriff, coroner, surveyor, judge of the circuit court and prosecutor. General law enacted by the state legislature established the functions and duties of such officers. The board of county commissioners is granted authority in each county to establish certain other offices. In most counties, the board of county commissioners serves as the executive and legislative body for the county. The county council serves as the fiscal body by approving budgets. The general pattern, as authorized by the legislature, is essentially the same for all counties.

There are exceptions to this pattern, one of which came through the merger of Indianapolis and Marion County in 1970. (Additional information on this merged government is located in Chapter 6.) A second departure from the general pattern came via the 1973 reorganization of government in St. Joseph County. Here, the legislature separated the legislative functions from the county board of commissioners and gave those legislative powers to the county council. It also set out the exact manner of election of each body and increased the number of members of the council. Laws enacted during 1980 and 1981 led to the use of the same system in Lake County and also made this option available to other counties. Despite these exceptions, however, county offices and their associated duties generally mirror each other from county to county. The basic responsibilities of these offices are discussed in the following sections.

## **Board of County Commissioners**

A board of commissioners consisting of three elected individuals governs each county (except Marion County). In all counties except Lake and St. Joseph counties, the commissioners are elected from separate districts (in which they must reside). In Lake and St. Joseph counties, the voters in a given district elect only the one commissioner for their district. Commissioner districts must be redrawn at least once every 10 years.

The terms of office of county commissioners are four years on a staggered basis. In general, the board of commissioners is responsible for the administration of county business. The commissioners may enact ordinances to meet local conditions and exercise authority vested in the board by the legislature. The base salary for the commissioners is established by the salary ordinance.

### **General Powers and Duties**

The powers and duties allotted to county boards of commissioners are wide and varied. Here are just a few of their powers and duties:

- Controlling, maintaining and supervising county property
- Auditing and authorizing claims against the county
- Receiving bids and authorizing contracts
- Supervising construction and maintenance of roads and bridges
- Exercising the county's power of eminent domain, where the government can seize private property for public use
- Performing certain election functions, including establishing precincts and providing polling places and necessary election equipment
- Appointing county and township officials as authorized by law, including the filling of vacancies
- Having the ability to alter township boundaries
- Issuing bonds or notes in connection with the borrowing of money for the county (subject to approval of the county council)
- Granting financial aid to hospitals owned and operated by benevolent institutions within counties that have no county hospital; the commissioners also may contract with not-for-profit corporations for health and community services not specifically provided by a governmental agency or department
- Passing ordinances incorporating towns
- Contracting with private people or corporations for ambulance service; fees may be collected for this service, and fees also may be collected for ambulance service provided through fire or police departments
- Establishing solid-waste districts and serving on the district boards, which are responsible for developing 20-year plans for the disposal, recovery and reduction of solid waste
- Providing highway construction and maintenance on behalf of cities and towns within the county
- Adopting ordinances and regulations to control the location, construction or repair of all wells within the county
- Making appointments to boards, commissions and other agencies as provided by law
- Furthering redevelopment of land



- Assisting public transportation facilities
- Providing zoning and planning

In addition to these general duties and powers, other more specific responsibilities of county boards of commissioners include the following:

- **Holding monthly meetings.** The law provides for boards of commissioners to hold regular monthly meetings. In many counties, the board meets more frequently. The schedule for regular meetings must be set at the first meeting in January. The board of commissioners must observe the state's open door law, which prohibits a private meeting of just two county commissioners. If the county commissioners are to meet to conduct business, they must publicly post that meeting.
- **Maintaining the courthouse, offices and jail.** The commissioners must furnish and maintain a courthouse, jail and public offices for the elected county officials. Records and papers required by law to be made by such offices must be kept, preserved and delivered to the successor of each office.
- **Auditing county books.** The board of commissioners must audit the books of the county treasurer and the county auditor and compare the allowances with the stubs, vouchers or registers of checks drawn by the auditor in payment of such allowances. The board should also examine all checks redeemed by the county treasurer and turned over to the county auditor for which the county treasurer claims credit, along with the corresponding stubs, vouchers or register. The board must ensure that these checks are cancelled properly so they cannot again be put in circulation. The board also makes sure proper accounting has been made between such officers of all funds. (In practice, the State Board of Accounts exercises this function.)
- **Establishing township boundaries.** In keeping with its original power to lay out and divide the county into any number of townships required for the convenience of its citizens, the board of commissioners may make alterations in the number, names and boundaries of townships. However, no township may be abolished or have its present boundary lines altered unless a majority of the property owners in the township sign a petition requesting the board of commissioners to order such a change or abolishment. In addition, contiguous townships in the same county may merge if the township boards adopt identical resolutions to this effect and the county legislative body approves the merger. (The General Assembly has made a special provision for re-establishing the boundaries of townships when a portion of the township becomes the property of the state of Indiana or of the United States government.)
- **Issuing bonds.** If revenues available from reasonable taxation are insufficient, the county commissioners, acting with the county council, may borrow money for the following purposes:
  - Constructing, completing or repairing the courthouse, jail or other county buildings
  - Constructing grade-separation structures
  - Funding or averaging any existing debt incurred for county purposes

However, the total bonded debt of a county may not exceed 2% of the assessed valuation of the real and personal property of the county. Bonds can only be issued in accordance to governing restrictions. In addition, the board of commissioners may provide for the payment of interest on issues of bonds in annual or semi-annual installments. The board may also provide, by taxation, for the annual payment of the accrued interest on all bonds sold.

- **Altering watercourses and certain private properties.** A county board of commissioners has the power to straighten or change the course, direction or location of the channel of any

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stream or body of water and to change any watercourse or the flow of any stream or body of water within the limits of the county. However, rules and regulations established by the Indiana Department of Natural Resources limit this power. The commissioners are also empowered to authorize the county highway supervisor to use county equipment on private property for ditching, grading or hauling gravel for roads when the equipment is in the vicinity of such property. A schedule of charges is established for this work.

- **Establishing parks.** The board of commissioners is authorized to purchase or otherwise acquire county lands for park purposes. The board may also accept, on behalf of the county, any lands that are granted or conveyed to the county for park purposes and make any necessary improvements. The board may establish parks or recreation centers in cooperation with cities, towns and school corporations. The boards of commissioners of two or more counties may create joint parks.
- **Constructing public halls.** The board of commissioners has the power to construct and maintain public halls. The board has the power to purchase real estate on which to locate such halls and to raise the revenue necessary by levying a tax on all property in the county subject to taxation. The board is also authorized to join with the county council and the city council of the county seat to form a county building authority. The county building authority is empowered to finance, construct and manage buildings for public or governmental purposes.
- **Establishing war memorials.** County commissioners may establish memorials, parks and artificial lakes as war memorials, either singly or jointly with any city within the county.
- **Erecting historical markers.** Upon petition from local civic or historical organizations, the county commissioners may provide for the erection of historical markers. The Indiana Historical Society must approve these markers and the inscriptions.
- **Leasing surplus real estate.** County commissioners have the power to lease surplus real estate belonging to the county for any public use approved by the commissioners. This power includes constructing, maintaining and operating recreational facilities, such as public golf courses and public swimming pools, at the lessee's expense. All improvements made to the leased real estate become the property of the county on termination of the lease. Before the lease, the real estate must be properly appraised and a public hearing must be held.
- **Selling county personal property.** A county's board of commissioners may sell any county personal property at public auction.
- **Selling real estate to the state.** Whenever any county owns real estate situated on a courthouse, public office building or any other building used for public purpose that the state of Indiana wants to buy, the board of commissioners may sell this real estate to the state of Indiana.
- **Carrying out poor relief duties.** If any person is entitled to assistance for the poor and the township trustee refuses to provide assistance, the board of commissioners must grant the person a hearing, if requested. The board may direct the trustee to grant aid. Any applicant for poor relief or any county taxpayer has the right to appeal to the county circuit court or superior court if any application is granted or rejected, or if any award is modified or fails to be modified by the board of commissioners. In addition, the board of commissioners is authorized to estimate the amount of township poor relief money that will be required for the next 12-month period in excess of the amount that can reasonably be advanced out of the county general fund. Finally, the board of commissioners is directed to settle with the overseers of the poor (township trustees) at least once every year.
- **Regulating food establishments.** County commissioners may regulate and establish

minimum standards for the operation of food establishments. The ordinances must not conflict with those issued by the state board of health and are not effective in cities and towns maintaining their own health departments. The commissioners also are authorized to regulate other health factors outside of the corporate limits of cities and towns.

- **Altering highways.** The county commissioners have the power to change, vacate or open any highway in any township.
- **Burying soldiers, sailors and marines.** County commissioners are authorized to provide for the burial of members of the armed forces who have received honorable discharges. They are also authorized to provide for the burial of spouses of honorably discharged veterans. The maximum allowance is \$100.
- **Maintaining county forests.** County commissioners may levy taxes for the purchase and maintenance of county forests.
- **Assisting community mental health centers.** County commissioners are authorized to appropriate money to assist in the construction and operation of community mental retardation and psychiatric treatment centers.
- **Appointing a cemetery commission.** County commissioners are authorized to appoint a five-member county cemetery commission. The cemetery commission is responsible for establishing a tax base to restore and maintain cemeteries established before 1850 that are without funds.

## County Board of Finance

In every county except Marion County, the county treasurer and board of commissioners serve as a county board of finance. In Marion County, the treasurer, auditor, assessor, mayor of Indianapolis, city controller and the president of the board of school commissioners serve as the board of finance.

### General Powers and Duties

The board of finance has general supervision over all funds of the county. It is responsible for the following functions:

- Designating banks as depositories of county funds
- Receiving monthly statements from all depositories. (The board may, at any time, revoke the commission of any depository. A depository may appeal this revocation to the county circuit or superior court.)
- Making statements to the Indiana Board for Depositories

The members of a county board of finance are able to exercise a number of powers in order to carry out the primary purposes outlined above. More specifically, the members of a board of finance have the power to do the following:

- To make orders regarding county property and to sell public grounds on which public buildings are located
- To purchase other grounds to erect new buildings, purchase land and care for county property
- To audit the accounts of officers who care, manage, collect or disburse funds belonging to the county or appropriated for its benefit
- To grant licenses or franchises for the use of county property

## **County Council**

The financial powers of a county are placed in the county council, which serves as a check on the board of commissioners and board of finance. For election purposes, each county is divided into four districts, with one council member elected from each district. In addition, three council members are elected from the county at large, thus making a total of seven council members. The redistricting of county council districts (except in Marion County) is required at least once every 10 years and may be done in any odd-numbered year.

Marion and St. Joseph counties are the exceptions to the general rules for county councils. Marion County has a combined city-county council of 24 members. On the other hand, St. Joseph County has a county council of nine members. Each of the nine is elected from a single-member district for a four-year term. All council members are elected to staggered, four-year terms. (Marion, Lake and St. Joseph County Councils have both legislative and financial duties for their counties.)

### **General Powers and Duties**

County councils carry out numerous functions, including the following:

- Adopting the annual budget after estimates are submitted by the various county departments through the county auditor. These estimates are subject to modification and adoption by the county council with final review and approval by the Department of Local Government Finance.
- Adoption of the annual budget for binding units, or units without the statutory authority to adopt their own budgets and special districts
- Fixing the tax rate for county purposes
- Imposing the tax levy
- Making appropriations to be paid out of the county treasury
- Incurring county debt within constitutional limits
- Appropriating additional funds that arise after the budget is adopted
- Re-appropriating surplus funds that are surrendered by one department of county government to another department
- Transferring balances in dormant funds to the county general fund
- Fixing salaries of officers, deputies, assistants and employees whose salaries are payable from any county fund; county councils have the authority to fix the number of deputies, assistants and other employees whose salaries are payable from these funds
- Levying taxes to provide funds to erect new jails and repair, remodel and enlarge old jails
- Furnishing financial assistance to any community mental health center and other developmental disabilities centers located in the county

More particularly, county council members exercise a number of specific powers in each of the areas outlined in the following sections.

## **Appropriations**

The county council has fiscal control over all county officers, boards and commissions and appropriates the funds used by the county and its officers. All payments from the general fund or any special fund, other than the allocation of funds of the state or federal government, depend on appropriations by the county council.

## **Local Income Taxes**

Beginning in 2015, the Indiana General Assembly passed legislation that repealed and recodified the variety of existing local option income tax provisions. While the legislation did embody some significant substantive changes, it also essentially grandfathered the actions of counties that had previously taken to adopt local income taxes under the prior laws that were repealed: the County Adjusted Gross Income Tax (CAGIT) (IC 6-3.5-1.1 repealed), the County Option Income Tax (COIT) (IC 6-3.5-6 repealed) and the County Economic Development Income Tax (CEDIT) (IC 6-3.5-7 repealed). These were all replaced by the new, more unified county income tax structure. The law is IC 6-3.6.

In counties where a County Income Tax Council (consisting of the fiscal body of the county and the fiscal body of each city or town in the county) had previously taken action to impose either a COIT or CEDIT, the governing body with the authority to take action relating to county income tax matters, the Adopting Body, is the Local Income Tax Council (consisting of the fiscal body of the county and the fiscal body of each city or town in the county). The members of the Local Income Tax Council are allocated a number of votes based on the relative population of the unit to the populations of all members, with total votes of 100 for all members, and a majority of votes needed before a tax can be adopted, amended or rescinded.

In all other counties, the Adopting Body, the body with authority to take action regarding a county income tax, is the County Council.

Beginning in 2017, the authority of all counties to impose income taxes is governed by a unified tax rate that incorporates the previously adopted taxes combined with any adopted tax under the new laws. The unified rate is determined and limited based on how they are categorized. There are three categories under the law (IC 6-3.6):

1. Property Tax Relief Rate – This includes taxes created for the purpose of providing property tax credits. The rate imposed for this purpose may not exceed 1.25%.
2. Special Purpose Rate – This category includes taxes previously authorized for some specific or “special” purpose.
3. Expenditure Rate – This category covers taxes intended to incorporate provisions designed to provide additional revenue for school corporations, public safety, economic development projects, correctional and rehabilitation, or any other authorized purpose. The maximum rate within this category is 2.5% (2.75% in Marion County).

## **Excise Surtax and Wheel Tax**

The county council may also adopt a county motor vehicle excise surtax to be imposed on automobiles, motorcycles and trucks weighing less than 11,000 pounds, and it may impose a county wheel tax on other vehicles. Both taxes must be adopted concurrently, and collected funds may only be used to construct, reconstruct, repair or maintain streets and roads. A portion of the collected funds is distributed to the cities and towns in the county.

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### **Real Estate**

The county council must approve the sale of any real property of the county having an appraised value of \$10,000 or more, and it must approve every lease of real property with total annual rental payments of \$3,000 or more. For real estate estimated to cost \$25,000 or more, the county council must pass a resolution expressing interest in the proposed purchase before the commissioners may transfer ownership of the property. For purchase of land valued at \$1,000 or more, the county council must pass an authorization ordinance.

### **County Budget**

A county's board of commissioners, officeholders and departments must submit their budgets to the county council. The council then combines these submissions into one overall county budget that details a variety of items, including the following:

- Expenses for each building or institution maintained or supported by the county, such as the courthouse, county home or jail
- Amount required for building and repairing bridges, giving location and cost of each bridge
- Salary of the county attorney
- Amount of salary or compensation of pauper attorneys, if any
- Expenses of the county board of health
- Amount for repair of roads (exclusive of bridges) itemized by location and amount for each project
- Amounts required for election expenses, showing estimated number of precincts and separate items
- Amounts required for paying principal and interest on bonds and loans maturing during the following calendar year; the amount required for each loan and bond issue must be itemized
- Amounts required to pay judgments, settlements and costs
- Expenses of supporting inmates of benevolent or penal institutions
- Amounts required for publication of delinquent tax lists
- Amounts required for the compensation of employees paid from the county treasury
- Amounts required for the payment of expenses incurred by the Property Tax Assessment Board of Appeals
- An itemized list of all other expenditures to be made by the board during that year

### **Borrowing Money**

Finally, the county council has the exclusive power to authorize the borrowing of money for the county, but the total amount of county indebtedness may not exceed an amount equaling 2% of the assessed valuation of the county.

# Separately Elected County Offices

## County Auditor

The auditor is a constitutional officer, elected for a four-year term from the county at large but prohibited from serving more than two terms in 12 years. The auditor serves as secretary of the board of commissioners and county council.

Duties of the auditor as the fiscal officer of the county include keeping the county's accounts and issuing warrants for the payment of claims following an audit of the expenditure. The auditor is responsible for the tracking of all budgets for county expenditures, preparation of an annual report accounting for all money spent within the year as well as balancing all county funds with the treasurer on a regular basis. Publishing of claims must be done by the auditor in advance of the commissioner's approval of the expenditures.

The auditor is required to provide all taxing entities with estimates of assessed valuations and estimates of taxes to be received. Real estate abatement and TIF calculations are done on an annual basis by the auditor. Certified assessed values for each taxing unit are prepared by the auditor for submission to the Department of Local Government Finance for the certification of tax rates. The auditor prepares budgets for the county and receives budgets from each taxing unit including rates and levies once adopted by the taxing units that must be published in the form of proposed tax rates.

When tax rates are received from the Department of Local Government Finance the auditor prepares the abstract listing expected tax revenues to be collected and submits that information to the State Auditor's Office for approval prior to tax billing. The auditor is also responsible for publishing the actual tax rates prior to tax collection. The auditor must process corrections to tax bills after bills are created. Once the county treasurer collects taxes and certifies the amount for distribution, the auditor is responsible for distributing monies received from the state including property tax replacement credit, homestead credit and excise tax along with the semi-annual distribution of tax dollars to all taxing units within that county. For settlement purposes, the auditor prepares statements that must be approved by the State Auditor itemizing the distribution of tax dollars. Overpaid taxes must be tracked by the auditor as surplus and held for three years before moving the dollars to the general fund if a taxpayer does not request reimbursement.

Additional duties include preparing the annual tax duplicate showing the value of property and the taxes assessed against each taxpayer. The auditor is responsible for all real property records through the receipt of deeds, plats and other conveyances which are used to maintain current property ownership data. Each year, the auditor receives real property tax exemption filings including homestead credits, mortgage exemptions, over 65, disabled veterans – partial and full, blind and disabled, geothermal and pesticide.

The auditor in cooperation with the county clerk is responsible for verifying property owner's signatures on a petition remonstrance. Responsibility for the processing of payroll, W2s, and 1099s is vested in the auditor along with payment of all withholding taxes and public employee pensions.

Preparing maps for each civil township divided into sections, quarter sections, grants, divisions, subdivisions, lots or parts of lots to show the current ownership and assessed valuation of each are also the auditor's responsibility. The auditor maintains the required parcel number identifying all parcels with a unique number in the format developed by the state.

The auditor is responsible for maintaining a fixed assets ledger and also maintains ditch records for the collection of fees in counties that collect on drains. Among the other duties of the auditor they are responsible for all documents, books, records, maps and papers deposited in the office of the auditor.

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The auditor must furnish the treasurer with a list of county employees receiving salaries or wages from the county. Once the list is checked and certified by the treasurer, the auditor is required to notify all county employees with delinquent tax that their taxes must be paid or wages will be withheld through the garnishment process.

The auditor is required to work with the treasurer in the process of selling properties at tax sale. Any parcels that have delinquent tax for the spring payment in the year following the due date of the payment are subject to tax sale. This must be done before the real estate is posted for offering at a public sale. The auditor must track the tax sale property following the sale to make refunds if the property is redeemed, issue tax title deeds, or verify distribution of surplus proceeds of the tax sale if the property is not redeemed.

## **County Treasurer**

The treasurer is a constitutional officer, elected by vote of the county at large for a term of four years, but prohibited from serving more than two terms within 12 years.

The treasurer collects, retains custody of and disburses county funds. The treasurer collects delinquent taxes (including sale of real property for taxes) and is required on a daily basis to enter all judgments paid in the record maintained by the clerk of the circuit court. The treasurer collects local and state general property taxes for all units in the county. The treasurer is required to annually send each person charged with taxes a statement of the amount of property tax owed.

The treasurer also serves as a member of the county board of finance, treasurer ex officio of the county board of education and treasurer to the board of hospital trustees.

## **County Recorder**

The recorder is a constitutional officer, elected for a term of four years by vote of the county at large, but prohibited from serving more than eight years within a 12-year period.

The chief function of the recorder is to preserve public records, including deeds, mortgages, liens, leases, articles of incorporation and amendments, certificates authorizing foreign corporations to do business within the state, army and navy discharges, bankruptcy notices and other documents. The recorder receives a fee for recording instruments and certificates. These fees are county property and are paid to the county treasury.

The recorder cannot accept recording instruments that do not bear printed, typewritten or stamped names of the people signing them, unless accompanied by an affidavit certifying the correctness of the names represented by the signatures. This rule does not apply to court orders, decrees and judgments, writs, wills, death certificates or instruments executed outside of the state.

## **County Clerk of the Circuit Court**

The clerk of the circuit court (commonly called the county clerk) is a constitutional officer. The voters of the county at large elect the clerk for a four-year term. The clerk is prohibited from serving more than eight years within a period of 12 years. Functions of the clerk include the following:

- Attending, either in person or through a deputy, sessions of the circuit court and any other county courts



- Filing, recording and entering orders pertaining to civil, juvenile and criminal matters
- Issuing testamentary letters, letters of administration and letters of guardianship; recording wills, inventories of estates, sale bills, inheritance tax orders, final accounts and reports of distribution in probate proceedings; and keeping money to be held in trust
- Serving ex officio as a member and secretary of the county election board and the county commission on public records; the clerk may receive compensation equal to members of the election board for this service
- Appointing the other members of the county election board; these appointments must be made from nominations filed in writing by the party county chairmen and the chairmen must nominate one person from each of the two major political parties
- Receiving filings of candidacy from people seeking certain elective offices
- Issuing certificates of election to successful local candidates, except judges who receive commissions from the governor
- Notifying the clerk of the county in which the case was begun of any court order or judgment related to divorce actions within the county (payment must be made to the clerk in the county of the original action)
- Preparing budget estimates of the amount required to pay expenses of cases tried in other counties and the amount required for operations of the clerk's office, the courts and for conducting elections

In addition, the county clerk has other miscellaneous duties. For example, he or she issues marriage licenses, pays out support monies and issues receipts in dependency cases. The clerk files petitions for court determination of time and place of birth, retains these birth certificate records and sends copies to the department of health. The clerk also administers oaths to appointed officers.

Other important functions of the county clerk relate to voter registration. The clerk of the circuit court is the registration officer in all counties with a population of less than 125,000, except those with a board of registration. The clerk appoints and supervises deputy registration officers based on information obtained in writing from the party county chairmen. These officers must be divided between the two major political parties.

As previously mentioned, boards of registration handle voter registration in counties with populations of 125,000 or more. County chairmen of the two major political parties appoint this board. Counties with a population of fewer than 125,000 may establish a board 60 days before the next primary, general or city election by majority vote of the county commissioners. If not a candidate for office, the clerk may be appointed to this board, but he or she does not receive any additional compensation. Other appointed members receive salaries set by the county commissioners within legal ranges. Party precinct committeemen and vice-committeemen serve ex officio as deputy registration officers. Other deputies may be employed at a maximum number of two per precinct.

## **County Surveyor**

The surveyor is a constitutional officer, elected for a four-year term by the voters of an entire county. There is no restriction upon eligibility for re-election.

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The primary duties of the surveyor are to survey and keep records of all section corners throughout the county. The surveyor must supervise all civil engineering work of the county, including construction and maintenance of drains and ditches and of highways, bridges and culverts. The surveyor does not supervise counties in which the board of commissioners assigns highway, bridge and culvert construction and maintenance to the highway supervisor. In counties with populations of 165,000 or more, the surveyor may appoint a registered professional civil engineer as bridge engineer. In all cases, however, the surveyor serves as a member of the county drainage board and as a member of the county planning commission.

The surveyor is required to prepare, maintain and keep in custody a record book showing maps of each section, grant, tract, subdivision or group of such areas in sufficient detail. This record book is maintained so the approximate location of each legal survey can be shown.

The surveyor's duties that relate to roads and bridges become those of the highway engineer if the county commissioners appoint this official. However, a surveyor who is a registered engineer may also be appointed highway engineer. If appointed highway engineer, the surveyor may accept the salary of the highway engineer should it be greater than that of surveyor. Also, the surveyor receives \$2 (\$4 if a registered engineer) for each mile of active court drains or ditches within the limits of the county.

The surveyor is authorized to appoint as many deputies and assistants as the work requires, subject to budget limitations and approval of the county council. If the surveyor is not a licensed land surveyor, or if he or she is disqualified by reason of ownership of lands affected by any work of the surveyor or kinship to any person whose lands will be affected, the court must appoint a licensed engineer or licensed land surveyor. This person appointed has the same authority as the regularly elected surveyor.

## County Sheriff

The sheriff is a constitutional officer, elected for a four-year term by vote of the entire county. The sheriff is prohibited from serving more than two terms within 12 years.

The sheriff's duties, largely prescribed by statute, are as follows:

- To serve as conservator of the peace
- To serve warrants, subpoenas and other forms of process as an officer of the courts; the sheriff must execute court orders within 90 days after they are entered on the docket
- To sell mortgaged property under foreclosure proceedings and execute deeds to real estate sold under execution
- To attend sessions of the county council and execute its orders
- To serve processes for the Property Tax Assessment Board of Appeals
- To attend meetings of the board of county commissioners and execute its orders

Another critical duty of the sheriff is to take charge of the county jail and its prisoners. The sheriff may board prisoners, including those on federal charges, and is allowed an amount fixed annually by the State Board of Accounts for their maintenance. The sheriff administers a law allowing jail inmates who are financially responsible for a family to work in private or public employment under certain conditions. After an investigation and report by the county welfare department, the court decides which inmates are permitted employment. To assist the sheriff, the law allows the creation of an advisory committee of 10 members appointed by the sheriff and the judge.

Any sheriff has the authority to request the aid of any other sheriff and/or deputies and assistants in the state of an emergency or for a specific assignment that requires specialized personnel.

In addition, each county is required to have a five-member, bipartisan sheriff's merit board. This board is created by ordinance or resolution of the county council. Members of the board are appointed by the sheriff, except for two who are elected by members of the county police force. The board administers certain police appointive functions under a merit system.

## **Prosecuting Attorney**

As a constitutional officer, a prosecutor is elected in each judicial circuit for a term of four years. The office is not strictly a county office, because the prosecutor is elected for a judicial circuit in the same manner as a judge and must be a practicing attorney. The prosecuting attorney's duties include representing the State of Indiana and prosecuting violators of state statutes in various courts with criminal jurisdiction.

The annual minimum salary paid by the state to a full-time prosecuting attorney is equal to the minimum salary of the circuit court judge of the same judicial circuit as the prosecuting attorney. If the prosecuting attorney serves part time, the salary equals 60% of the base salary.

The law enables any prosecuting attorney representing a judicial circuit of the sixth through ninth class to also elect to become full-time, provided that the majority of the county council approves. A copy of the consent must be filed, with the notice of election to full-time status, with the circuit court of the prosecuting attorney's circuit and the auditor of the state.

The prosecuting attorney is authorized to appoint one chief deputy, whose base salary is paid from state funds. The prosecuting attorney may appoint the chief deputy as either a full-time deputy or a part-time deputy. Each prosecuting attorney is also authorized to appoint one or more investigators to help collect and assemble the evidence needed for criminal prosecutions. The county council sets the investigators' salaries.

In any judicial circuit, the prosecuting attorney and/or deputy may receive supplemental salary from the county or counties served by the circuit. County funds are used to pay the salaries of additional deputies and investigators and the costs of clerical assistance, operating expenses and travel allowances.

## **County Coroner**

The voters of a county elect the coroner, a constitutional officer, to a four-year term. Other than being a resident of the county of the office holder, there is no other professional requirement to run for the coroner's office. However, there is required training that must occur within six months after a coroner takes office, or their pay is forfeited. The chief responsibility of the coroner is to determine the manner of death in cases involving violence or casualty, or when someone is found dead in unexplained circumstances. When notified of any such death, the coroner must notify the police agency having jurisdiction in the area and obtain police assistance for investigation. As soon as cause is determined, the coroner is required to file the finding with the local health officer. If an autopsy is necessary, the coroner is required to employ a qualified physician to direct the autopsy. The coroner must file a report of investigated deaths with the clerk of the circuit court.

Statute provides that the coroner may also act as a peace officer, performing the duties of the sheriff if the sheriff is incapacitated or disqualified and has no chief deputy. The coroner, who has the authority to employ deputies and clerical aides, also has the authority to arrest the sheriff when a warrant is issued.

# County Assessor

The county assessor is a statutory office created by the Indiana General Assembly and is elected for a four-year term by the voters of an entire county. There is no restriction upon eligibility for re-election. The primary responsibilities of the county assessor are to determine the assessed value of property in the county and certify those values to the county auditor for the preparation of property tax statements. The assessor does not establish the tax rate, only the assessed value of property.

In addition to the primary duties listed above, the assessor provides the following to the taxpayers of their community (generally, see Indiana Code 36-2-15 for all duties of the county assessors):

- Identifies, calculates and lists the assessed value of all real and personal property for each parcel in the county
- Uses modern technology/tools and proven processes to perform mass appraisal on real property and is responsible for the selection of those tools
- Provides assessment values to the taxpayers via a Notice of Assessment (Form 11) once per year
- Performs annual trending, bringing assessed values in line with market values
- Oversees the general reassessment process, which is completed on 25% of the properties in the county every year
- Serves as secretary (non-voting member) of the County Property Tax Assessment Board of Appeals (PTABOA), which addresses property tax appeals on a local (county) basis
- Ensures county-wide uniform property assessment equalization
- Discovers and identifies omitted real and business personal property
- Calculates the assessed value of all real property in each taxing district
- Verifies and reviews the self-reported values of all business personal property in each taxing district
- Calculates the total assessed value of each taxing district
- Follows state statute to certify current assessments to the county auditor's office
- Utilizes recent sales of land (sales disclosures) to establish base market rates and values in each neighborhood, adjusts base values for location, proximity to amenities, and other influence factors

## Appointed County Office Holders

### County Highway Supervisor

Unlike the previous offices, the county highway supervisor is an appointed (not an elected) position. In addition to supervising maintenance and repair of these structures and fixing load limits, the highway supervisor files monthly and annual reports with the board of county commissioners.

### County Highway Engineer

The highway engineer is appointed by the commissioners of a county (or of any two or more counties)

to supervise the design, construction, planning, traffic and other engineering functions relating to roads and bridges. The highway engineer also prepares surveys, estimates, plans and specifications. These duties include developing a traffic safety program, classifying the county highway system, preparing engineering estimates, and recommending material and equipment needed to budget annual funds. The highway engineer is subject to policies established by the county commissioners. Any county employing a county highway engineer is eligible for a stipend from the state to offset the cost of employing an engineer.

## **County Extension Educator**

Extension educator is another appointed county office. The Purdue University Cooperative Extension Service allows Indiana counties to employ an administrator called an extension educator, whose field of expertise may be in either agriculture or home economics. Each county's extension office may have other staff members as well, with expertise in agriculture, home economics, youth programs or other specialties. The staff members are appointed by the trustees of Purdue University and are technically members of the Purdue staff.

## **County Attorney**

County attorney is another appointed position. The board of county commissioners employs the county attorney and fixes his or her compensation. This attorney advises the board of commissioners and other county officers as to their powers and duties. The county attorney also handles litigation in which the county commissioners are a party. These and other specific duties of the county attorney are set out in a contract. The county council may also employ an attorney.

## **County Inspector of Weights and Measures**

The county inspector of weights and measures is appointed by the county commissioners with the approval of the Division of Weights and Measures of the Indiana State Department of Health. The appointment is optional in counties of lower population classification and required in other counties. A provision provides for adjoining counties, by action of their respective boards of commissioners, to employ one inspector to serve multiple counties.

## **County Physician**

A county's board of commissioners also employs a county physician, if one exists. The physician gives medical attention to people in the county jail and in the county home.

## **Superintendent of County Home**

The county commissioners additionally appoint a superintendent to manage the county home. The superintendent is expected to maintain order and discipline and assign a reasonable amount of labor to every county prison inmate who is able to work.

## **County Administrator**

In addition to the aforementioned officials, the board of county commissioners may also employ an

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administrator to function in any office, position or duty under its control, and may, by resolution, withdraw any of the powers and duties assigned to this individual.

# **County Agencies and Departments**

Like the state government, the individual county governments also contain a variety of agencies. Some of the most important county agencies include those outlined in the following sections.

## **Department of Engineering**

The board of county commissioners may create a department of engineering in any county (or in any two counties acting jointly) in which a highway engineer is employed on a full-time basis. This department is operated under the supervision of the highway engineer. The department assists the board of commissioners in formulating plans for the development of divisions in the following areas: highways, bridges, streets, traffic safety, sanitation control, pollution control and subdivision development control. Other divisions may be developed within the department as needed and approved by the commissioners.

## **Department of Development**

If needed, county commissioners may adopt an order to finance economic development or pollution-control facilities. They may give written notice to every incorporated city and town and their development commissions specifying instances in which such needs have not been met. If, after 90 days, the needs are still not met, the county commissioners may request that the county council establish a department of development under the control of a development commission. The county commissioners appoint the three members of this commission to staggered terms, which, after the initial appointments, are for four years.

The development commission "...shall have jurisdiction throughout the county, outside of all cities and towns that have established a development commission, with respect to the needs found by the county commissioners." The commission is charged with the same responsibilities as a city or town development commission and is granted the same statutory powers.

## **Redevelopment Commission**

Any county may also create a redevelopment commission that is under the control of a five-member board appointed by a majority vote of the county commissioners. The purpose of such a commission is to promote and encourage the proper use of land within the county, both from the standpoint of human needs and economic values and to improve blighted areas.

The redevelopment commissioners are authorized to employ personnel and expend funds. To raise funds to carry out its program, the commission may issue bonds and levy property taxes. The commission is also authorized to accept and expend federal funds.

## **Medical Center Development Agency**

County commissioners may, at their discretion, establish a medical center development agency and appoint five residents of the county to the executive board of that agency. The county council appoints two

others. The people appointed must be knowledgeable and interested in the community health and medical care needs of the county. Not more than two members may be medical practitioners or administrators of any medical or health facility within the county. After initial appointments, board members serve four-year staggered terms. They serve without pay but are entitled to reimbursement for necessary expenses.

The executive board of a medical center development agency is granted the power to devise a comprehensive plan for the development of a medical center. If approved by the board of county commissioners and the county council, the plan is to be implemented by the agency under the guidance and approval of the commissioners and the county council.

## **Property Tax Assessment Board of Appeals**

Each county has a Property Tax Assessment Board of Appeals (PTABOA). The PTABOA is comprised of individuals at least 18 years of age and “knowledgeable in the valuation of property.”

By filing a written appeal with the township assessor – or the county assessor, if the township is not served by a township assessor – a taxpayer may obtain a review by the PTABOA of a county or township official’s action with respect to the assessment of the taxpayer’s tangible property. Upon receipt of the petition (appeal), the PTABOA shall hold a hearing not later than 180 days after the petition filing date. The PTABOA shall mail notice of the date, time, and place fixed for the hearing at least 30 days before the hearing. This notice is given to the taxpayer, the tax representative (if any), the assessing official, and the county auditor.

In terms of conducting the hearing, the following are some things to expect:

- The taxpayer has the opportunity to present testimony and evidence.
- The assessing official or the auditor (as applicable) also has the opportunity to present testimony and evidence.
- The PTABOA shall determine the assessment by motion and majority vote. Based on the evidence before it, the PTABOA may increase an assessment. The PTABOA shall then issue a written decision, given to the assessing official, county auditor, and taxpayer.
- If the PTABOA has not issued a determination before 180 days have passed since the filing of the petition, the taxpayer may initiate an appeal with the Indiana Board of Tax Review (IBTR).
- If a taxpayer disagrees with the determination by the PTABOA, he or she has the right to file an appeal within 45 days with the IBTR.

The PTABOA also makes a determination on the exemption of certain property within the county. Exemptions involve a certain type of property, or the property of a certain kind of taxpayer, which is not taxable. Generally, this includes property owned, occupied and used for educational, literary, scientific, religious or charitable purposes.

## **Election Board**

The clerk of the circuit court and two people appointed by the clerk, each representing one of the two major political parties and nominated by the chairmen of the county party organizations, serve as members of the county election board. No public officer (except the clerk of the circuit court) or candidate for public office may serve on this board.

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The election board prepares and distributes ballots, attends voting machines (where used) before each election for instructional purposes and appoints precinct election officials. Its duties consist of canvassing votes and certifying the election returns to the secretary of state, and it levies and rules on election complaints and other procedural matters.

The two members of the election board other than the county clerk are paid varying amounts for their services, depending on the population of the county. For services as secretary of the election board, the clerk of the circuit court may receive compensation in the same amount as the appointed election board members.

## **Board of Education**

In counties where township trustees remain responsible for educating students, the county board of education is ordinarily composed of the township trustees and the superintendent of schools, who serves as chairperson. The board is authorized to provide textbooks and sell them to pupils at cost, plus handling expenses, and to consider the general requirements of schools and school property. Care and management of township libraries is also the responsibility of the board, and it appoints the county attendance officer upon recommendation of the county superintendent.

## **Housing Authority**

County councils have the authority to establish a housing authority and appoint five individuals to serve as commissioners. A commissioner does not receive compensation for services but is entitled to necessary expenses, including traveling expenses, incurred in the discharge of duties.

The county housing authority initiates and operates housing projects for low-income individuals, those who are engaged in national defense activities or victims of a major disaster. The authority is empowered to issue bonds, invest any funds held in reserves or sinking funds, and acquire and dispose of any real or personal property. The authority may also conduct investigations and studies and make recommendations regarding housing conditions.

## **Department of Buildings**

The county commissioners may create a department of buildings and the office of building commissioner to adopt building, heating, ventilating, air conditioning, electrical, plumbing, sanitation and minimum housing codes for the unincorporated areas of the county. These codes must have the approval of the fire prevention and building safety commission. The commissioners may appoint inspectors and/or deputies to administer and enforce the codes.

## **Local Health Departments**

County health departments have jurisdiction over the entire county where city health jurisdictions are established. Local boards of health report to the Indiana State Department of Health. They enforce all the health-related laws, regulations and ordinances of the state as well as their own. Health departments are responsible for birth and death registrations, prevention and suppression of diseases, communicable disease control and environmental health, including general community sanitation, retail food sanitation and the initiation of health services.



A seven-member board manages most health departments (although the two part-time city departments and the one health and hospital corporation each have five-member boards and the multi-county health department has an eight-member board). The board of health is appointed by local officials (county commissioners and mayors) and is responsible for appointing a health officer, who must be a licensed physician. The physician serves as the executive head of the department and secretary to the board. All local health officer appointments are subject to approval and certification by the county executive or common council (for city departments of health).

There are several methods of funding local boards of health. For instance, city health departments are funded through the city's general fund. On the other hand, county health departments, which were established under legislation passed in 1965, are funded under a special tax levy without any limitation. Multi-county health departments are funded on a pro rata population basis under a special tax levy. City-county health departments, with the exception of that in Fort Wayne-Allen County, are funded on a pro rata basis between the city and county governmental units. The health and hospital corporation has special taxing powers.

County councils set county health department salaries. The health personnel policies may not conflict with those of the county. A special statute lists the powers and duties of the health officer and board of health.

## **Commission on Public Records**

A county's commission on public records consists of the judge of the circuit court, president of the board of county commissioners, county auditor, county clerk, county recorder, superintendent of the school district in which the county seat is located and the city controller of the county seat city. If there is no city controller, the clerk-treasurer of the county seat city is a member of the commission. The commission elects one of its members to be chairperson and the county clerk serves as secretary. The commission's duties are to determine the following:

- Where valuable or usable records should be filed
- What records are no longer of official or historical value
- How records of no further value should be disposed of or destroyed

## **Alcoholic Beverage Board**

It is mandatory that county boards of commissioners, county councils and city mayors each appoint a member of the county alcoholic beverage board when notified to do so by the Indiana Alcohol and Tobacco Commission (ATC). The board consists of three appointed members, plus a full-time employee appointed by the state commission.

The chief function of the board is to check and pass on applications for licenses to sell alcoholic beverages at retail within the county when requested to do so by the ATC.

## **Local Planning Commissions, Boards and Departments**

Like local health departments, local planning bodies exist in a variety of different forms. At perhaps the most basic level, all county governments have established planning commissions that are composed of nine

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members, including the following individuals:

- One member appointed by the county executive from its membership
- One member appointed by the county fiscal body from its membership
- The county surveyor or a qualified deputy surveyor appointed by the surveyor
- The county agricultural extension educator
- Four citizen members, of whom no more than two may be of the same political party, and all four of whom must be residents of unincorporated areas of the county, appointed by the county executive
- One township trustee, who must be a resident of an unincorporated area of the county, appointed by the county executive upon the recommendation of the township trustees whose townships are within the jurisdiction of the county planning commission

The purpose of these commissions is to take steps to ensure that highway systems are carefully planned; that new communities grow only with the accompanying growth of utility, health, educational and recreational facilities; that the needs of agriculture, industry and business are recognized in growth; and that community growth is commensurate with and promote the efficient and economical use of public funds.

### Board of Zoning Appeals

In counties where the planning commission has adopted a zoning ordinance, it is necessary that a board of zoning appeals be established as a part of the ordinance. This board, except in Marion County, consists of five citizen members appointed by the county commissioners. Two of the five must be citizen members of the county planning commission.

It is the duty of this board to hear and determine appeals on orders, requirements or decisions made by administrative officials in connection with the county zoning ordinance. The board is authorized to grant variances from the ordinances.

### Metropolitan Planning Commission

In certain counties, provision is made for the county and a city within it with a population of more than 65,000 to consolidate their planning operations by creating a bipartisan metropolitan planning commission. Such a commission becomes a unit of county government. The separate planning and zoning functions of the city and county plan commissions that have been superseded must cease and be exercised by the new agency.

The metropolitan planning commission consists of nine members as follows:

- One member appointed by the county legislative body from its membership
- One member appointed by the second-class city legislative body from its membership
- Three citizen members who are residents of unincorporated areas of the county, of whom no more than two may be of the same political party, appointed by the county legislative body; one of these members must be actively engaged in farming
- Four citizen members, of whom no more than two may be of the same political party; one of these members must be from the metropolitan school authority or community school corporation and a resident of that school district, and the other three members must be residents of the second-class city

The agricultural agent, the surveyor (or a qualified deputy appointed by the surveyor) and the city engineer serve as non-voting members. Provision also is made for a bipartisan, seven-member board of zoning appeals to operate within the commission. The powers, functions and duties of the metropolitan planning commission include those assigned by existing laws to city plan commissions and county plan commissions.

## **Area Planning Department**

An area planning department may instead be established to develop urban and rural areas. It is an alternative to the formation of separate city, town and county planning units and has taken over the planning function in a number of Indiana counties. The county commissioners are empowered to establish an area planning department whenever the county and at least one municipality within the county have passed ordinances to create such an agency. Thereafter, the area planning department exclusively exercises the planning and zoning functions of the county and the participating cities and towns. Other cities and towns within the county may then adopt ordinances enabling them to participate and to provide for the appointment of representatives to the area planning commission, which, together with a board of zoning appeals, is a part of the composition of the department.

The rural and urban populations in the area have equal representation on the area planning commission. Its size varies according to the population of the area and classification of municipalities included within it. In most instances, certain public officials such as county superintendent of schools, extension educator in agriculture, county surveyor, a member of a city board of public works or the board of sanitary commissioners and a member of a city council must be included along with a specified number of citizen members.

The commission is required to employ an executive director who is qualified by training and experience in the field of planning and zoning. In certain counties, the director is appointed and removed by the board of commissioners.

## **Hospital Board**

Another county board is the hospital board of trustees, which administers the county hospital. County hospital boards may, subject to the approval of the commissioners and council, lease portions of the county hospital grounds, buildings or equipment; accept endowments of property for the hospital; establish cumulative building funds; and levy property taxes for hospital construction purposes.

A unified city-county health and hospital program is in operation in Marion County and Indianapolis through the creation of the Health and Hospital Corporation of Marion County (HHC). The executive and legislative powers of the corporation are exercised by a five-member bipartisan board of trustees, three of whom are residents of Indianapolis appointed by the mayor, and two of whom are residents of the county, outside of the city limits, appointed by the county commissioners. The board creates a division of public health and a division of public hospitals.

## **Hospital Building Authority**

In counties operating public hospitals as separate institutions, a county hospital building authority is established to finance, build, equip and lease to the county land and buildings for hospital purposes. The executive powers of the building authority are vested in a five-member board of directors appointed by the county commissioners.

## **Private Hospital Authority**

Recognizing that private, not-for-profit hospitals may need construction and financing aid, the legislature granted authorization to boards of county commissioners, upon request of the governing board of such a hospital, to create a hospital authority to provide such assistance. Five directors appointed by the county commissioners administer the authority. The authority is given specified powers, including bonding powers, to enable it “to do all things necessary or convenient” to carry out its purpose.

## **Board of Aviation Commissioners**

Any county that owns or operates an airport has a department of aviation under the control of a board of aviation commissioners. The board consists of four non-salaried members, no more than two of whom may be of the same political party, appointed by the board of county commissioners. The county department of aviation, under ordinances adopted by the county council, hires employees and does all other things necessary to the operation of the airport. Its authority is extensive and is identical to the authority granted to similar boards and departments of aviation in cities and towns. Joint airport authorities may be formed with Indiana counties and cities joining with counties and cities in neighboring states for the acquisition, financing and operation of air terminals. A county may levy taxes for establishment or maintenance of airports or landing fields.

There are a few exceptions to this general pattern of organization. For example, in Marion County, the powers and functions ordinarily vested in a board of aviation commissioners are conferred upon the board of the airport authority district. This board consists of four members, three appointed by the mayor and one by the board of county commissioners. Similarly, the agency responsible for the maintenance and operation of municipal airport facilities in Vanderburgh County is the five-member Evansville-Vanderburgh Airport Authority.

## **Airport Authority District**

Any county, city or town individually or jointly is allowed to establish an airport authority district upon enactment of an appropriate ordinance by the council(s) of the municipality or municipalities with jurisdiction over the proposed district. The district’s administrative agency is a board or authority with power to administer, maintain, operate and develop a publicly owned airport. The board or authority operates as a corporate municipality with power of eminent domain, police power, right of taxation and bonding powers, both general and revenue.

## **Drainage Board**

The drainage board is responsible for construction and maintenance of public drains. It determines whether petitions filed for drainage construction are feasible and/or beneficial. The board determines assessments against affected property owners based on benefits they realize from the projects. If no objections are successful, the board can contract for drainage construction and sell bonds to finance projects.

The county commissioners – or a board appointed by the board of county commissioners and consisting of three or five members at the discretion of the county commissioners – together with the surveyor constitute a county’s drainage board. In Marion and Lake counties, a deputy is appointed by the surveyor to serve as non-voting member. An appointed board must have at least one member who is a county commissioner, and the remaining members must be resident property owners knowledgeable in drainage matters.

The surveyor, as technical authority for the board, makes studies and prepares specifications for drains. The surveyor also is the supervisor of the construction. In addition, the county drainage board can hire an attorney to handle legal details.

## **Economic Development District**

Counties are authorized to make payments to an officially designated economic development district. Such a district is defined by 1971 statute as “a group of adjacent counties that contains at least two redevelopment counties, includes an economic development growth center, and has been designated as an economic development district by the U.S. government, upon the recommendation of the state of Indiana.”

The amount of the payments made may be based upon the assessed valuation of each county or the population of each county. The amount and the method of payment are determined by the board of directors of the economic development district, subject to appropriations by the individual county councils of the counties composing the district.

## **Library District**

Indiana has nearly 240 separate library districts throughout the state, each governed by a library board appointed by various means under Indiana law.

## **Library Service Authority**

Municipal governing bodies, educational institutions and other agencies of government may join together to form a library services authority to provide coordinated operation of a number of libraries. The state attorney general must approve any such agreement between two or more such agencies. Each governing body is authorized to appoint a specified number of individuals to a joint board of directors serving staggered three-year terms without compensation. The board may establish reasonable rates and charges for services rendered, and its budget is met through pro rata charges assigned to the various governing bodies.

## **Department of Parks and Recreation**

The county council may establish a department of parks and recreation to administer and conduct a recreation program. The department is under the direction of a five-member board, with two members appointed by the judge of the circuit court, two by the county council and one by the board of county commissioners. The mayor of the largest city in the county also serves on the board. If there is no city in the county, a representative of the largest town, who is selected by the town council, serves on the board. If the county has more than one city of the second class, the mayors must agree on a single representative to serve. There may be one or more additional members representing the board of school trustees and the county office of the Purdue University Cooperative Extension Service. An alternative local option for appointment of a county park board membership was authorized in 2019.

## **Regional Transportation Authority**

A county may establish a regional transportation authority to acquire, improve, operate, maintain, finance and generally support a public transportation system upon the adoption by the county council of an

## **Chapter 4**

ordinance creating such an authority. No more than one regional transportation authority may be established within each planning district. A planning district, however, can include more than one county.

The authority must have a board consisting of two members appointed by the board of commissioners of each participating county; one member from the largest city or town within each participating county appointed by the mayor or chief executive officer; one member from each second-class city within the district appointed by the mayor; and one member from any other participating municipality that has public transportation responsibilities. The regional planning commission is directed to serve as staff to the board secretary for recording the minutes and keeping authority records.

Among the broad powers conferred upon the board of a regional transportation authority are to purchase public transportation service from transportation agencies; to acquire, construct, equip, maintain, control and regulate public transportation systems; and to enter into agreements with other parties, including governmental agencies, municipalities, private transportation companies and corporations to provide for construction, operation and use of any public transportation system and equipment held by the authority.

### **Port Authority**

Any county, city or combination may create a port authority with power to build and operate docks, wharves, warehouses and other facilities, improve channels, issue bonds and levy property tax for the purposes best suited to such county port authority. Except in Lake County, this authority has the power of eminent domain.

### **County-Specific Agencies**

A county may also establish agencies that meet its specific, unique needs. For instance, in 1974, the General Assembly provided for the establishment of a special taxing district to provide water service in Evansville and the territory within five miles of the city. A five-member board appointed by the mayor supervises the resulting Vanderburgh County Waterworks Department. The department has authority to employ needed people and is empowered to set service rates, levy special benefit taxes and/or issue revenue bonds.

Similarly, in Marion County, the Indianapolis Historical Preservation Commission was created to acquire and preserve areas and structures of historical interest in Indianapolis, such as Lockerbie Square, which includes the home that was the residence of Hoosier poet James Whitcomb Riley. Areas proposed by the commission for preservation are subject to approval of the county metropolitan planning commission and the city-county council. Authority of the nine-member commission, appointed by the mayor of Indianapolis, includes the right of eminent domain. It is authorized to work with other government agencies in the development and carrying out of plans.

### **Association of Indiana Counties**

The Association of Indiana Counties (AIC) was established in 1957 to represent the interests of and serve as a resource to county government. This organization seeks to better county governments through the following activities:

- Represent counties at the Indiana General Assembly
- Research and dissemination of county government information

- Communication through publications and seminars
- Professional training and educational programs
- Act as a liaison between county, state and federal agencies
- Technical and managerial assistance

AIC affiliates are organizations representing individual county officeholders, such as assessors, auditors, clerks, commissioners, coroners, council members, recorders, surveyors and treasurers. Highway engineers and supervisors serve in an advisory role.





# Chapter 5

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## Township Government

In terms of organization, just below the county level of government lies the township level. The references made to townships in Article 6 of the Indiana Constitution (dealing with the administrative branch of government) are limited to unspecified township officers. The article neither specifically directs nor provides for the creation of townships or expresses the limits of township authority.

There are currently more than 1,000 townships in Indiana, and the number in a given county varies considerably, from four townships in Blackford, Brown and Ohio counties to 21 in LaPorte County.

As mentioned in Chapter 3, townships generally function in the following major capacities:

- As civil corporations for the administration of township assistance
- Maintaining abandoned cemeteries and township parks, and settling fence disputes
- Administering fire protection in some unincorporated areas
- In 2008, almost all townships were relieved of their assessing duties. Only 13 townships presently assess property.

The power to create or abolish townships or alter their boundaries is vested in a county's board of commissioners, which may act upon petition of a majority of the property taxpayers in the affected townships. In addition, legislation provides that, where the federal government has taken over large areas of townships, leaving 18 square miles or less of taxable territory, the territory remaining may consolidate with an adjoining township upon a petition signed by 35% of the property taxpayers in the township wishing to merge and, finally, upon subsequent action by the county commissioners. However, there have been only a few instances over the last 25 years in which either instance of such power has been exercised.

For planning and zoning purposes, a township may join a city that has an established planning commission and has adopted zoning and subdivision control ordinances if the township, or any part of it, is contiguous to the following:

- A city boundary
- An area over which a city is exercising planning and zoning authority
- Another township that has joined a city under the same provision

In 1993, Indiana townships were given home rule: the right to govern themselves without legal restrictions. This means that a township may exercise any power neither expressly denied to it nor granted to another government entity. However, unless authorized by statute, a township may not require a license or license fee, impose a service charge or user fee, impose a penalty, adopt an ordinance or impose township rent control.

Lastly, townships may join national, state or county associations of a civic, educational or governmental nature and may appropriate taxpayer funds to enable township representatives to take part in association activities.

## **Township Offices**

Like all other units of government, townships have several specific government officers. These include the township trustee, township board members and, in 13 townships, a township assessor.

### **Trustee**

The trustee is the chief executive officer of the township and must reside in that township. Residents of the township elect the trustee for a term of four years. The trustee's salary is established by the township board (formerly called the township advisory board).

The trustee prepares the annual township budget for submission to the township board and has general control over all property belonging to the township. Where applicable, the trustee also serves as chief administrative officer for township schools. Other responsibilities of the trustee relate to poor relief, recreation and fire protection. These duties are outlined in the following sections.

### **Township Assistance Duties**

The township trustee's primary obligation is to provide emergency assistance for destitute people who appeal for aid. Because provisions for township government and the procedure for laying out township boundaries were established in 1790 in the Acts of the Northwest Territory, township trustees and poor relief existed in Indiana before the state was admitted to the union.

The poor relief responsibilities of townships are subject to less regulation than other welfare programs and are therefore more flexible in addressing individuals' needs. Poor relief is designed to meet immediate needs rather than provide long-term support. Poor relief provides a variety of benefits, including the following:

- Burial assistance
- Food assistance
- Health care assistance
- Housing assistance
- Household reimbursement
- Medical program reimbursement
- Recipient reimbursement
- Utility assistance

When a person or family claiming to be poor and in distress seeks aid, the township trustee is obliged to grant relief if the need is verified and residency or intent to establish residency is verified.

The trustee may employ and fix the salaries of investigators of township assistance claimants within prescribed limits. The trustee may designate the county school attendance officer as such an investigator; if the county commissioners approve, the attendance officer is required to serve.

Township relief traditionally is "in kind" in that the recipient receives written vouchers for groceries or services, not cash. However, townships with a population of 20,000 or more may, with approval of the county commissioners, assume the responsibility (previously assigned only to the county auditor) of processing all claims and then issuing checks to the vendors.

The trustee must, in cases of necessity, promptly provide medical and surgical attendance for the township poor that are not provided for in public institutions and also furnish any medicines that are prescribed. This responsibility specifically includes the provision of insulin for diabetics, including authorization to provide special diets if prescribed. Additionally, the trustee of the poor must provide for and superintend the burial of deceased indigent people.

Other guidelines related to the trustee's township assistance responsibilities include the following:

- **Removal to county home.** The trustee shall have paupers (permanent charges of the township) removed to the county home, subject to the approval of the county's board of commissioners.
- **Work required.** If people applying for assistance are in good health, or if any members of their family are in good health, the trustee may insist that those able to work seek employment. The trustee may refuse to furnish any aid until satisfied that the people wanting help are looking to find work for themselves.
- **Responsible relatives.** If the people applying for township aid have relatives able to assist them who are living in the township, it is the duty of the trustee, before giving aid a second time, to call on such relatives of the people and ask them to help their relatives, either with material relief or by furnishing them with employment.
- **Cooperation with private agencies.** It is the duty of each trustee to ascertain the existence, if any, in the township of societies for relief of the poor or other organizations for charitable purposes, and to become acquainted with the work of all such relief organizations and to cooperate with them.
- **Transportation.** It is unlawful for the trustee to furnish transportation at the cost of the township to any non-resident who may be sick, aged, injured or disabled until after the legal residence of the person applying for such assistance has been determined beyond a reasonable doubt.
- **Records of relief.** Every trustee and other official who administers relief from the public funds to indigent people who are not inmates of any public institution must keep records of such relief. Because the office of township trustee is a public office, the law requires that the trustee's records and books remain open for public inspection. In addition, the trustee has annual reporting requirements of poor relief activities to the State Board of Accounts.
- **Conduct of rehabilitation, training and work programs.** For recipients of poor relief, the township trustee, with the approval of the township board, may conduct rehabilitation, training, retraining and work programs. The costs of such programs are paid from poor relief funds.

### Eradication of Weeds

Another obligation of the trustee includes requiring owners of real estate to cut and remove weeds and other detrimental plants on that property. The order may be in the form of a five-day written notice served by certified mail. If the landowner fails to take the requested action, the trustee may have the vegetation removed and charge the cost to the landowner, along with a charge for the supervision of the action.

There is a legal penalty for noncompliance. Should the owner fail to pay the sum due within the prescribed time, the amount shall be added to the tax due on the affected property and collected as taxes are collected.

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### **Issuing Reports**

The trustee must examine and settle all accounts and demands chargeable against the township. Specifically, the trustee must keep an accurate and current account showing amounts received into and paid out of each fund, who was paid, as well as all receipts and expenditures in one general account.

The trustee is also required to fill out a required annual township statistical report, the TA-7, and a 100R form (for duties and compensation of public employees) to the Indiana State Board of Accounts. The township must annually adopt a budget, which must be submitted to the Indiana Department of Local Government Finance for approval.

### **Summer Recreation Programs**

The trustee has the authority, either independently or in cooperation with a school board, school corporation, city, town or other governmental unit, to establish and sponsor summer recreation programs. The cost is to be paid from civil township funds.

### **Community Services**

Within funding capabilities, the trustee has wide authority to establish or maintain a variety of community services. These include, but are not limited to, programs for the elderly, as well as parks.

### **Fire Protection**

The trustee, with the consent of the township board, may purchase firefighting equipment and employ firefighters or may join with the trustee of one or more adjoining townships in providing joint fire protection. The trustee may contract with cities, towns or volunteer firefighting companies to supply fire protection, ambulance service and paramedic programs.

### **Serving as Assessor**

In 2008, the Indiana General Assembly relieved almost all of the township trustees of their property-assessing responsibilities. This gives the county assessor primary responsibility for their county's property assessment. There are currently 13 townships around the state that continue to perform the assessing function in their township.

### **Serving on the Township Park and Recreation Board**

Beginning in 1993, townships were able to establish a township park and recreation board consisting of the trustee and three members appointed by the trustee. The enabling statute allows such boards to receive park funds from the Indiana Department of Natural Resources.

### **Additional Duties**

Beyond the duties already described, other obligations of the trustee are as follows:

- To keep a record of official proceedings of the township office
- To receive and disburse all monies belonging to the township

- To have the care and management of all property, real and personal, belonging to the township, with authority to bind the township within the limitations of the trustee's function (this includes the authority to enter into leases with private businesses for the mining of oil and gas on township property)
- To care for abandoned cemeteries
- To administer oaths where necessary in the discharge of duties of office
- To serve property owners with ditch-cleaning notices on behalf of the county surveyor
- To build line fences where the affected property owners fail to agree to do so
- To serve as a notary public (although he or she may not charge for such service)
- To appoint an attorney to defend in any suit or proceeding in which the township may be interested
- To serve as "park governor" in relation to township parks, no matter whether a township park board has been established

## Township Board

Other important officials at the township level of government are the members of the township board. Citizens of each township elect three members to the township board (formerly known as the township advisory board) for four-year terms. (In Marion County, each township has a five-member township board.) Board members must be residents and qualified voters in the township. The township board has responsibilities within the township similar to those exercised by the county council, including:

- adopting the annual township budget;
- fixing the tax rate for various funds;
- imposing property tax levies;
- authorizing the incurring of indebtedness;
- approving township contracts, including contracts with not-for-profit corporations to provide health and community services not specifically provided by a governmental agency or department;
- overseeing bonds and warrants;
- serving as a township board of finance to select depositories for township funds; and
- fixing the salaries of elected and appointed officers and employees of the townships, excluding constables, township assessors and deputies, and employees of county assessors.

Additionally, the board's powers apply to both civil and school township functions.

The township trustee must attend all meetings of the township board. The board must also keep a record of its proceedings, which remains in the custody of the chairperson of the board.

## Township Assessor

In 2008, the Indiana General Assembly made dramatic changes with regard to assessing property at the township level. First, all township assessors with fewer than 15,000 parcels who performed assessing duties had their property-assessing duties transferred to the county assessor. In November 2008, there was a referendum vote for the township assessor by the voters in 43 townships with a property parcel count in excess of 15,000 parcels. After the voter referendum, 13 township assessors remain.

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Working cooperatively with the county assessor, the main function of these remaining township assessors is to establish the value of real and personal property for tax purposes. Specifically, the township assessor:

- identifies, calculates and lists the assessed value of all real and personal property for each parcel in their township;
- discovers and identifies omitted real and business personal property in their township;
- calculates the assessed value of all real property in each taxing district in their township;
- verifies and reviews the self-reported values of all business personal property in each taxing district in their township; and
- calculates the total assessed value of each taxing district in their township.

The township assessor is elected for a four-year term by the voters of the township. There is no restriction upon eligibility for re-election. Under Indiana Code 6-1.1-35.5, a person who runs for township assessor – if they have never held the office of township assessor – must have attained a Level Two Assessor-Appraiser certification. If the individual has held the office of township assessor, he or she must have attained a Level Three Assessor-Appraiser certification.

# Chapter 6

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## Cities and Towns

Cities and towns are empowered by state law to perform many services and impose a wide range of regulations affecting the daily lives of all that live within their corporate limits.

In Indiana, there are 568 cities and towns. In accordance with state law, cities are classified based on population within city limits. The specific city classes are as follows:

- First-class (more than 600,000 residents): 1 (Indianapolis)
- Second-class (35,001 to 599,999 residents): 22
- Third-class (2,001 to 35,000 residents): 97
- Towns: 448

Towns are established by incorporation. In addition, there are a number of communities in Indiana – some with populations as large as 10,000 people – that have never been incorporated. Being neither cities nor towns, they are governed by the board of commissioners of the county in which they are located.

A list of Indiana’s cities and their populations and of Indiana’s various towns are located on the following pages. Please note that the city chart lists areas that are called census designated places (CDPs). CDPs are closely settled, named, unincorporated communities that generally contain a mixture of residential, commercial and retail areas similar to those found in incorporated places of similar sizes. The U.S. Census Bureau works with local participants to delineate boundaries for CDPs. By defining CDPs, the Census Bureau can tabulate and disseminate data for localities that otherwise would not be identified.

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**NOTE:** The information provided on the following three pages was current at the time of the 2010 Census. However, Fishers is no longer a town but a second-class city. The next Census will take place in 2020 with data released in 2021. Visit [www.census.gov](http://www.census.gov) for further details and up-to-date information.

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# Classification of Indiana Cities

## City (County)

**Consolidated City**  
 Indianapolis (Marion).....820,445

**First-Class City**  
 Indianapolis (Marion).....820,445

**Second-Class Cities**  
 Anderson (Madison).....56,129  
 Bloomington (Monroe).....80,405  
 Carmel (Hamilton).....79,191  
 Columbus (Bartholomew).....44,061  
 Elkhart (Elkhart).....50,949  
 Evansville (Vanderburgh).....117,429  
 Fort Wayne (Allen).....253,691  
 Gary (Lake).....80,294  
 Greenwood (Johnson).....49,791  
 Hammond (Lake).....80,830  
 Kokomo (Howard).....45,468  
 Lafayette (Tippecanoe).....67,140  
 Lawrence (Marion).....46,001  
 Mishawaka (St. Joseph).....48,252  
 Muncie (Delaware).....70,085  
 New Albany (Floyd).....36,372  
 Noblesville (Hamilton).....42,935  
 Portage (Porter).....36,828  
 Richmond (Wayne).....36,812  
 South Bend (St. Joseph).....104,215  
 Terre Haute (Vigo).....60,785

**Third-Class Cities**  
 Aberdeen (Ohio) CDP.....1,875  
 Alexandria (Madison).....5,145  
 Americus (Tippecanoe) CDP.....423  
 Angola (Steuben).....8,612  
 Arlington (Rush) CDP.....433  
 Attica (Fountain).....3,245  
 Auburn (DeKalb).....12,731  
 Aurora (Dearborn).....3,750  
 Austin (Scott).....4,295  
 Avoca (Lawrence) CDP.....583  
 Bass Lake (Starke) CDP.....1,195  
 Batesville (Franklin/Ripley).....6,520  
 Bedford (Lawrence).....13,413  
 Beech Grove (Marion).....14,192  
 Berne (Adams).....3,999  
 Bicknell (Knox).....2,915  
 Blanford (Vermillion) CDP.....342  
 Bluffton (Wells).....9,897  
 Boonville (Warrick).....6,246  
 Brazil (Clay).....7,912  
 Bright (Dearborn) CDP.....5,693  
 Buck Creek (Tippecanoe) CDP.....207  
 Buffalo (White) CDP.....692  
 Burns City (Martin) CDP.....117  
 Butler (DeKalb).....2,684  
 Butlerville (Jennings) CDP.....282  
 Canaan (Jefferson) CDP.....90  
 Cannelton (Perry).....1,563  
 Charlestown (Clark).....7,585  
 Clarksburg (Decatur) CDP.....149  
 Clinton (Vermillion).....4,893  
 Coalmont (Clay) CDP.....402  
 Colburn (Tippecanoe) CDP.....193  
 Collegeville (Jasper) CDP.....330  
 Columbia City (Whitley).....8,750  
 Connersville (Fayette).....13,481  
 Corday Sweetwater Lakes (Brown) CDP.....1,128  
 Country Squire Lakes (Jennings) CDP.....3,571  
 Covington (Fountain).....2,645  
 Crawfordsville (Montgomery).....15,915  
 Crown Point (Lake).....27,317  
 Decatur (Adams).....9,405  
 Delphi (Carroll).....2,893  
 Deputy (Jefferson) CDP.....86  
 Dover Hill (Martin) CDP.....114  
 Dresser (Vigo) CDP.....104  
 Dubois (Dubois) CDP.....488  
 Dunkirk (Jay).....2,362  
 Dunlap (Elkhart) CDP.....6,235  
 East Chicago (Lake).....29,698  
 East Enterprise (Switzerland) CDP.....148  
 Elwood (Madison/Tipton).....8,614  
 Emison (Knox) CDP.....154  
 Fish Lake (LaPorte) CDP.....1,016  
 Florence (Switzerland) CDP.....80  
 Fontanet (Vigo) CDP.....423  
 Frankfort (Clinton).....16,422  
 Franklin (Johnson).....23,712  
 Freelandville (Vigo) CDP.....643  
 Freetown (Jackson) CDP.....385

Galena (Floyd) CDP.....1,818  
 Garrett (DeKalb).....6,286  
 Gas City (Grant).....5,965  
 Goshen (Elkhart).....31,719  
 Granger (St. Joseph) CDP.....30,465  
 Greencastle (Putnam).....10,326  
 Greendale (Dearborn).....4,520  
 Greenfield (Hancock).....20,602  
 Greensburg (Decatur).....11,492  
 Grissom Air Force Base (Cass/Miami) CDP.....5,537  
 Hanna (LaPorte) CDP.....463  
 Harlan (Allen) CDP.....1,634  
 Harrodsburg (Monroe) CDP.....691  
 Hartford City (Blackford).....6,220  
 Hatfield (Spencer) CDP.....813  
 Hayden (Jennings) CDP.....521  
 Henryville (Clark) CDP.....1,905  
 Herbst (Grant) CDP.....112  
 Heritage Lake (Putnam) CDP.....2,880  
 Hidden Valley (Dearborn) CDP.....5,387  
 Highland (Vanderburgh) CDP.....4,489  
 Hoagland (Allen) CDP.....821  
 Hobart (Lake).....29,059  
 Howe (LaGrange) CDP.....807  
 Hudson Lake (LaPorte) CDP.....1,297  
 Huntingburg (Dubois).....6,057  
 Huntington (Huntington).....17,391  
 Idaville (White) CDP.....461  
 Indian Heights (Howard) CDP.....3,011  
 Jalapa (Grant) CDP.....171  
 Jasonville (Greene).....2,222  
 Jasper (Dubois).....15,038  
 Jeffersonville (Clark).....44,953  
 Jonesboro (Grant).....1,756  
 Kendallville (Noble).....9,862  
 Kent (Jefferson) CDP.....70  
 Kimmell (Noble) CDP.....422  
 Knox (Starke).....3,704  
 Kootz Lake (Marshall/Starke) CDP.....1,557  
 Lake Dalecarlia (Lake) CDP.....1,355  
 Lake Holiday (Montgomery) CDP.....910  
 Lake Santee (Decatur) CDP.....820  
 Lake Village (Newton) CDP.....765  
 Lakes of the Four Seasons (Lake/Porter) CDP.....7,033  
 Lake Station (Lake).....12,572  
 Laketon (Wabash) CDP.....623  
 Landess (Grant) CDP.....188  
 LaPorte (LaPorte).....22,053  
 Lawrenceburg (Dearborn).....5,042  
 Lebanon (Boone).....15,792  
 Ligonier (Noble).....4,405  
 Linton (Greene).....5,413  
 Logansport (Cass).....18,396  
 Loogootee (Martin).....2,751  
 Madison (Jefferson).....11,967  
 Manilla (Rush) CDP.....267  
 Marion (Grant).....29,948  
 Martinsville (Morgan).....11,828  
 Melody Hill (Vanderburgh) CDP.....3,628  
 Memphis (Clark) CDP.....695  
 Metamora (Franklin) CDP.....118  
 Mexico (Miami) CDP.....836  
 Michigan City (LaPorte).....31,479  
 Mier (Grant) CDP.....78  
 Milroy (Rush) CDP.....604  
 Mitchell (Lawrence).....4,350  
 Monticello (White).....5,378  
 Montpelier (Blackford).....1,805  
 Mount Vernon (Posey).....6,687  
 Nappanee (Elkhart/Kosciusko).....6,648  
 New Castle (Henry).....18,114  
 New Haven (Allen).....14,794  
 North Vernon (Jennings).....6,728  
 Oakland (Gibson).....2,429  
 Madison (Jefferson).....11,967  
 Marion (Grant).....29,948  
 Martinsville (Morgan).....11,828  
 Michigan City (LaPorte).....31,479  
 Mitchell (Lawrence).....4,350  
 Monticello (White).....5,378  
 Montmorenci (Tippecanoe) CDP.....243  
 Montpelier (Blackford).....1,805  
 Mount Vernon (Posey).....6,687  
 Nappanee (Elkhart/Kosciusko).....6,648  
 New Castle (Henry).....18,114  
 New Goshen (Vigo) CDP.....390  
 New Haven (Allen).....14,794  
 New Paris (Elkhart) CDP.....1,494  
 New Salisbury (Harrison) CDP.....613  
 New Trenton (Ohio) CDP.....252

## CDP: Census Designated Place

North Vernon (Jennings).....6,728  
 New Washington (Clark) CDP.....566  
 North Terre Haute (Vigo) CDP.....4,305  
 Norway (White) CDP.....386  
 Notre Dame (St. Joseph) CDP.....5,973  
 Oakland (Gibson).....2,429  
 Otwell (Pike) CDP.....434  
 Owensburg (Greene) CDP.....406  
 Painted Hills (Morgan) CDP.....677  
 Parkers Settlement (Posey) CDP.....711  
 Peru (Miami).....11,417  
 Petersburg (Pike).....2,383  
 Plymouth (Marshall).....10,033  
 Point Isabel (Grant) CDP.....91  
 Portland (Jay).....6,223  
 Princeton (Gibson).....8,644  
 Purdue University (Tippecanoe) CDP.....12,183  
 Ragsdale (Davies) CDP.....141  
 Ragsdale (Knox) CDP.....129  
 Rensselaer (Jasper).....5,859  
 Rising Sun (Ohio).....2,304  
 Rochester (Fulton).....6,218  
 Rockport (Spencer).....2,270  
 Rolling Prairie (LaPorte) CDP.....582  
 Roselawn (Newton/Jasper) CDP.....4,131  
 Rushville (Rush).....6,341  
 Salem (Washington).....6,319  
 Salt Creek Commons (Porter) CDP.....2,117  
 San Pierre (Starke) CDP.....144  
 Scipio (Jennings) CDP.....153  
 Scotland (Greene) CDP.....134  
 Scottsburg (Scott).....6,747  
 Seymour (Jackson).....17,503  
 Shelby (Lake) CDP.....539  
 Shelbyville (Shelby).....19,191  
 Shepardsville (Vigo) CDP.....237  
 Shorewood Forest (Porter) CDP.....2,708  
 Simonton Lake (Elkhart) CDP.....4,678  
 Sims (Grant) CDP.....156  
 Smithville-Sanders (Monroe) CDP.....3,184  
 Somerset (Wabash) CDP.....401  
 South Haven (Porter) CDP.....5,282  
 Southport (Marion).....1,712  
 St. Bernice (Vermillion) CDP.....646  
 St. Mary of the Woods (Vigo) CDP.....797  
 St. Meinrad (Spencer) CDP.....706  
 Star City (Pulaski) CDP.....344  
 Stockwell (Tippecanoe) CDP.....1,875  
 Sullivan (Sullivan).....4,249  
 Taylorsville (Bartholomew) CDP.....919  
 Tecumseh (Vigo) CDP.....658  
 Tell City (Perry).....7,272  
 Tipton (Tipton).....5,106  
 Toad Hop (Vigo) CDP.....108  
 Tri-Lakes (Whitley) CDP.....1,421  
 Union City (Randolph).....3,584  
 Vallonia (Jackson) CDP.....336  
 Valparaiso (Porter).....31,730  
 Van Bibber Lake (Putnam) CDP.....485  
 Vincennes (Porter).....18,423  
 Wabash (Wabash).....10,666  
 Waldron (Shelby) CDP.....804  
 Warsaw (Kosciusko).....13,559  
 Washington (Davies).....11,509  
 West Lafayette (Tippecanoe).....29,596  
 West Point (Tippecanoe) CDP.....594  
 Westphalia (Knox) CDP.....202  
 Wheeler (Porter) CDP.....443  
 Whiting (Lake).....4,997  
 Williams (Adams) CDP.....286  
 Winchester (Randolph).....4,935  
 Woodburn (Allen).....1,520

Source: 2010 Census, Bureau of the Census,  
 U.S. Department of Commerce

**Basis of Classification**  
**First Class** – Over 500,000 residents  
**Second Class** – Between 35,001 and 499,999 residents  
**Third Class** – Between 2,001 and 35,000 residents





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Medora ..... Jackson  
 Mellott ..... Fountain  
 Mentone..... Kosciusko  
 Meridian Hills ..... Marion  
 Merom ..... Sullivan  
 Merrillville..... Lake  
 Michiana Shores ..... LaPorte  
 Michigantown ..... Clinton  
 Middlebury ..... Elkhart  
 Middletown..... Henry  
 Milan ..... Ripley  
 Milford ..... Decatur/Kosciusko  
 Millersburg ..... Elkhart  
 Millhouses ..... Decatur  
 Miltown ..... Crawford/Harrison  
 Milton ..... Wayne  
 Modoc ..... Randolph  
 Monon ..... White  
 Monroe ..... Adams  
 Monroe City ..... Knox  
 Monroeville ..... Allen  
 Monrovia..... Morgan  
 Monterey..... Pulaski  
 Montezuma ..... Parke  
 Montgomery ..... Daviess  
 Mooreland ..... Henry  
 Moores Hill ..... Dearborn  
 Mooresville ..... Morgan  
 Morgantown ..... Hendricks  
 Morocco ..... Newton  
 Morristown ..... Shelby  
 Mount Auburn..... Wayne  
 Mount Ayr ..... Newton  
 Mount Carmel ..... Franklin  
 Mount Etna ..... Huntington  
 Mount Summit ..... Henry  
 Mulberry..... Clinton  
 Munster..... Lake  
 Napoleon..... Ripley  
 Nashville ..... Brown  
 New Amsterdam..... Harrison  
 New Carlisle ..... St. Joseph  
 New Chicago..... Lake  
 New Harmony..... Posey  
 New Market..... Montgomery  
 New Middletown ..... Harrison  
 New Palestine ..... Hancock  
 New Pekin ..... Washington  
 New Point..... Decatur  
 New Richmond..... Montgomery  
 New Ross ..... Montgomery  
 Newberry..... Greene  
 Newburgh ..... Warrick  
 Newport ..... Vermillion  
 Newton ..... Fountain  
 New Whiteland ..... Johnson  
 North Crows Nest..... Marion  
 North Judson ..... Starke  
 North Liberty..... St. Joseph  
 North Manchester..... Wabash  
 North Salem ..... Hendricks  
 North Webster ..... Kosciusko  
 Oaktown ..... Knox  
 Odon..... Daviess  
 Ogden Dunes ..... Porter  
 Oldenburg ..... Franklin  
 Onward ..... Cass  
 Oolitic..... Lawrence  
 Orestes ..... Madison  
 Orland ..... Steuben  
 Orleans..... Orange  
 Osceola ..... St. Joseph  
 Osgood ..... Ripley  
 Ossian ..... Wells  
 Otterbein..... Benton/Tippecanoe  
 Owensville..... Gibson  
 Oxford ..... Benton  
 Palmyra..... Harrison  
 Paoli ..... Orange  
 Paragon ..... Morgan

Parker City ..... Randolph  
 Patoka ..... Gibson  
 Patriot..... Switzerland  
 Pendleton ..... Madison  
 Pennville ..... Jay  
 Perrysville..... Vermillion  
 Piercetown ..... Kosciusko  
 Pine Village..... Warren  
 Pittsboro ..... Hendricks  
 Plainfield..... Hendricks  
 Plainville ..... Daviess  
 Poneto..... Wells  
 Porter ..... Porter  
 Poseyville ..... Posey  
 Pottawatomie Park ..... LaPorte  
 Princess Lake..... Johnson  
 Redkey..... Jay  
 Remington ..... Jasper  
 Reynolds ..... White  
 Richland ..... Rush  
 Ridgeville ..... Randolph  
 Riley Town ..... Vigo  
 River Forest ..... Madison  
 Roachdale ..... Putnam  
 Roann ..... Wabash  
 Roanoke ..... Huntington  
 Rockville ..... Parke  
 Rocky Ripple..... Marion  
 Rome City..... Noble  
 Rosedale..... Parke  
 Roseland..... St. Joseph  
 Rossville..... Clinton  
 Royal Center ..... Cass  
 Russelville ..... Putnam  
 Russiaville ..... Howard  
 St. Joe ..... DeKalb  
 St. John ..... Lake  
 St. Leon ..... Dearborn  
 St. Paul ..... Decatur/Shelby  
 Salamonia ..... Jay  
 Saltillo ..... Washington  
 Sandborn..... Knox  
 Santa Claus ..... Spencer  
 Saratoga ..... Randolph  
 Schererville ..... Lake  
 Schneider..... Lake  
 Seelyville..... Vigo  
 Sellersburg..... Clarke  
 Selma ..... Delaware  
 Shadeland ..... Tippecanoe  
 Shamrock Lakes..... Blackford  
 Sharpville ..... Tipton  
 Shelburn ..... Sullivan  
 Sheridan ..... Hamilton  
 Shippshewana..... LaGrange  
 Shirley ..... Hancock/Henry  
 Shoals ..... Martin  
 Sidney ..... Kosciusko  
 Silver Lake ..... Kosciusko  
 Somerville ..... Gibson  
 South Whitley ..... Whitley  
 Speedway ..... Marion  
 Spencer ..... Owen  
 Spiceland ..... Henry  
 Spring Grove..... Wayne  
 Spring Hill..... Marion  
 Spring Lake..... Hancock  
 Springport ..... Henry  
 Spurgeon..... Pike  
 State Line ..... Warren  
 Staunton ..... Clay  
 Stilesville ..... Hendricks  
 Stinesville ..... Monroe  
 Straughn..... Henry  
 Sulphur Springs ..... Henry  
 Summitville ..... Madison  
 Sunman ..... Ripley  
 Swayzee..... Grant  
 Sweetser ..... Grant  
 Switz City ..... Greene

Syracuse..... Kosciusko  
 Tennyson..... Warrick  
 Thorntown..... Boone  
 Topeka ..... LaGrange  
 Town of Pines ..... Porter  
 Trafalgar ..... Johnson  
 Trail Creek ..... LaPorte  
 Troy..... Perry  
 Ulen ..... Boone  
 Uniondale ..... Wells  
 Universal..... Vermillion  
 Upland ..... Grant  
 Utica ..... Clarke  
 Van Buren..... Grant  
 Veedersburg ..... Fountain  
 Vera Cruz..... Wells  
 Vernon..... Jennings  
 Versailles..... Ripley  
 Vevay..... Switzerland  
 Wakarusa..... Elkhart  
 Walkerton ..... St. Joseph  
 Wallace ..... Fountain  
 Walton ..... Cass  
 Wanatah ..... LaPorte  
 Warren ..... Huntington  
 Warren Park ..... Marion  
 Waterloo..... DeKalb  
 Waveland..... Montgomery  
 Waynetown ..... Montgomery  
 West Baden Springs..... Orange  
 West College Corner..... Union  
 West Harrison..... Dearborn  
 West Lebanon..... Warren  
 West Terre Haute ..... Vigo  
 Westfield ..... Hamilton  
 Westport ..... Decatur  
 Westville ..... LaPorte  
 Wheatfield..... Jasper  
 Wheatland ..... Knox  
 Whiteland ..... Johnson  
 Whitestown..... Boone  
 Whitewater ..... Wayne  
 Wilkinson ..... Hancock  
 Williams Creek ..... Marion  
 Williamsport ..... Warren  
 Winamac ..... Pulaski  
 Windfall City..... Tipton  
 Winfield ..... Lake  
 Wingate ..... Montgomery  
 Winona Lake ..... Kosciusko  
 Winslow ..... Pike  
 Wolcott ..... White  
 Wolcottville ..... Noble/LaGrange  
 Woodlawn Heights..... Madison  
 Worthington ..... Greene  
 Wynnedale ..... Marion  
 Yeoman ..... Carroll  
 Yorktown..... Delaware  
 Zanesville..... Wells/Allen  
 Zionsville..... Boone

Source: 2010 Census, Bureau  
 of the Census, U.S. Department  
 of Commerce

## **Creation of Cities and Towns**

A town is created when a petition is filed with the county commissioners of the county in which a major part of the area to be incorporated is situated. The petition must be signed by at least 50 owners or at least 10% of the landowners in the area of the proposed town. It must also be accompanied by the following:

- An accurate survey of land contained in the area
- The number of residents and landowners
- A statement of the assessed valuation of all real property within the area
- A statement of the services to be provided to the residents
- An estimate of the cost of such services and the town's proposed tax rate
- The name to be given to the proposed town

The county commissioners then forward one copy of the petition to the planning commission that has jurisdiction. This agency is required to report its recommendation for approval or disapproval to the commissioners. If no opposition is presented after the required public hearing has been held and the commissioners are satisfied that all requirements have been met, an ordinance may be adopted incorporating the town.

New towns may not be incorporated within four miles of Indianapolis or within three miles of any other city. However, two counties provide specific exceptions to this rule. These limitations on incorporation do not apply in Lake County or in Hancock County. Also, the limitations do not apply if the city grants consent with an appropriate ordinance that has been adopted and approved.

How, then, are cities created? Quite simply, any town with a population of more than 2,000 may become a city of the third class. The action requires a petition, approved by at least one-third of the town's registered voters, asking the town council to adopt a resolution that submits to the voters the question of whether the town should become a city. A majority vote is sufficient to reconstitute the town as a city. However, some places that have a population of more than 2,000 still are classified as towns because they have not held the necessary election to become cities.

## **City and Town Boundaries and Annexation**

The common councils of both cities and towns have power to define and declare the corporate limits or boundaries of cities and towns. Such limits must be confirmed to contiguous territory.

A city or town council can annex more territory through the passage of an ordinance. However, no city may be annexed to another except through passage of ordinances by each city and subsequent election in both cities indicating that the majority of voters favor this union. Also, a municipality may not annex territory located in an adjoining county unless part of the city or town was within that county prior to January 1, 1982, or the county commissioners grant permission to annex. Special laws govern annexation and incorporation of areas adjoining the city of Indianapolis. There also are special rules regarding annexation in St. Joseph County, as well as in many other counties.

When additional areas are annexed to a city or town, the city or town is obligated to assume the indebtedness of territory outstanding at the time of the annexation, plus provide a fiscal plan outlining projected service needs of the area.

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The owners of 51% of the land in an area contiguous to a city or town may petition the common council of the city or town for annexation. If the council fails to pass an annexation ordinance within 60 days from filing of the petition, the petitioners may file a duplicate of the petition with the circuit court or superior court in the county in which the area is located. The court then holds a hearing to make a determination with respect to the annexation. When the owners of land seek annexation, it is called voluntary annexation.

Whenever annexation of territory by a city or town is proposed, an appeal to the courts opposing such annexation may be taken, either by a majority of the landowners in the territory or by the owners of more than 75% of assessed valuation of the real estate in the territory, if they believe themselves negatively affected.

If the court finds that the annexation is in the best interest of the city or town and that the other requirements for annexation prescribed in the law apply, it must rule that the annexation take place despite opposition to it. When the city or town initiates annexation proceedings, it is called an involuntary annexation.

## Indianapolis: A Consolidated City

Before examining the general pattern of city and town government in Indiana, it is first necessary to take a look at the unique governmental structure of Indianapolis, the state capital and only first-class city in Indiana. On January 1, 1970, Indianapolis and Marion County became one consolidated governmental unit called Unigov, with a basic structure reflecting that of the federal government. Unigov features a strong executive branch (the mayor and his or her appointed department directors) and is balanced by a strong legislative branch (the city-county council).

Under legislation adopted by the General Assembly in 1969, the Unigov format has:

- expanded the city's boundaries to coincide with those of Marion County, and created a city whose area measures 396 square miles (excluding only four self-governing communities surrounded by the city); and
- increased by some 50% the Indianapolis population figure

In addition, as a consolidated city, Indianapolis has:

- installed a county-wide executive structure and legislative body and a unified form of budgeting; and
- empowered the consolidated city with duties formerly scattered among various city and county officials and a multitude of departments, agencies, boards and commissions.

This plan took Indianapolis a long way toward complete metropolitan government. It provided for a mayor and a city-county council of 29 members, all elected for four-year terms. However, it neither altered nor combined school districts, nor did it extend police and fire protection throughout the county (although it did allow for subsequent expansion) or permit any further extension of city boundaries past Marion County.

The Unigov plan excluded cities as well as towns with a population of 5,000 or more from the terms of consolidation, leaving the cities of Beech Grove, Lawrence and Southport and the town of Speedway as self-governing islands surrounded by Indianapolis. As residents of the county, however, dwellers in the four communities pay taxes for most metropolitan functions and have the privilege of voting for the mayor of Indianapolis, for a council district seat and for four at-large seats on the city-county council.

The Indianapolis mayor is eligible to serve an unlimited number of terms. As chief executive, the mayor

has wide appointive powers, including the right to name deputy mayors, department heads and many division heads. In addition to four at-large members, the city-county council has 25 members elected from districts that are periodically reapportioned to reflect population changes. In 2016, the four at-large seats of the city-county council were eliminated; the city-county council now has 25 members, each with a separate district. The council appoints its own clerk, and its powers include “watchdog” functions, subpoena powers, authority to review policies and fiscal matters, and substantial budget review authority. Additionally, the council is given power of approval on bond issues proposed by the following special taxing districts:

- Airport authority
- Health and hospital corporation
- Welfare department
- County home board
- Building authority
- Capital improvement board
- Library districts and boards
- School corporations

The council may review and modify all budgets except those of school corporations and bodies receiving no local tax funds (specifically, the building authority and capital improvement board).

The Unigov model redistributed most of the powers of the three Marion County commissioners to the mayor. County commissioners are no longer elected. The Marion County treasurer, auditor and assessor perform functions of commissioners without extra pay. They also perform certain constitutional duties such as issuance and payment of bonds.

## **City Departments**

In Indianapolis, city-county business is conducted through six departments:

1. Administration
2. Metropolitan Development
3. Parks and Recreation
4. Public Safety
5. Public Works
6. Waterworks

Except for the Department of Waterworks, which is headed by a board of directors and is funded by customer payments, each department is headed by a director and funded via special taxing and service districts. These districts permit established legal units to request the extension of city-county services to their residents.

Advisory boards assist the Public Works Department, Public Safety Department and Parks and Recreation Department. The mayor and the city-county council have an equal number of appointments to each advisory board (two each for the Board of Public Safety and the Board of Parks and Recreation, and three each for the Board of Public Works). The chairperson of each of these boards is the department director, who is appointed by the mayor. The Department of Waterworks board of directors has six members appointed by

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the mayor from nominations submitted by the city-county council president and minority leader, and one member nominated by the mayor and appointed by the other six members.

The city-county administrative board assists the Department of Administration. The council appoints two members of the board; the other three are the director of the department, the county auditor and the city controller.

The Metropolitan Development Commission, as established by statute, acts as an advisory board for the Department of Metropolitan Development. The city departments are arranged functionally, as detailed in the following sections.

### Department of Administration

The Department of Administration provides general administrative functions for the consolidated city, including human resources, risk management, equal employment opportunities, community services, maintenance of city-owned vehicles and records, real estate services and workforce development.

### Department of Metropolitan Development

The Department of Metropolitan Development is under the leadership of the Metropolitan Development Commission, a nine-member appointive group that succeeded the Metropolitan Planning Commission and also performs the role of the defunct Redevelopment Commission. The mayor appoints four out of nine members of this bipartisan commission. The city-county council appoints three members and the board of county commissioners appoints two.

There are five divisions in the Department of Metropolitan Development:

1. The **Division of Administrative Services** provides managerial services to divisions within the Department of Metropolitan Development. These services include management of several city-owned properties and acquisition, disposal and maintenance of property in accordance with established area plans. In addition, the division takes an active role in promoting economic development by leveraging public and private resources to aid in the creation of housing and new employment opportunities.
2. The **Division of Community Development** empowers neighborhoods and builds community partnerships by promoting development and effectively managing information and financial resources. The division carries out its mission by providing funds to support initiatives focused on affordable housing, workforce development, homeless assistance, social services and the elimination of slums and blight.
3. The **Division of Planning** works in cooperation with citizens and stakeholders to prepare long-range plans and programs designed to facilitate positive growth in the Indianapolis-Marion County metropolitan area. In connection with this activity, the Division of Planning gathers and analyzes data, generates maps and produces reports of planning, capital improvement and development information as needed for a wide range of customers.
4. The **Division of Neighborhood Services** directly links Indianapolis residents, neighborhood groups and associations to city services to provide high-quality customer service and a dedicated link to city departments.
5. The **Division of Compliance** issues permits related to land use, development, infrastructure and building regulations while utilizing combined inspections to ensure adherence to applicable

laws, ordinances and standards, thereby promoting responsible development and improving neighborhoods.

Another important part of the Department of Metropolitan Development is the Metropolitan Board of Zoning Appeals (BZA), which holds public hearings and makes decisions on variances of the zoning ordinances. Because of the large number of petitions filed in Marion County, there are three divisions of the BZA. Each division has five members, with one member appointed by the Metropolitan Development Commission, two members appointed by the mayor and two members appointed by the city-county council. Each of the excluded cities in Marion County – Lawrence, Speedway and Beech Grove – has its own board of zoning appeals. Although the Department of Metropolitan Development serves as staff to those boards, petitions are filed and hearings are held in the respective city.

## **Department of Parks and Recreation**

The Department of Parks and Recreation is responsible for coordinating leisure-time facilities through maintenance and operation of 211 park areas occupying more than 11,200 acres of greenspace, and 135 miles of trails. A significant portion of that acreage is at Eagle Creek Park, which has more than one million visitors per year.

## **Department of Public Safety**

The Department of Public Safety has jurisdiction over police and fire services, the animal control facility, civil defense, weights and measures, and the Criminal Justice Coordinating Council. Its director appoints the police and fire chief. All other police officers and firefighters are under civil service, making them the only municipal employees with this status.

## **Department of Public Works**

The Department of Public Works is responsible for maintenance, construction and oversight of all city streets. The department performs general and emergency maintenance on the city's streets, bridges, sewers and drainage facilities. Specific maintenance duties include filling chuckholes, removing snow, minor sewage cleaning and enforcement of parking-meter ordinances. The department also oversees contracts for the following services:

- Operation of the city's two advanced wastewater treatment plants
- Street sweeping
- Roadside mowing
- Refuse removal

The Department of Public Works also monitors air and water quality standards and helps enforce environmental regulations.

## **Department of Waterworks**

The Department of Waterworks is responsible for the acquisition and ownership of all assets and the operation of any waterworks owned, acquired or established by the city. The department also has the responsibility to furnish an adequate supply of water to consumers within the department's jurisdiction.

## **Other City Offices and Agencies**

In addition to the six city departments, the administration of the city is assisted by other city offices and agencies and by separate municipal corporations. For example, the Office of the Mayor includes sub-offices such as the Office of the Controller, which is responsible for accounting, budget, payroll investment, purchasing and many business licenses; the Office of Corporation Counsel, which furnishes all legal representation for the city and is responsible for the collection of receivables and the operation of the ordinance violations bureau; and the Economic Development Commission, a five-member citizen board that may approve bonds for tax-exemption status for the purpose of economic development or anti-pollution.

Additional city offices and agencies include the following:

- **Indianapolis Metropolitan Police Department.** Indianapolis and Marion County historically maintained separate police agencies: the Indianapolis Police Department and Marion County Sheriff's Department. On January 1, 2007, a new agency, the Indianapolis Metropolitan Police Department, was formed by merging the two agencies. IMPD is a separate agency, as the Sheriff's Department maintains jail and court functions. IMPD has jurisdiction over those portions of Marion County not explicitly covered by the police of an excluded city or by a legacy pre-Unigov force.
- **Office of Audit and Performance.** Major functions of the Office of Audit and Performance include internal audits (which are selected based on an annual risk assessment), external audit management, performance projects, lean and six sigma training, and the Indy Performs initiative.
- **Historic Preservation Commission.** Indianapolis' was created by the legislature in 1975. This nine-member commission, whose members are appointed by the mayor, has the authority to designate certain areas or pieces of property as "historic" to prevent their destruction. The commission's goal is to preserve those structures or areas having historic value and oversee their restoration or preservation.
- **Indianapolis Airport Authority.** The Indianapolis Airport Authority operates the Indianapolis International Airport and five smaller airports: Downtown Heliport, Eagle Creek, Hendricks County Airport, Indianapolis Regional, and Metropolitan. The authority also operates a heliport in downtown Indianapolis.
- **Indianapolis Public Transportation Corporation.** The Indianapolis Public Transportation Corporation operates the IndyGo bus system that provides mass transportation throughout Marion County and to some locations in surrounding counties.

## **Municipal Government Throughout the Rest of Indiana**

Outside Indianapolis, most cities in Indiana share a similar form of municipal government. At the heart of these governments is the legislative body called the common council.

### **City Common Councils**

The common council (usually referred to as the city council) is the legislative body in a city government. Methods of election of members of common councils and the number of members on a council vary among cities of the different classes, as outlined in the following table.



<b>City Type</b>	<b>Number of Council Seats</b>	<b>Redistricting</b>
First-class	25 districts	2012 and every 10 years thereafter
Second-class	6 districts, 3 at-large	2012 and every 10 years thereafter
Third-class (10,000 or over)	5 districts, 2 at-large	2012 and every 10 years thereafter
Third-class (under 10,000)	5 districts, 2 at-large OR 4 districts, 3 at-large OR 4 districts, 1 at-large OR 3 districts, 2 at-large	2012 and every 10 years thereafter
<p><i>NOTE: In third-class cities there is a choice of having a seven-member council or a five-member council if the city's population is less than 10,000.</i></p>		

Elections of council members and other city officials (for four-year terms) are held in odd-numbered years immediately preceding presidential election years. Vacancies between elections are filled by a caucus of the precinct committee members of the same political party as the person vacating the office. If the vacating member is an independent, the remaining members vote to fill the vacancy.

The council is organized similar to most other legislative bodies. In cities of the third class, it is the duty of the mayor to preside at council meetings. In the mayor's absence, the council chooses one of its members as president pro tempore. The city clerk or clerk-treasurer serves as clerk of the council.

Common councils meet at least once each month. Special meetings are held on the call of the mayor. All official meetings of a council are public.

### **Powers of the Common Council**

According to Indiana law, "the powers of cities or towns shall be construed liberally in favor of such municipalities." Thus, if state law does not specifically grant or prohibit particular powers to cities and towns, then a city or town is typically free to exercise that power. Furthermore, "it is the policy of the state to grant to municipalities full power and the right to exercise all governmental authority necessary for the effective operation and conduct of government with respect to their municipal and internal affairs."

The powers of common councils or town boards, as granted by the General Assembly, are discussed on the following pages.

### **Corporate and Procedural Powers**

In Indiana, a city or town has the power to establish and operate a government in order to carry out its powers and functions. The power to establish, control and operate a government includes, but is not limited to, the following powers:

- Having a corporate seal
- Acquiring and owning interests in real and personal property

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- Using, protecting, maintaining and disposing of interests in real or personal property owned by the city
- Entering into contracts with people, corporations or other governmental entities
- Paying debts and expenses
- Borrowing money in accordance with applicable law and subject to the limitation of the constitution
- Accepting donations of money, property, services or other advantages
- Enacting ordinances, declaring the violation of an ordinance to be an infraction and establishing fines for that violation (not to exceed \$2,500)
- Requiring the attendance of witnesses and the production of documents relevant to matters being considered at meetings of the common council, or of any board, department or agency empowered by law or ordinance to hear and determine any matter
- Punishing contempt and disorder in rooms of the common council or of any board, department or agency of the city
- Hiring and discharging employees, except where the hiring or discharge is prescribed by the General Assembly
- Providing a system of pensions and retirements, except where such system is prescribed by the General Assembly for officers and employees
- Establishing a system of employment with respect to any class of employees under which such employees would have security of employment and would be hired, promoted, demoted, transferred, discharged, compensated and accorded other benefits and advantages on the basis of merit and qualification
- Entering into contracts and executing documents necessary to receive money, property, services or other advantages from the state government, federal government or from any other source
- Ratifying the action of any city or town, or its officers and employees, if such action could have been approved in advance of that action
- Suing and being sued

### ***Powers Related to Liability and Indemnity***

In relation to liability and indemnity, a city or town has the power to take any of the following actions:

- To compromise claims against the municipality
- To defend any officer, employee or agent of the city or town relative to damages or liability arising out of actions or failures to act done in good faith in the performance of duty
- To protect any officer, employee or agent of the city or town from any liability or damages if it is determined that the act or failure to act that gave rise to the liability or damages was done in good faith in the performance of duty

### ***Powers Related to Fees and Charges***

Cities and towns also have the following powers related to fees and charges:

- To charge reasonable fees for licenses

- To fix or levy a charge or assessment against property benefiting from the furnishing of municipal facilities or services that is equivalent to the expense of furnishing such facilities and services

### ***Powers Related to Special Proceedings***

Cities and towns additionally have powers that relate to special proceedings. More specifically, they may do any of the following:

- Acquire property or property interests by eminent domain within the city or within four miles of the corporate limits of the city or town, subject to applicable ordinances and zoning regulations
- Enter onto property on which exists a condition that violates an ordinance and take appropriate action to bring that property into compliance with the ordinance, provided that no action be taken until after all people, corporations or property are given a reasonable opportunity to bring the property into compliance with the ordinance; the expense of bringing the property into compliance with the ordinance may be made as a lien against the property
- Initiate a civil action to restrain any person, corporation or governmental entity from violating an ordinance regulating or prohibiting any condition or use of property, or from engaging in an activity without a license if a license is required by ordinance

### ***Powers Related to Harmful, Dangerous or Criminal Activity***

Cities and towns have the power to take action and exercise controls to preserve peace and good order and secure freedom from dangerous and harmful undertakings or activities. These include but are not limited to the following powers:

- To regulate, license and prohibit public gatherings such as shows, demonstrations, fairs, conventions, sporting events and exhibitions
- To disperse disorderly assemblages
- To regulate, license and prohibit any use of property in a way that endangers the public health, safety or welfare, or causes injury to property within four miles of its corporate limits
- To regulate, license and prohibit the custody, possession or ownership of real or personal property that either endangers the public health, safety or welfare, or causes injury to property

### ***Health and Sanitation Powers***

A city or town may take action and exercise controls to secure and promote the general public health and welfare. This includes the power to do the following:

- Obtain information that reasonably is related to protection of public health and welfare; people may be examined and premises may be inspected at any reasonable time in order to obtain this information, subject to constitutional limitations
- Provide medical care for people
- Regulate, inspect, license and prohibit the operation of any business that owns, possesses, produces, processes, stores, transfers or sells substances that are used for food, drink, confectionery or condiment
- Regulate, license and prohibit the disposal of domestic or sanitary sewage

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- Quarantine and impose restrictions on people or animals who are likely to cause other people or animals to contract a disease or otherwise suffer loss of health
- Regulate, license and prohibit the ownership, possession, custody or transfer of any animal
- Capture and destroy animals when such action reasonably is related to the public health, safety or welfare
- Regulate, license and prohibit the disposition or interment of bodies
- Regulate, inspect, license and prohibit the furnishing of water to the public
- Collect, possess, process and dispose of waste substances including, but not limited to, garbage, trash and refuse
- Collect, process and dispose of domestic or sanitary sewage
- Execute contracts with not-for-profit corporations for providing health and community services, including visiting nurse services not specifically provided by a governmental agency or department

A city or town may exercise any of these powers within four miles of its corporate limits.

### ***Road and Traffic Powers***

Cities and towns further have the power to establish, construct, maintain and control streets, thoroughfares, walkways, roads, bridges, tunnels, sidewalks, alleys and other public ways. This includes, but is not limited to, the power to:

- Lay out, construct, repair, clean, light, adorn, change or separate the grade of or otherwise improve streets and other public ways
- Grant rights-of-way through, under or over public ways
- Vacate public ways, subject to the right of public utilities to continue to maintain, operate, supplement and replace existing facilities and structures therein
- Regulate, license and prohibit the use of public ways by people and animals
- Regulate, license and prohibit the use of public ways by any vehicle, device or machine that transports people, animals or property

### ***Powers Related to Watercourses***

Cities and towns may also establish, maintain and control watercourses, including rivers, streams, waterways, ditches, drains and storm sewers. In this capacity, a city or town may do any of the following:

- Regulate, license and prohibit the introduction of any substance into the water or onto the banks of the watercourse that endangers the public health, safety or welfare, or causes injury to property
- Regulate, license and prohibit any action that changes the condition of hot and cold in the water or affects the flow of the water in such a way as to endanger the public health, safety or welfare, or cause injury to property
- Regulate, license and prohibit the taking of water from a watercourse or allowing/causing water to escape from a watercourse in such a way as to endanger the public health, safety or welfare, or cause injury to property

- Regulate, license and prohibit any recreational or business use of the watercourse, including but not limited to boating, skating, swimming, fishing, ferrying, commercial shipping and operation of wharves
- Purify the water in watercourses
- Dam, widen, straighten, dredge, change the channel of or remove an obstruction in any watercourse
- Establish wharves on the watercourse
- Vacate or create a new watercourse

A city or town may exercise any of these powers within 10 miles of its corporate limits.

### ***Planning, Zoning and Construction Powers***

Indiana's cities and towns also have power to take actions and exercise control relating to the improvement, maintenance and use of real property. For example, a city or town may:

- Inspect any structure or other improvement at a reasonable time
- Plan for future land use
- Regulate mapping and subdividing of real property
- Regulate, license and prohibit the purpose for which real property may be used
- Regulate the condition and maintenance of structures and other improvements
- Regulate and license the method of repair, alteration, location and construction of structures and other improvements
- Regulate, license and prohibit the use of materials in repair, alteration, location or construction of structures and other improvements
- Number structures bordering on streets and public ways
- Repair, alter or destroy structures and other improvements when such action is reasonably related to public health, safety or welfare
- Require the execution of a bond by a person or corporation engaged in repairing, altering, locating or constructing a structure or other improvement in which there is a reasonable possibility of danger to the person or to property

### ***Powers Related to Subterranean Areas***

A city or town can additionally exercise control relating to the improvement, maintenance and use of real property below ground level. This includes but is not limited to these powers:

- To regulate, license and prohibit any movement or removal of earth in such a manner as to leave a space devoid of earth below the surrounding ground level, including, but not limited to, excavating, drilling, mining, burrowing and tunneling
- To regulate, license and prohibit the introduction of any substance into any subterranean stream or body of water in such a manner as to endanger the public health, safety or welfare, or cause injury to property

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### ***Powers Related to Air***

Cities and towns have the power to exercise control relating to the use of air. In this area, they may do the following:

- Regulate, license and prohibit the introduction of any substance or odor into the air that endangers the public health, safety or welfare, or causes injury to property
- Regulate, license and prohibit any generation of sound that endangers the public health, safety or welfare, or causes injury to property
- Enact an ordinance to control, regulate or prohibit the presence in the air of contaminants of any sort and to compel compliance with such standards and restrictions with respect to air pollution

With regard to these powers, the jurisdiction of the city extends up to 10 miles from the corporate limits.

### ***Powers Related to Crafts and Business***

In relations to crafts and businesses, cities and towns are permitted to take any of the following actions:

- Regulate, inspect, license and prohibit crafts, businesses, professions and occupations that may affect the public health or safety, or cause injury to property
- Regulate, inspect, license and prohibit services, advantages and property furnished directly to the homes of the general public that shall include, but not be limited to, electricity, gas, water, oil, telephone communication, sewage disposal, trash pickup and television signals, excluding, however, such people, firms or corporations as are subject to regulation by the Utility Regulatory Commission or any other agency of the state or federal government given regulatory powers over such activity
- Regulate, inspect, license, prohibit and fix the price to be charged by people, firms or corporations who hold for public hire the use of vehicles, machines or devices that transport people, animals or property, excluding, however, such people, firms or corporations as are subject to regulation by the Utility Regulatory Commission or any other agency of the state or federal government given regulatory powers over such activity
- Regulate, inspect, license, prohibit and fix the price to be charged by people, firms or corporations who hold out for public hire the service of collecting, possessing and disposing of waste substances, including but not limited to garbage, trash and refuse
- Regulate, inspect, license and prohibit door-to-door solicitation by salesmen, peddlers or other people offering goods or services to the public or solicitation for any charitable cause or purpose

### ***Powers Related to Public Facilities***

A city or town has the power to establish, construct, maintain, control and operate public and municipal facilities within four miles of its corporate limits, subject to all applicable ordinances and zoning regulations. Such public and municipal facilities include but are not limited to these facilities:

- Public parks and recreation areas
- Sewers and sewage disposal systems
- Comfort stations
- Libraries

- Stadiums
- Civic centers, convention centers and auditoriums
- Museums
- Structures to house municipal offices and municipal property
- Transportation systems
- Waterworks
- Systems to collect and dispose of waste substances
- Wharves
- Airplane, bus and railroad terminals
- Hospitals
- Dog pounds

### ***Public Safety Powers***

A city or town may also help promote and preserve the public safety by establishing, maintaining and operating these functions and systems:

- A police and law enforcement system to preserve public peace and good order
- A firefighting and fire prevention system
- Facilities and equipment for police and fire systems
- A weights and measures standards control system

### ***Additional Powers***

Finally, cities and towns have a variety of other powers that do not fall into the above categories. These include powers to do the following:

- Appropriate funds to provide membership in state and national associations of civic, educational or governmental nature and cover expenses of delegates to association meetings and activities
- Erect, purchase or lease water, gas and electric light works and heating, steam and power plants in order to provide such services to the public
- Enact zoning regulations, building codes and other similar regulations
- Establish a municipal plan commission and a board of zoning appeals
- Establish and operate municipal parking facilities
- Levy taxes to pay necessary expenses of sewage disposal plants and flood prevention projects
- Appoint two members to the board of a city or town library and one member to the board of a city-township library
- Levy taxes for the purchase, construction and maintenance of playgrounds and recreational centers, and establish a board of parks and recreation to administer such programs
- Acquire and operate airports and landing fields, and issue revenue bonds for airport construction or improvement

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- Construct stadiums, purchase real estate for use as auditoriums and issue bonds to pay for such property
- Levy a tax for the purpose of defraying the annual expenses of the Indianapolis Symphony Orchestra (Indianapolis only)
- Lease city-owned hospitals to duly incorporated hospital associations within the community
- Create and provide for cumulative building or sinking funds to provide funds for the purchase, construction, maintenance or equipment of buildings for municipal purposes, building and repairing bridges, constructing and maintaining streets, acquiring equipment for a public transit system and constructing storm sewers to provide adequate flood control
- Levy a tax for a thoroughfare improvement program (Indianapolis only)
- Provide for the continuance of public transportation services if such services are endangered for economic reasons (second- and third-class cities only)
- Fix the annual salaries of all elected municipal officials
- Provide funds for operation of a park and for capital expenditures for park purposes and establish a department of parks and recreation
- Set up and maintain an adequate system of books and records as prescribed by the State Board of Accounts for the municipal street department and prepare an annual report of that improvement program, filing such report with the State Board of Accounts
- Make annual appropriations for the maintenance and employment of bands and orchestras to furnish music in municipal parks or other public places
- Make annual appropriations for the celebration of national holidays in municipal parks or other public places
- Codify the municipal ordinances in an ordinance book or pamphlet in order to have a complete, simplified code
- Acquire, by issuing bonds, and own and operate public transit systems (second- and third-class cities only)
- Appropriate funds to pay the expenses of, or reimbursement to, municipal officials for expenses incurred in interviewing job applicants, in promoting industrial development and for any other expenses of a civic nature
- Provide a cumulative building and equipment fund for the erection of fire stations and for the purchase of firefighting and police radio equipment or arrange to make the required payments under a conditional lease rental with option to purchase agreements
- Provide appropriations and/or issue revenue bonds in order to acquire, establish, operate and maintain refuse collection and disposal facilities and service
- Create, by ordinance, a general improvement fund to be used to pay for the construction, repair or improvement of streets, alleys, sidewalks, curbs, gutters and sewers after appropriate notice to the affected taxpayers
- Enter into cooperative agreement with towns, townships, and/or other cities to provide ambulance, rescue and first-aid service, and levy taxes to pay for such services
- Be responsible for the control and management of cemeteries belonging to, and located within five miles of, the municipality
- Upon petition of 10% of the property owners and taxpayers of the city, levy a tax for needed care



of any cemetery within one-half mile of the corporate limits of the city, and provide at least 25% of the burial lots if such cemeteries are owned and maintained by property owners in the city

- Provide, by ordinance, for the disposal of abandoned or junk vehicles that are discarded or otherwise permitted to remain in any place where they are visible from a public place
- Hire or contract with, on a full-time or part-time basis, one or more attorneys and/or legal assistants
- Enter into agreement with the board of county commissioners to authorize that body to undertake highway maintenance, construction or any related services and functions on behalf of the municipality
- Establish an airport authority district under the same authority granted to boards of county commissioners
- Create, upon request from the governing board of any private, not-for-profit hospital located in the city, a hospital authority to give to the hospital needed construction or financing assistance

## **City Officials**

In addition to council members, there are also a number of other important city officials, including the mayor, deputy mayor and clerk.

### **Mayor**

The mayor, elected by popular vote of the entire city for a term of four years, is the chief administrative and executive officer of the city. The mayor serves as chairperson of the common council in cities of the third class.

A mayor's duties include the following:

- Executing and supervising enforcement of the ordinances of the city and laws of the state
- Communicating to the common council, at least once a year, a statement of finances and the general condition of the city and other information related to city affairs
- Making such written recommendations to the council as may be necessary and calling special meetings of the council when deemed necessary
- Performing executive or administrative duties prescribed by law, supervising subordinate officers and being responsible for the efficiency of city government
- Appointing the heads and employees of departments of city government and making other appointments provided by law or by city ordinances; the mayor may, at any time, suspend or remove from office any appointed person or people unless otherwise provided by law
- Signing bonds, deeds and written contracts of the corporation and department licenses issued pursuant to law
- Approving or vetoing, within 10 days, in writing, ordinances passed by the common council; the mayor may veto items of an appropriation or levy measure, which can be overridden by a two-thirds vote of the council
- Calling monthly meetings of city department heads in which the officials are empowered to adopt rules and regulations for the conduct of affairs of individual departments

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- Appointing three people to check and examine the accounts of each department without notice
- Fixing the salaries of all appointive officers, employees, deputies and assistants and of departmental and institutional heads, except members of the city police and fire departments, subject to approval of the city council
- Issuing proclamations commemorating special events, weeks, days, etc.

The salary of the mayor is fixed by the city council. In addition to his or her regular salary, the mayor may also receive compensation from municipally owned utilities for his or her services in connection with their operation. The amount of such additional compensation is determined by the administrative authority of the utility, subject to the approval of the city council and the mayor.

In case of a vacancy in the office, the mayor's unexpired term shall be filled by election held by precinct committeemen of the same party as the departing mayor.

### Deputy Mayor

By 1981, city common councils were given authority by the legislature to create, by ordinance, the position of deputy mayor. The deputy mayor is appointed by the mayor and serves at the mayor's pleasure. Any ordinance establishing the office of deputy mayor is to set forth the specific powers of the deputy mayor(s), whose powers shall not exceed those of the mayor.

### City Clerk

In Indiana, every city (except Indianapolis) must elect a clerk or clerk-treasurer by popular vote for a four-year term. In Indianapolis, the clerk is appointed for a one-year term and serves at the pleasure of the city-county council. In third-class cities, the office of the clerk is included in that of the clerk-treasurer.

The duties of the clerk include the following:

- Keeping a record of the city council's proceedings
- Preparing an ordinance book and compiling ordinances
- Retaining charge of city documents and books
- Retaining the city seal
- Licensing and collecting a license fee from any person desiring to conduct a sale of merchandise as an insurance, salvage, removal, closing out, liquidation or creditor's sale, except in those cities in which this duty is assigned to the city controller; the clerk must secure an inventory of the merchandise to be offered for sale

In cities of the second class, the clerk also serves as clerk of the city court. In this capacity, the clerk is empowered to administer oaths, issue processes and affix the seal of the court to documents of that court. In third-class cities, the clerk-treasurer is authorized to appoint the number of full-time and part-time employees, subject to approval by the common council, for the operation of his or her office. Furthermore, in all counties, a city clerk or clerk-treasurer may perform marriages.

## **Departments of City Government**

The powers and duties vested in city councils and mayors are delegated to various departments through an ordinance of the council. In addition, the city council is required to establish the executive departments of the city by an ordinance recommended by the mayor. Departments may be terminated or their functions may be transferred among departments upon recommendation of the mayor. Any type of department or department head that is considered necessary may be established. The head of each department established by ordinance is appointed by and serves under the mayor.

City departments that exist because of a state statute are to be headed by a person appointed by the mayor and approved by the statutorily established board or commission for that department. This includes park directors (where there is an independent park department); heads of planning, economic development, redevelopment and aviation commissions; flood control commissioners; waterworks trustees; and boards of sanitary commissioners. (Note: The mayor's power here is to appoint the head of the department; this does not affect the applicable statutory provisions concerning the appointment and tenure of the members of the board or commission.)

It is required that each department head meet statutory requirements and that members of the boards of works and safety are residents of the city.

### **Department of Finance**

In second-class cities, the department of finance is under the direction of the controller. In third-class cities, responsibility for the fiscal affairs of the city is placed in the office of the clerk-treasurer. In Indianapolis, a division of finance is included in the Department of Administration. The mayor is charged with appointing the controller and fixing his or her salary, subject to the approval of the city council. In addition, the Indianapolis city controller may appoint a deputy controller.

The powers and duties of a city's controller or clerk-treasurer are as follows:

- Providing the form of reports to be rendered, as well as inspecting and revising accounts of other departments and trusts
- Signing and issuing all warrants on the city treasury
- Auditing the accounts of other departments
- Maintaining separate accounts for each specific item of appropriation made by the council
- Performing duties prescribed by statute concerning the negotiation of city bonds, notes and warrants
- Keeping a register of bonds of the city and of transfers of those bonds
- Managing and directing the finances and accounts of the city
- Issuing city licenses
- Collecting fees as fixed by ordinance
- Paying fees collected by the controller's office to the city treasury on a weekly basis
- Prescribing payroll and account forms for the city departments
- Prescribing the manner in which salaries shall be drawn
- Prescribing the manner in which creditors, officers and employees shall be paid

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- Providing that all salaries are payable monthly, unless the legislative body establishes more frequent payments
- Notifying the city executive of the failure of any city officer to collect money due to the city or to pay city money into the city treasury
- Drawing warrants on the city treasury for miscellaneous city expenditures not made under the direction of a department specifically fixed by statute

### **Department of Law**

The head of a city's department of law is the city attorney, who is appointed by the mayor. The mayor fixes the attorney's compensation, subject to the approval of the common council.

In first- and second-class cities, the city attorney or corporation counsel is assigned the following duties and powers:

- Managing the city's law business and the legal affairs of each department within the city government
- Prosecuting violations of city ordinances
- Serving as legal advisor to city departments
- Preparing cases, ordinances, contracts and other legal papers for city departments
- Handling city litigation
- Making title searches and examining abstracts as necessary to open or improve streets or other public property
- Employing assistants within ordinance limits
- Instituting any proceedings necessary to protect the rights of the city or the public

Officers, departments, boards, commissions and other agencies of the city may not employ attorneys without the authorization of the head of the department of law.

### **Department of Public Works and Safety**

Two of the major functions of civil city governments are to provide police and fire protection and to construct and maintain streets, sidewalks, sewers and sanitary facilities. These important functions are classified under the broad terms of "public safety" and "public works." In some cities, these functions are supervised by a single agency of city government, while in other cities, separate agencies and boards supervise them.

For example, second-class cities may, by action of the common council, establish separate boards (a board of public works and a board of public safety), or they may utilize a combined board of public works and safety. Cities of the second class also may establish a board of sanitary commissioners, by ordinance. Third-class cities are required to utilize a combined board of public works and safety.

In second-class cities, the board of public works and safety consists of from three to five people appointed by the mayor. In third-class cities, the board consists of the mayor and two people appointed by the mayor. The appointed members also may hold other appointive positions in city government.

## **Public Works**

The agencies responsible for the public works functions of cities are vested (with certain exceptions as to functions assigned to the board of sanitary commissioners on an optional basis in second-class cities) with the duty and power to do the following:

- Condemn, rent or purchase any real property needed for public use
- Have charge of all real property of the city
- Design, order and contract for repair and maintenance of city property
- Approve the platting of streets and alleys within the city and for four miles beyond (in cases of cities of the first and second class)
- Lay out, open, change or vacate any street, alley or public place within the city
- Repair, clean or light any street, alley or public place within the city
- Lay out and construct drains and sewers within the city and to a distance of four miles outside the city, plus set and charge rates for sewer service on a utility basis
- Purchase, construct and operate waterworks, gas works, electric light works, telephone systems, sewage treatment works, and heating and power plants for the purpose of supplying the inhabitants of the city with such services, or own a majority of the stock in private companies that provide these services (unless there is a utility service board)
- Contract with private companies for the furnishing of the above services
- Lay out and construct culverts and bridges
- Authorize use of the streets by utility companies
- License the excavation of coal, rock, gravel or other material beneath streets and public places
- Remove structures from streets
- Erect levees and straighten watercourses within the city and for four miles outside
- Provide for garbage disposal
- Maintain a map of all public utility lines, pipes and conduits and of all street, alley and sidewalk grades
- Drain or fill stagnant water pools within the city and to four miles outside
- Construct fountains in public places
- Maintain and improve harbors, seawalls, docks and channels and make shoreline improvements (in cities situated upon or adjoining harbors and watercourses, including Lake Michigan)
- Supervise and control facilities for collection and disposal of refuse and the collection of revenue for the use of such facilities and services, with the method of disposal subject to approval by the Indiana State Department of Health (unless, by ordinance of the common council, this responsibility is assigned to the city's sanitary board)
- Supervise the establishment by property owners of improvement districts; provide for hearings, appeals and remonstrance concerning any proposed improvement projects; let contracts for the completion of approved projects; determine the project costs; authorize issuance of bonds to finance construction; levy property assessments to recover costs; and determine what rates or charges, if any, shall be established for use of the improvements

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### **Public Safety**

The public safety functions of a city include the care, management, supervision and control of all matters and property relating to the fire and police forces, the fire alarm system, fire escapes, building inspection, boilers, marketplaces, prisons and pounds. The members of the board in charge of public safety have the power to employ and discharge members, officers and employees of the police and fire forces, with the exception of the chief of the police department and the chief of the fire department, both of whom the mayor appoints and who are subject to certain merit system regulations.

In certain towns, metropolitan police boards operate and have charge of police departments. Also, cities and towns that have full-time, paid police or fire departments may adopt a model public safety merit system in conformance to state law.

### **Planning Commission**

The 1947 Advisory Planning Law gives municipalities and counties authority to plan and pass development controls. Creation of a planning commission to carry out planning and zoning functions is a local option. Once a community decides to establish jurisdiction over such matters, its officials must follow the statutory procedures specified for the type of plan commission they wish to form.

Under the Advisory Law, the common council may authorize the appointment of a city planning commission consisting of either seven or nine members. A commission in cities having a park board and a city engineer is composed of the engineer, a park commissioner, a member of the board of works, a council member and five citizens appointed by the mayor. In cities without either a park board or a city engineer, the commission consists of three city officials appointed by the council and four citizens appointed by the mayor. If the commission exercises jurisdiction outside of the city, the county commissioners appoint two additional members from that area. If the city is in a county that has a county planning commission, a designated representative of the county commission serves as an advisory (nonvoting) member of the city commission.

Planning commissions have the power to establish rules and regulations, appoint a secretary and hire professional consultants to produce surveys, studies, maps, plans, charts, ordinances and necessary data. Provision is made for a township to join with a city that has an established planning commission and has adopted zoning ordinances.

A city that takes part in a countywide planning commission has representation, varying with its population, on that commission. (See also Chapter 4, "County Government.")

### **Special Planning Authorization**

By special legislation, authorization has been given to Delaware County and the city of Muncie, to Vanderburgh County and the city of Evansville, and to Vigo County and the city of Terre Haute to establish metropolitan planning commissions by means of identical ordinances adopted by action of the county commissioners and of the city council in each case. This type of a metropolitan planning commission constitutes a unit of county government with countywide jurisdiction. The membership consists of a county commissioner, a city council member and seven citizen members – three from the unincorporated area of the county (including one actively engaged in agriculture) and four from the incorporated area (including a member of the metropolitan school authority). The county surveyor, the county extension agent in agriculture and the city engineer are ex officio members without voting power.

## **Board of Zoning Appeals**

In cities (except Indianapolis) in which a zoning ordinance has been enacted, there is a five-member board of zoning appeals. The mayor appoints three members, of whom one must be a member of the city planning commission. The city planning commission appoints one member of the commission to the board. The fifth board member is appointed by the city council. All members of the board of zoning appeals must be residents of the city, and none may hold local elective or appointive office, except for city planning commission membership. If the city planning commission exercises jurisdiction outside the city limits, the person it appoints to the board must reside in the unincorporated area. An alternative to this procedure is to create an additional division of the board composed of citizens who reside in the unincorporated area.

The functions of the board of zoning appeals are to hear and determine appeals for exceptions, special uses, contingent uses and conditional uses from the terms of the zoning ordinance. Boards of zoning appeals operating under the advisory or metro laws may also grant variances from a use district or classification under the zoning ordinance.

## **Department of Public Transit**

The common council of any city of the second or third class may, by ordinance, create a department of public transit to acquire, operate and manage the public transportation system. The department consists of five people appointed by the mayor. No more than three of may be of the same political party. Initial appointments are for staggered terms with subsequent appointments to be for four years.

The common council is authorized to annually appropriate from the general fund an amount sufficient to pay all costs and expenses incidental to the operation of the system. All proceeds from the operation of the system go to the city controller and are placed in the public transit revolving fund.

## **Department of Health**

Only second-class cities are authorized to operate city health departments. An exception is Terre Haute, which by law must participate in a county health department. Nonetheless, five second-class cities – Elkhart, Evansville, Kokomo, New Albany and South Bend – have opted to be part of the city-county or county health departments, and only eight second-class cities operate their own health departments. In addition, special legislation has given West Lafayette, a third-class city, authority to operate its own city health department. Other cities are no longer permitted to operate city health departments. These public health functions are assigned to county health departments.

Depending on the laws under which they were established, city departments of health are administered by either a five-member or a seven-member board of health. In either case, the mayor makes appointments for four-year staggered terms. Some members of each type of board must be physicians or veterinarians.

The board of health appoints the city health officer, who must be a physician. The health officer appoints the staff of the department subject to board approval. The department's budget is subject to final approval by the city council, which appropriates funds necessary for operation of the health department.

The board has jurisdiction within the city boundaries. The health officer enforces state laws, Indiana State Department of Health rules and regulations and local ordinances. The health officer maintains records related to health matters, makes inspections to determine compliance with health laws and regulations, and investigates outbreaks of contagious diseases.

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A city with its own health department can abandon it to become integrated with a county health department by joint resolution of the city council and the county commissioners.

### **Department of Economic Development**

If the common council of a city needs to finance economic development or pollution-control facilities, it may create a department of economic development under the control of an economic development commission. This commission consists of three members unless the council decides to increase the number to five. The mayor appoints the members to staggered terms, which, after the initial appointments, are for four years.

The commission recommends action to improve or promote job opportunities, industrial diversification and availability of pollution-control facilities based on need as determined by investigation and study. Specific powers granted include the power to enter into lease arrangements with prospective industries, to acquire land, and to construct or remodel buildings for such lessees and to issue bonds and secure payment of them under specified provisions. The commission is required to submit an annual report to the state.

### **Department of Redevelopment**

The common council of a city is authorized to create a department of redevelopment to promote and encourage the proper use of land to improve blighted areas and to best serve the interests of the city and its inhabitants.

A board of commissioners controls the department. The mayor selects three members and the city council appoints two members of the board. The commissioners are authorized to employ necessary personnel and to expend funds raised for the department.

The redevelopment commission may issue bonds, subject to the approval of the mayor, to raise funds to carry out its program and may levy property taxes to retire such bonds. The commission is authorized to accept and expend federal funds. In addition, where redevelopment activities bring in new property tax revenues, such funds may be used to reimburse cities or towns for public improvements made in that area or to pay lease obligations for buildings or off-street parking facilities.

### **Housing Authority**

A city common council may elect to establish, by resolution, a housing authority. Like county housing authorities, city housing authorities initiate and operate housing projects for low-income people, people engaged in national defense activities or victims of a major disaster. The mayor may appoint five people to serve four-year terms as commissioners of the authority. The commissioners are entitled to receive \$25 per meeting.

The authority's area of operation includes the city and the area within five miles of the territorial boundaries of the city, provided that it does not include any area within the territorial boundaries of the authority of any other city or town. The area of operation also may include any other city or town, if its governing body consents to such by resolution.



## **Municipal Public Utilities**

A utility service board, composed of from three to seven members, may be created through the process of filing a petition by voters, holding a referendum and establishment by the common council, if the outcome of the referendum is favorable. This board governs any municipal public utilities owned by the city. The mayor appoints a majority of the members of the utility service board and the common council names the remaining members.

## **Department of Public Parks**

Parks and other public recreation facilities are under the supervision of the department of public parks. The department is directed by a bipartisan board of four members appointed by the mayor, unless by resolution of the board of park commissioners a second-class city has extended the territory of its park district to cover the area of the county in which it is located. With such an extension, the bipartisan board of park commissioners, which governs the park district, consists of five members, two of whom are appointed by the mayor, two of whom are appointed by the county council, and one of whom is appointed by the school board presidents in the county. (Vanderburgh County has a separate appointment process.)

In third-class cities, the common council may, by ordinance, establish the department of public parks. This department is to be administered by a bipartisan, four-member board of park commissioners appointed by the mayor. The commissioners serve without compensation, except for actual expenses.

## **Preservation Commission**

Any municipal area in Indiana subject to a master plan for land use is eligible to be named a preservation area by ordinance or resolution of the appropriate city council or town board of trustees. The council or board would then establish a preservation commission that would consider petitions for such areas, have right of approval for any zoning variance, have power of prohibition on construction and provide for a private party's right to legal action.

## **Historic District Board of Review**

Any city, town or county outside of Marion County that did not establish a historic preservation commission prior to July 1, 1977, is authorized to create – by ordinance – a historic district board of review. This body consists of from three to nine members serving three-year staggered terms without compensation, except for expenses. The members are appointed by the executive officer of the governing unit (city mayor, president of the county board of commissioners or town council president) subject to approval of the legislative body of the unit.

The historic district board is to prepare a map describing the boundaries of a historic district or districts and classify all buildings or structures within such district(s) in order to prevent any development, alteration or demolition that will be incongruous with such historic district(s). The governing body must approve the map and classifications, after which the historic district board must issue a permit for any alteration (including new construction) that affects the exterior or appearance within such district(s). Those buildings classified as historic must possess identified historic or architectural merit of a degree warranting their preservation.

### Department of Aviation

A city's department of aviation, which directs the operation of airports or landing fields owned by the city, is controlled by a board of aviation commissioners consisting of four members appointed by the mayor. No more than two of the members may be of the same political party. Appointments are for terms of four years on a staggered basis.

Acting under authority granted by the city common council, the board of aviation commissioners has the power to perform the following:

- Acquire, construct, improve and maintain municipal airports and landing fields and other air navigation facilities
- Employ technical and other assistants and assign their duties
- Adopt rules and regulations governing the use of the facilities under their control, provided these do not conflict with laws, ordinances or regulations of the city, state or federal government
- Lease to other people all or part of the airport, landing fields or buildings, and charge and collect rentals and fees for use of the facilities
- Control the erection or maintenance of structures on property surrounding the airport or landing field that might interfere with safe aircraft operation; such zoning regulations, according to the law, must be "reasonable," and the board may award damages to property owners for property taken or property rights affected, although owners have the right of appeal to the courts
- Accept federal grants or other money, public or private, for airport construction or operation

The common council may levy a property tax and issue bonds to finance the acquisition and operation of an airport or landing field. The proceeds from the levy, as well as the board of aviation commissioners' receipts from all other sources, are paid into an aviation fund. Provision is made for construction and extension of revenue-producing facilities at airports by financing through earnings of the property to be constructed. The council may transfer sums from the city general funds to the aviation fund; the aviation commissioners in turn are authorized to transfer surplus funds not raised by taxation from the aviation fund to the general fund of the municipality.

If two or more counties, cities, towns or a combination of these desire to establish and operate airports or other aviation facilities jointly, they may contract among themselves to do so. (In these cases, membership on the joint board of aviation commissioners may be increased to as many as seven.) Cities and counties in Indiana may also join with cities and counties in neighboring states to form a joint airport authority for the acquisition, maintenance, financing and operation of air terminals.

In Indianapolis, the powers and functions formerly vested in a board of aviation commissioners are conferred upon the board of the airport authority district. In Vanderburgh County, the agency responsible for the maintenance and operation of municipal airport facilities is the Evansville-Vanderburgh Airport Authority.

### Town Officials and Departments

Town elections are held in odd years in which elections for county, state, and national offices are not held, except in towns that choose to have staggered terms. In those towns, elections coincide with the general elections.

Although city and town governments are similar, there are some differences between the two. More specifically, the elective officers of every town are one council member from each district and a clerk-treasurer for the town-at-large. However, in towns of 3,500 or less, the legislative body may abolish the districts and elect all council members at-large. The town council appoints a marshal who serves at the pleasure of the board, except in those towns that have adopted the metropolitan police commission format.

Party nominations for offices in towns having a population of more than 3,500 are made at a primary election. In towns with a population less than 3,500, nominations for town officers are made at town political conventions. These must be held, according to statute, in September in the year in which the town officials are to be elected. Officials also may be elected as independents if nominated by petition as nonpartisan candidates.

The council members, clerk and marshal receive such salaries as the town council may direct by ordinance.

## **Town Council**

The town council was formerly called the board of town trustees. Towns elect members of the town council from districts/wards. Towns have the option, exercisable by ordinance, to have voters elect council members for all wards or to elect only a candidate from the voter's own ward. Wards are established by the town council and may not number more than seven or less than three. Council members are elected for four-year terms.

The legislative powers of the town council are identical to those of the common council. In addition, town councils exercise administrative authority in their municipalities. Council vacancies are filled by a caucus of the precinct committeemen of the same party as the person vacating the office. Should the vacating person be an independent, the vacancy is filled by a vote of the remaining council members.

## **Town Manager**

A town council may employ a town manager and fix the manager's compensation, benefits and terms of employment. The manager is the administrative head of the town government, required to devote such time to this work as is specified in the contract of employment. The manager may be employed to serve at the pleasure of the council or for a definite tenure not to exceed the term in office of the appointing council.

The manager is responsible to the town council for the administration of the affairs of the town. Although the specific communities that employ a manager vary from year to year, nearly 45 towns retain the town manager form of government.

## **Clerk-Treasurer**

The clerk-treasurer of a town has custody of the records, books and papers of the town council; records the proceedings of the council; has custody of the town seal; issues licenses; and is authorized to administer oaths and take depositions. The clerk-treasurer also handles the funds of the town under direction of the council.

The clerk-treasurer appoints full-time and part-time employees for his or her office. The number of employees must be approved by the council, which fixes their salaries within appropriation limits. In all counties except Marion, a clerk-treasurer may perform marriages.

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### **Town Marshal**

The marshal is appointed by the town council to enforce laws and ordinances. Upon direction of the council, the marshal also may act as fire chief and street commissioner. The marshal may appoint deputy marshals upon authorization of the town council.

### **Metropolitan Police Commission**

Any town – by majority vote of its citizens – can elect to replace the town marshal with a metropolitan police commission of three members, appointed by the town council. This commission is authorized to set up, subject to approval of the town council, a police force to enforce town ordinances and state laws.

# Chapter 7

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## Educational System

School corporations are the legal entities serving as administrative units for the management, operation and financing of traditional public schools. Varied types of school corporations function under the numerous statutes governing the administrative organization of the state's public school system.

Much change in administrative units has taken place since the district school, which was patterned after the system used in the New England states, developed in Indiana to fulfill the intent of the 1816 constitution. For example, the General Assembly abolished the district school as an administrative and taxing unit, replacing it with township school units in 1852. A state-initiated action to reorganize school districts since that time occurred in 1959, with the passage of the School Reorganization Act, which created a commission for the reorganization of school corporations, as well as set guidelines for consolidating corporations.

By 1970, the effort to reorganize school districts in Indiana was essentially completed. Since that time, reorganization has been turned over to the jurisdiction of the Indiana State Board of Education. Now, the state has nearly 300 school corporations, compared to 966 in 1961.

Indiana's school districts are governed by school boards. Most school board members are elected, although some are appointed. Like Congress, state legislatures, and city or county councils, school boards establish the direction and structure of their school districts by adopting policies through the authority granted by the state legislature. School board policies have the force of law equal to statutes or ordinances. Policies establish directions for the district; they set the goals, assign authority, and establish controls that make school governance and management possible. These policies are one of the means by which educators are accountable to the public.

### **Power and Duties of School Commissioners or Trustees**

In carrying out their responsibilities with regard to general education, school corporation governing bodies have many specific powers. These include power to do the following:

- To provide necessary schools, buildings, facilities, property and equipment
- To sell, acquire or exchange real or personal property
- To lease school property or permit its free use for civic or public purposes
- To employ or discharge personnel, set salaries or other compensation, determine the number of necessary employees and define their duties
- To approve, for school-connected activities, trips by and expenses for personnel
- To provide transportation for pupils
- To provide school lunch programs
- To rent textbooks to pupils attending schools within the district
- To transfer students to and accept transfer students from other school corporations

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- To levy taxes, make budgets, appropriate funds and disburse funds (within the limitations of certain state controls)
- To purchase liability insurance for the school corporation and its personnel
- To defend employees or members of the governing body in suits arising from school corporation duties
- To establish and maintain a petty cash fund not to exceed \$500 annually
- To contract with banks and trust companies for payroll preparation, check issuance, bookkeeping and other similar functions
- To enter into joint programs with other school corporations by written agreement
- To change the name of the school corporation
- To appoint two members to the boards of all public library districts with headquarters that lie within the school district
- To sue, be sued and to enter into contracts

## **Indiana State Board of Education**

Established by the General Assembly, the 11-member State Board of Education oversees state education policy-making. Its major responsibilities, set by statute, are to:

- establish the educational goals of the state, developing standards and objectives for local school corporations;
- assess the attainment of the established goals;
- assure the compliance with established standards and objectives; and
- make recommendations to the governor and the General Assembly on the educational needs of the state, including financial needs.

On a more specific basis, the State Board of Education has authority over areas such as distribution of state funds, rule-making for state educational programs and accreditation of local schools.

The superintendent of public instruction is a voting member and may chair the board (beginning in 2017, the board elected its own chair — although the superintendent can be a candidate for the chair position and was voted to be so). The remaining eight members are appointed by the governor: not more than one from each of the state's nine congressional districts and one appointment from the Speaker of the House and Senate Pro Tem each. No more than five of the eight governor-appointed members may be from the same political party, and at least six must have educational experience.

## **Charter Schools**

In 2001, Indiana became the 38th state in the country to pass legislation allowing the formation of charter schools. Eleven charter schools opened in Indiana in 2002, the first year for charter schools in the state. By the 2012-13 school year, more than 70 charter schools had opened across the state of Indiana, serving nearly 30,000 students.

A charter school is a public school that is nonsectarian and nonreligious and operates under a contract or charter. Under Indiana Code, charter schools are established to serve the different learning styles and needs of public school students, to offer public school students appropriate and innovative choices, to afford varied opportunities for professional educators, to allow freedom and flexibility in exchange for exceptional levels of accountability, and to provide parents, students, community members and local entities with an expanded opportunity for involvement in the public school system.

Charter schools got their name from the charter, or contract, the organizers of the school sign with an authorizer, also known in Indiana as a sponsor. The sponsors are designated by state law and are responsible for school oversight and ensuring that the charter school complies with applicable state and federal laws and the terms of the charter. As originally passed in 2001, Indiana's charter school law allows four-year state universities, local school boards and the Mayor of Indianapolis to serve as sponsors. In 2011, the General Assembly created a State Charter School Board and designated four-year private universities to serve as additional sponsors.

Like traditional public schools, charter public schools must have open enrollment policies and cannot discriminate based on disability, race, color, gender, national origin, religion, or ancestry.

## **Charter School Accountability and Oversight**

Charter schools are considered by some as the “deregulated sector” of public schools and thus are exempt from some state regulations, but those freedoms are limited as they must also participate in state testing and are subject to substantial state rules pertaining to special education, facilities, employment and any other provisions as outlined in the charter contract with the authorizer. An individual charter school is considered to be its own local educational agency (LEA), meaning it is treated as an autonomous entity that is independent from a school district. For some purposes, including funding purposes and other purposes specified in legislation, charter schools are treated as their own school corporations. In exchange for their limited exemption from state regulations, charter schools are held to higher levels of accountability. A charter school can open and operate only if parents choose voluntarily to enroll their children there; no child is assigned to a charter school as is done in traditional public schools. Additionally, charter schools are required to meet state and federal accountability requirements and to abide by the requirements set out in their charter and agreed to by their sponsor. If these requirements are not met, then a sponsor can revoke a school's charter and require the school to close. Additionally, a charter school sponsor can lose its chartering authority if the schools that they have approved are persistent in not meeting state standards and if the sponsor fails to take action to correct those failures.

## **Private Schools**

Approximately 10% of Hoosier students attend non-public schools that are operated by churches or other private entities. Many of these schools are voluntarily accredited by the state, which means that they participate in state testing and they abide by various state reporting requirements.

Beginning in 2009, Indiana lawmakers adopted two laws to assist low- and middle-income families who choose private schools. The Scholarship Tax Credit, adopted in 2009, allows companies and individuals to contribute to special scholarship accounts and to claim a credit on their state taxes equal to 50% of the contribution. Those contributions are then used to help families pay for tuition at private schools.

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In 2011, Indiana adopted the nation's most expansive voucher program. Under the voucher program, families of certain income levels can use a portion of the funds that would have been paid to a local public school to attend a private school instead. In 2013, the voucher program was expanded to allow children with special needs to also access the vouchers, regardless of their family income levels.

Schools that accept voucher students must report various information to the state, including student test information. If the students in that school do not meet minimum state performance levels, then they can lose the right to enroll students with vouchers. This law was challenged in court by opponents, but in 2013 the Indiana Supreme Court ruled 5-0 that the program does not violate Indiana's State Constitution. The U.S. Supreme Court has also ruled that vouchers do not violate the U.S. Constitution.



## Part III

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# **Indiana's Judicial System**



# Chapter 8

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## Indiana Courts and Their Related Agencies

The Constitution of Indiana sets out three branches of state government: Legislative, Executive and Judicial. Indiana judicial power is vested in a Supreme Court, a Court of Appeals, Circuit Courts and such other courts as the General Assembly may establish.

In 1800, the first court in the Indiana Territory consisted of three judges appointed by the governor. Today, the Indiana court system has evolved into a system of justice that is sophisticated and complex. It consists of different levels of courts serving different functions, with about 600 judicial officers hearing about 1.3 million cases each year.

There are two primary levels of Indiana state courts: appellate courts and trial courts. The Supreme Court and the Court of Appeals are appellate-level courts, and the Tax Court is a legislatively created court with appellate and trial-level jurisdiction. Trial-level courts consist of circuit courts, superior courts, local city or town courts, and a probate court.

### Constitutional Background

Indiana's Constitution provides for the mechanism to establish justice, maintain public order and perpetuate liberty through, among other things, a system of courts. For example, the "due course of law" provision in the constitution's Bill of Rights (Article I, Section 12) states:

*"All courts shall be open; and every person, for injury done to him in his person, property or reputation, shall have remedy in due course of law. Justice shall be administered freely and without purchase; completely and without denial; speedily, without delay."*

In addition, Section 13 of Article I states:

*"In all criminal prosecutions, the accused shall have the right to a public trial, by an impartial jury, in the county in which the offense shall have been committed; to be heard by himself and counsel; to demand the nature and cause of the accusations against him, and to have a copy thereof; to meet the witnesses face to face, and to have compulsory process for obtaining witnesses in his favor."*

The state's judicial system is established very simply in Article VII, Section 1:

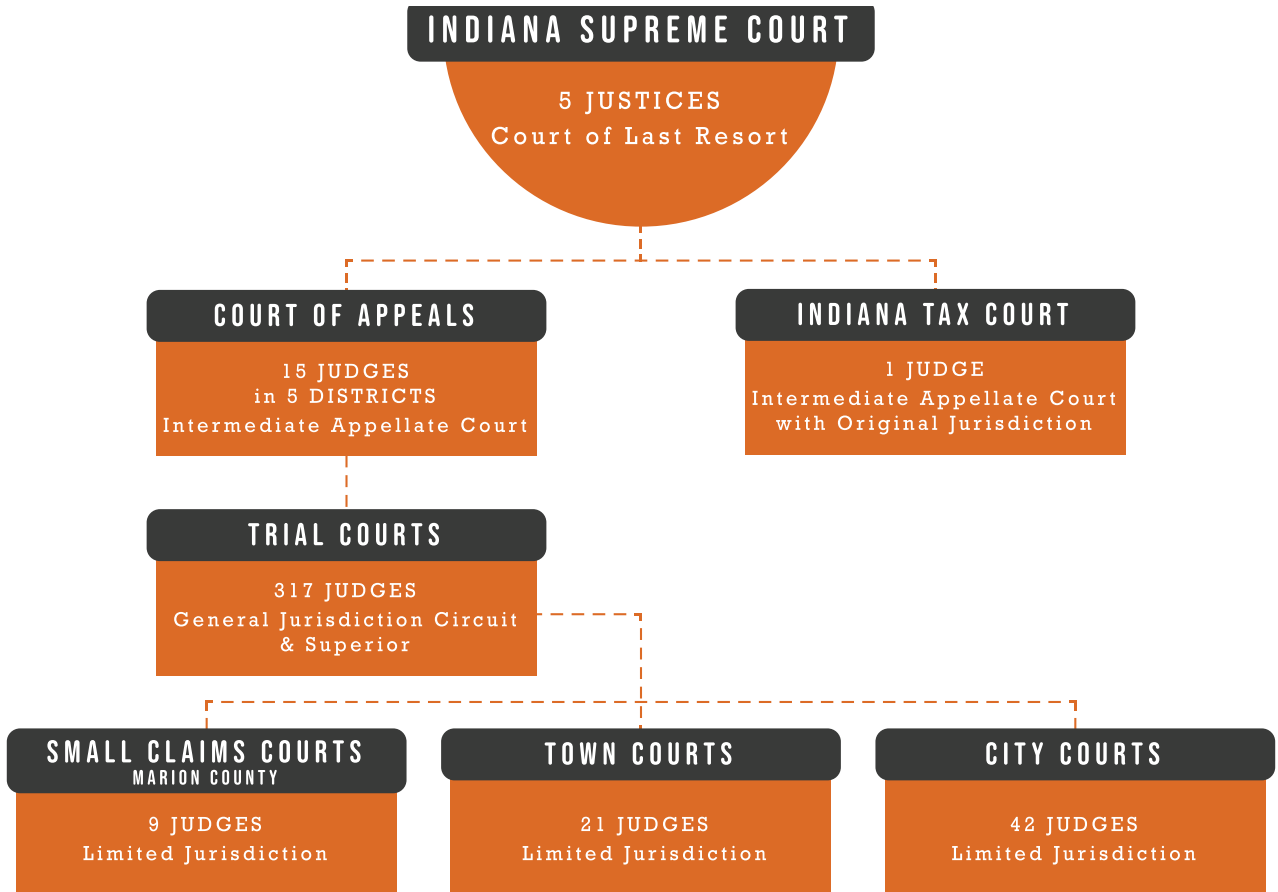
*"The judicial power of the state shall be vested in one Supreme Court, one Court of Appeals, Circuit Courts and other such courts as the General Assembly may establish."*

The additional courts established by the General Assembly include the Indiana Tax Court, which sits in Indianapolis but has a statewide jurisdiction, and local trial courts (superior, small claims and probate). The

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Indiana Tax Court is funded by the state, whereas principal funding for local courts is by the counties, cities, or towns. Rules adopted by the Indiana Supreme Court govern the conduct of all courts in the state and the ethical standards of Indiana judges.

# Structure of Indiana's Judicial System



## Selecting Judges

Between 1851 and 1970, Indiana judges at every level ran for office representing a political party and were elected by the regular political process. However, this system was not ideal for an independent judiciary. This led to the creation of a judicial study commission, which recommended a sweeping revision to provide for nonpartisan selection of judges.

In 1967, the General Assembly approved a constitutional amendment that called for nonpartisan selections to the state Supreme Court and Appellate Court (now Court of Appeals). Legislators again approved the amendment in 1969, and in 1970 the voters added their stamp of approval. Under this system, the justices on the Supreme Court, Court of Appeals and Tax Court stand unopposed for a “yes or no” retention vote in a general election. Approval initiates a new 10-year term; rejection makes the office vacant.

When there is a vacancy on the Supreme Court, the Court of Appeals or the Tax Court, a seven-member nonpartisan Judicial Nominating Commission, made up of three attorneys elected by the members of the Indiana bar, three non-attorneys appointed by the governor, and the chief justice, screens and interviews applicants and recommends three to the governor, who then appoints one. (If the governor fails to appoint a member of the three-member panel within 60 days, the chief justice makes this selection.) The appointed judge or justice serves at least two years before standing for retention at the next general election.

Despite the use of this system in the higher state courts, most judges in the lower-level courts are still chosen through elections.

## Indiana's Courts

Indiana's judicial system contains several types of courts, including the Supreme Court, Court of Appeals, Tax Court, circuit courts, superior courts, a probate court in St. Joseph County, nine small claims courts in Marion County, city courts and town courts.

### Supreme Court

Five justices sit on the Supreme Court. The Indiana Judicial Nominating Commission selects one of the five to serve as chief justice for a five-year term.

The Supreme Court is the highest court in the state, and the court of last resort on questions of state law. The Supreme Court has original jurisdiction in the following areas:

- Admission to the practice of law
- Discipline and disbarment of attorneys
- Unauthorized practice of law
- Discipline and removal of judges
- Supervision of the exercise of jurisdiction by other courts and issuance of writs necessary in aid of its jurisdiction

The Supreme Court also directly reviews appeals:

- involving judgments imposing a sentence of death or life imprisonment without the possibility of parole;
- from the denial of post-conviction relief in which the sentence is death;
- involving waiver of parental consent to abortion;
- in which a state or federal statute has been declared unconstitutional; and
- involving orders issued by lower courts mandating funds.

In addition, the Supreme Court may review the decisions of the Indiana Court of Appeals or the Indiana Tax Court. The Supreme Court is asked to assume jurisdiction in such appeals or to decide other administrative matters in approximately 850 cases each year. The court issues opinions in approximately 60 cases each year. The Supreme Court's opinion supersedes the final opinion of the Court of Appeals in those cases.

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Justices receive an annual salary of \$182,030. Each receives a yearly subsistence allowance of \$3,000, except for the chief justice, who receives \$5,500. There is no limit on the number of 10-year terms justices may serve; however, retirement is mandatory at age 75.

### Court of Appeals

Indiana's second-highest court considers the bulk of all criminal and civil appeals, except those specifically reserved for the Supreme Court. The Court of Appeals also considers appeals from final decisions of these four administrative agencies: Workers Compensation Board, Department of Workforce Development Review Board, Utility Regulatory Commission, and Civil Rights Commission.

The court's 15 judges are drawn from five districts created by the General Assembly, including two statewide districts. All cases are assigned to three-judge panels that have statewide jurisdiction and rotate three times per year.

Judges are appointed by the governor from a list of names submitted by the Judicial Nominating Commission. Terms of office and retention schedules are the same as the Supreme Court, except that retention voting is by district.

### Tax Court

In existence since July 1, 1986, the Indiana Tax Court is a one-judge appellate court. The Tax Court has exclusive jurisdiction over all original tax appeals: an appeal that arises under Indiana's tax laws and is an initial appeal of a final determination made by the Indiana Department of State Revenue or the Indiana Board of Tax Review. The Court also has jurisdiction over certain appeals from the Indiana Department of Local Government Finance and appeals of inheritance tax determinations from courts of probate jurisdiction.

The Tax Court maintains a small claims docket on claims for refunds from the Indiana Department of Revenue that do not exceed \$5,000 for any year and appeals of a final determination by the Indiana Board of Tax Review where the disputed amount of assessed value does not exceed \$45,000. The Court's principal office is in Indianapolis, but a taxpayer may request to have hearings conducted in one of six other designated counties: Allen, Jefferson, Lake, St. Joseph, Vanderburgh, and Vigo.

Terms of selection and retention schedules are the same as the Court of Appeals.

### Trial Courts: Circuit and Superior

In the early days of statehood, judges on horseback rode one county to another, holding court on a fixed schedule throughout the year. This was called "riding circuit," and the groups of counties to which each judge travelled was called a "circuit." The Constitution labeled these courts "circuit courts" and authorized the General Assembly to create such "Circuit Courts and other courts" as it deemed necessary.

As the population of the state grew, the volume of court business rose to a level that made it impractical for a single judge to cover multiple counties. The legislature then began creating circuits that consisted of single counties, each with its own Circuit Judge. This trend produced single-county circuits in every county but two (Ohio County and Dearborn County are a two-county circuit).

In the later years of the 19th century, as the state's population continued to expand and court business in the largest counties grew, even single-county circuits proved inadequate, so the General Assembly began creating

additional courts in these counties. These courts were given various names (like Criminal Court and Probate Court), with the General Assembly finally settling on the standard name of Superior Court.

Thus, as a county grew in population, it typically started with a single Circuit Court judge, then gained a Superior Court judge, then a second Superior Court judge, and so on. In 1976, the legislature abolished township justices of the peace and created some 75 courts called “County Courts” with authority to hear small claims of limited dollar value, landlord-tenant cases, misdemeanors, Class D felonies, and traffic offenses. None of these County Courts remain today, as all have been converted to Circuit or Superior Courts. One free-standing Probate Court remains in St. Joseph County, which hears juvenile cases, guardianships, trusts and estates. Altogether, Indiana Circuit, Superior and Probate courts now have 317 judges, 119 magistrates and 43 commissioners/referees. There are 78 city/town and small claims judges.

The Circuit and Superior Courts are mostly courts of general jurisdiction, meaning that they have authority to hear most case types. The number of judges in each county and the type of cases each judge presides over varies. In a handful of small counties, there is still a single Circuit Court judge hearing all the cases, sometimes aided by a referee, commissioner or magistrate chosen by the judge. In most mid-sized counties, there is one Circuit Court judge and multiple Superior Court judges. A few counties have multiple judges, all of whom are called Circuit judges. The Indiana Supreme Court approves local rules for caseload allocation.

As with the differences in court structure across the state, differences exist in the way judges are selected. Voters elect judges of the Circuit Courts in partisan elections every six years except in Vanderburgh County, where the election is non-partisan. Superior Court judges in all counties also are elected at a general election for six-year terms, with four exceptions:

- In Lake and St. Joseph Counties, Superior Court judges are nominated by local nominating commissions and then appointed by the governor. Their initial term begins on the effective date of a judge’s appointment and continues through December in the year of the next general election following the expiration of two years after the date of the judge’s appointment. Thereafter, they run on a “yes/no” retention ballot.
- In Allen County, Superior Court judges are elected at the general election on a separate ballot without party designation. Vacancies are filled by the governor from a list of three candidates nominated by the Allen County Judicial Nominating Commission.
- In Marion County, Superior Court vacancies are filled by the governor from a list of three candidates nominated by the Marion County Judicial Selection Committee. Additionally, this committee must issue a statement that an incumbent Superior Court judge standing for retention is either qualified or not qualified to be retained in office after the incumbent judge has appeared before the committee. The judge’s retention is then approved or rejected by Marion County voters.

## Small Claims Courts

Marion County is the only Indiana county to have separate Small Claims Courts, with jurisdiction based on township. These courts’ jurisdictions are concurrent with the Circuit and Superior Courts in all civil cases founded on contract or tort in which the claim does not exceed \$8,000. All appeals from judgments of the Marion County Small Claims Courts must be taken to the Indiana Court of Appeals in the same manner as judgments from Superior or Circuit Courts, just as in small claims cases in other Indiana counties. The voters within the township in which the division of the court is located elect the Small Claims Court judges. The judges serve four-year terms.

# City and Town Courts

City and town courts may be created by local ordinance. A city or town that establishes or abolishes its court must give notice to the Indiana Office of Court Services. There are 42 city court judges and 21 town court judges.

Jurisdiction of city courts varies depending upon the size of the city. Generally, city courts have jurisdiction over city ordinance violations, misdemeanors and infractions. The city courts also have civil jurisdiction over cases where the amount in controversy does not exceed \$500. They have no jurisdiction in actions for libel, slander, real estate foreclosure, where title to real estate is at issue, matters relating to decedents' estates, actions in equity, and actions involving the appointment of guardians. Because city and town courts are not courts of record, appeals are tried *de novo* in the Circuit or Superior Court of the county. Town courts have exclusive jurisdiction over all violations of town ordinances and jurisdiction over all misdemeanors and infractions. Like city courts, appeals from judgments of a town court are also taken to the Circuit or Superior Court of the county.

The voters of the city or town elect city and town court judges to four-year terms. Only non-attorney judges in office as of June 30, 2015, may continue to serve as judge and can continue to serve in consecutively elected terms. In all other instances the judges must be attorneys.

## Office of Judicial Organizations

The Office of Judicial Administration consists of nine agencies, the Office of the Clerk of the Indiana Appellate Courts, and the Commission on Judicial Qualifications/Judicial Nominating Commission. Other related agencies include the Indiana Prosecuting Attorneys Council and Indiana Public Defender Council, both of which are discussed in Chapter 2.

## Indiana Office of Court Services (IOCS)

IOCS assists the Supreme Court in its role as the head of Indiana's judicial system by developing education, programs and projects for all courts to improve the administration of justice. IOCS also supports the Judicial Conference of Indiana and its Board of Directors, composed of judicial officers from across Indiana, and provides staff support to multiple committees. IOCS is a single agency with four divisions: Education, Justice Services, Legal Support, and Programming and Projects.

1. The **Education Division** ensures that Indiana's citizens interact with well trained judges and judicial branch staff. A combination of in-person training programs in Indianapolis, various regional county workshops, and distance education modules provide a blended learning environment.
2. The **Justice Services Division** works with probation, problem-solving courts, court alcohol and drug programs, pre-trial services agencies, child welfare agencies, and juvenile justice stakeholders to provide supervision, services, and support to court-involved adults, juveniles, and families. The Division offers community-based alternative programs for youth and supports county-level efforts to implement evidence-based practices in sentencing and community supervision.
3. The **Legal Support Division** is responsible for court and probation data collection, responding to legal questions from trial courts, and monitoring legislative changes affecting the judicial branch.



4. The **Programming and Projects Division** works to ensure equal access to justice through initiatives focusing on families, children, victims of domestic violence, and others.

### **Office of Admissions and Continuing Education (ACE)**

ACE provides administrative support to the Board of Law Examiners (BLE) and the Commission for Continuing Legal Education (CLE). BLE certifies that all individuals admitted to practice law have fulfilled the requirements for admission. CLE oversees the legal education requirements of attorneys, judges and mediators; maintains a mediator registry; and accredits independent attorney specialization organizations.

### **Disciplinary Commission**

The Disciplinary Commission is responsible for investigating attorney misconduct, prosecuting lawyer discipline proceedings, and providing ethical guidance to lawyers. The Commission is primarily a reactive agency that responds to grievances filed by other individuals. The Commission is not tax supported; it is funded primarily through the annual registration fee paid by Indiana lawyers in good standing.

### **Indiana Judges and Lawyers Assistance Program (JLAP)**

JLAP assists judges, lawyers and law students with personal issues (mental health, addiction, physical, age-related, and other situational stressors) that have the potential to reduce their effectiveness. JLAP works to educate the bench and bar about the link between well-being and professional competence. All interactions with JLAP are confidential.

### **Supreme Court Services**

Supreme Court Services provides legal research, analysis, and drafting of legal memoranda for the Court; manages the Court's pending cases; and maintains the Court's law library.

### **Clerk of the Indiana Appellate Courts**

The Office of the Clerk of the Supreme Court, Court of Appeals, and Tax Court processes incoming filings and outgoing orders and opinions for Indiana's appellate courts. The Clerk's Office responds to inquiries from attorneys, litigants, and the public; oversees the archiving of closed cases; and maintains the Roll of Attorneys, which is the roster of attorneys licensed to practice law in Indiana.

### **Commission on Judicial Qualifications/ Judicial Nominating Commission (JQC/JNC)**

The Indiana Commission on Judicial Qualifications/Judicial Nominating Commission (JQC/JNC) are seven-member bodies chaired by the Chief Justice of Indiana. The JQC provides ethical advice to Indiana trial judges, and investigates and prosecutes allegations of judicial ethical misconduct. The JNC recruits and interviews applicants for appellate court vacancies, selects the Chief Justice, and certifies senior judges.

## **Court Technology**

Court Technology provides support to trial and appellate court staff for day-to-day operations; assists the Supreme Court with creating a vision for how technology can improve trial and appellate court operations and access to justice; develops custom applications for data sharing with the public and with state agencies; and supports thousands of users across the state with case management, e-filing, and other technology needs.

## **Office of Personnel and Operations**

The Office of Personnel and Operations provides a wide scope of services to Supreme Court staff and agencies, including:

- drafting and implementing internal policies;
- providing human resources services for hiring, performance, and employee engagement;
- processing payroll and benefits;
- reviewing all contracts for form and legality; and
- ensuring legal compliance with federal laws, security, and continuity of operations for the Court.

The Office also provides employment law counsel and assistance with contracts for all state judges.

## **Fiscal Office**

The Fiscal Office manages the Supreme Court budget and assets, processes financial transactions and invoices, and provides accurate, timely financial information to the Court and other government officials.

## **Office of Communication, Education and Outreach (OCEO)**

OCEO manages media inquiries, public information, and opportunities for educators to engage with the judicial branch. OCEO oversees the Supreme Court's web site (*courts.in.gov*), webcasting, and social media accounts; creates and distributes press releases; and coordinates messaging campaigns on a variety of topics.

## Part IV

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# **Indiana's Political Process**



# Chapter 9

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## Elections and Political Parties

In order to truly understand how Indiana government functions, it is necessary to have a basic understanding of the various elements of the political process. These elements include voters, political parties, elections, conventions and voting districts, all of which are described in this chapter.<sup>1</sup>

### The Voter

As discussed in Chapter 1, in the United States, the services of government are divided among three separate branches: the legislative branch, which is responsible for creating the laws; the executive branch, which enforces or executes the laws; and the judicial branch, which interprets and applies the laws. Indiana's state government also consists of these three branches, and the people of Indiana have seen fit to delegate in their constitution numerous functions or powers to each of these branches and the departments and agencies within them.

One function of government, however, has not been delegated. It has been expressly reserved to the people. This is the function of choosing or electing the officers who exercise authority over the three departments and the people. Citizens, through the process of voting in elections, exercise this electoral function. The privilege to vote is guaranteed to every adult citizen age 18 or over. A definite term is prescribed for each elective office, and a general election must be held every two years. Furthermore, the state constitution prohibits the fixing of a term of more than four years for any office created by the legislature.

Thus, the voter is, in fact, a member of what might be called a "fourth department" of government – the electoral department. The electoral department has no departmental divisions and no offices in the city hall, county courthouse or Statehouse. To increase its efficiency, however, political parties have been organized. They provide most of the machinery for the electorate.

### Political Parties

A political party is an organized group of voters seeking to influence or control the policies and personnel of government. To fully accomplish its purpose, a party must win elections. Waging election campaigns, however, is by no means the only service that political parties render. The following are among the specific services performed by political parties in America:

- Informing voters on governmental matters
- Urging voters to participate in the electoral process
- Submitting platforms of proposed policies and seeking to have the policies enacted into law by the legislative branch of government

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<sup>1</sup> Dr. Pressly Sikes, Ph.D., former director of the Bureau of Government Research at Indiana University, wrote this chapter describing the political features of Indiana government. Some parts of his original composition have been changed to reflect updates.

## Chapter 9

- Advising the appointing officers on the selection of government employees
- Opposing any proposed governmental policy that the party believes would not promote the general welfare of the people
- Proposing candidates for the various elective offices in the manner required by law
- Attempting to elect the candidates nominated by the party

Party activities parallel the activities of government. Every local unit within the governmental structure is either identical with a party unit or included in a larger unit. (In Indiana, the territorial units of government and the territorial units of political parties are not always identical.)

In government, general policies may eventually be carried out through agencies of the state in the executive department, or they may be carried out through the subordinate territorial units such as county, city, town or township governments. Likewise, party policies are declared by the party legislature (state convention) and then executed either through the state executive committee or through one of the subordinate territorial units such as congressional district, county, city, township, etc.

Political parties in Indiana are classified on the basis of the number of votes cast. A fully privileged political party must have received 10% of the votes for secretary of state in the last election. For many years, only two parties, the Democratic and Republican parties, have measured up to this standard. These parties are required to have a rather elaborate organization, which must be renewed every two years.

## The Role of Parties in the Election Process

Although political parties actively pursue their goals at all times, their periods of greatest activity typically occur in election years. During these years, perhaps the most significant impact of the party organizations is felt during the primary election and the state nominating conventions.



## Primary Elections

On the Tuesday after the first Monday in May of even-numbered years, the Democrats and Republicans hold primary elections. City primaries are also held in years preceding presidential elections.

For the supporters of a party, the primary election is the most important single party process. In it, the following four functions are performed:

1. The party's candidates for U.S. Senate, U.S. House of Representatives, governor and the General Assembly are nominated (in applicable years)
2. The party's candidates for district, county and local offices are nominated
3. The precinct committeemen and delegates to the party's state convention are chosen
4. In presidential election years, the voters' preference for a presidential nominee is expressed

All candidates chosen by voters during the May primary election will represent that party on the ballot in the November general election, in which all registered voters will have the option of voting for these candidates. Indiana has an open primary system in which voters request a specific party ballot.

## State Nominating Conventions

Each of the major parties is required to hold a state nominating convention within 60 days after the biennial May primary. At the convention, each county has one delegate, elected by voters, for every 400 votes (or major faction) cast for the party's candidate for secretary of state in the last general election. The Indiana Election Commission apportions the delegates among the 92 counties. In turn, each county's board of primary election commissioners apportions the county's delegates among the townships, wards and precincts. The voters in every precinct are assured of being permitted to vote to help elect at least one delegate. Both major political parties have more than 2,000 delegates at their summertime conventions.

One of the major functions of a state nominating convention is to adopt the platform of the party. A platform should state a series of principles for which the party stands. It may contain recommendations as to laws the party would repeal or amend if it is successful in the election, or it may offer subjects that the party would seek to have laws enacted.

The convention is also the culmination of the primary process. At the convention, a party completes the primary process by:

- nominating candidates for state offices (except for the office of governor and for candidates for the General Assembly);
- electing delegates to the party's national convention; and
- nominating candidates for presidential electors.

These last two functions are only performed in presidential election years. During these years, the state convention elects the party's delegates to its national convention. The national convention delegates are required by law to cast their first ballot for the presidential candidate preferred by the majority of the party voters in their respective districts. In addition, the state convention nominates the party's candidates for presidential electors (to the Electoral College). The delegates from each congressional district select one elector, with two more elected at large during the convention.

## Chapter 9

Another major purpose of a party convention, as mentioned above, is to nominate candidates for state offices. More specifically, in the appropriate years, the convention selects candidates for the following offices filled by statewide election:

- Lieutenant Governor
- Secretary of State
- Treasurer of State
- Auditor of State
- Attorney General

Candidates are voted upon by a secret ballot on voting machines, except in situations in which there is no contest for an office. In those instances, nomination may be made by acclamation.

One final function of the state convention is to choose the device by which the party's candidates may be designated on the November ballot.

## Party Organization

As mentioned earlier in the chapter, political parties have a somewhat complicated pattern of organization that allows them to carry out their functions while representing each of their members. Voters take the first step in the biennial reconstruction of the party organization in the May primary. In each precinct, a committee person is elected. Immediately after the election, the committee person appoints a vice committee person of the opposite gender. All the precinct committeemen and vice committeemen in a county constitute the county committee of the party. If no candidate runs for a precinct committee person office or it becomes vacant, the county chairperson appoints a replacement.

A meeting or county convention is held at a time determined by each party's own rules. At this meeting, a county chairperson and a vice chairperson are elected, along with a treasurer and secretary. The committee person and vice committeemen within any city may also choose to form a city organization with a chairperson, vice chairperson, etc. In the more populous counties, ward or township organizations are also set up. These special organizations within the county are partly the result of legal requirements and in part are based on custom.

The county chairmen and vice chairmen in the counties in each of Indiana's nine congressional districts together constitute the Congressional District Committee. At the convention, they select a district chairperson, vice chairperson and other officials. These 18 district chairmen and vice chairmen together form the state central committee of the party. To complete the regular organization of the party, the state central committee elects a chairperson and vice chairperson and other necessary officers and committees.

The party organization is gradually set up through the action of a primary election and a series of committee or convention election procedures. In order to better understand this process, as well as how it leads to the overall national party structure, it's helpful to take a closer look at the different levels of a party organization, beginning with the smallest (precinct) and moving toward the largest (national).



## **Precinct Organization**

The precinct is the local (neighborhood) level of the political party organization. There are over 5,000 precincts in the state of Indiana. The number of precincts in a county may vary, from 10 in Union County to nearly 600 in Marion County. The number of voters in the precinct ordinarily will range from 600-800 in large cities and from 250-400 in sparsely populated rural counties. The precinct does not serve as a unit of government, but it is very useful for political organization and administration.

The precinct committee person's main duties, as a party administrative officer, are carried within the precinct. However, the committee person also has responsibility as a member of the county committee.

The first important legal duty of the precinct committee person is to appoint a vice committee person (traditionally of the opposite gender). The committee person and vice committee person must attend the county convention to help set up the county organization. These are the only legal duties of the precinct committee person. Other duties, some of which may be required any day in the year, are the result of party rules and customs.

The committee person is the party's contact person in the precinct, seeking always to make friends and recruit supporters for the party. To do this, the committee person may call on families, visit homes in bereavement or render friendly neighborhood services of a personal or social nature.

Prior to the election, the committee person may take at least one poll of the voters in the precinct to determine the party choice of each voter (however, few committeemen actually do this anymore). The committee person is responsible for seeing that the voters favorable to his or her party are registered and thus eligible to vote. On Election Day, the committee person's job includes seeing that the voters show up at the polls. In many counties, a committee person's duties also entail recruiting and monitoring the party's precinct election poll site officials.

In an advisory capacity, the committee person may assist the county chairperson in selecting people to recommend appointing any number of people to assist the committee person and vice committee person as members of the precinct committee.

## **Ward, City and Township Organization**

What might be called the "big four" in party organization units throughout the state are the precinct, county, district and state organizations. In addition, in the more populous counties and cities, one finds other units of political organization, including those at the city, ward and township level.

The regular precinct committeemen and vice committeemen who live within a city may organize a city committee. They elect a city chairperson, vice chairperson, secretary and treasurer. The city organization carries on activities within the city corresponding to those of the county organization in the county. For the purpose of organizing the city committee, the committeemen and vice committeemen are called into session by the county chairperson. Under the law, a city committee may be organized in every city. In practice, however, there is usually no separate city organization except in the larger cities.

In the more populous counties in which the larger cities are located, there may be a very elaborate organization between the precinct and county level. In Indianapolis, for example, the Democratic party is divided into a number of wards. In each ward in the city and in each township outside the city, a ward or township chairperson is appointed. Each ward or township chairperson is a kind of field captain, directing the work of the precinct organizations within the ward or township.

## **County Organization**

The precinct committeemen and vice committeemen within a county elect the county chairperson and vice chairperson. At the same time, a secretary and treasurer are also elected. At times, special committees are created, but on the whole, these four officers compose the active party organization at the county level.

The county chairperson's position is an important one in the party organization. The chairperson has numerous duties prescribed by law, others conferred by party rules or resolutions, plus others still that have sprung up through custom or usage. Some specific statutory duties of the county chairperson are as follows:

- Nominating a member of the county primary election board
- Nominating election officers for the various precincts on Election Day
- Submitting to the clerk of the circuit court the names of people for deputy registration officers
- Appointing members of the precinct committees in addition to the respective precinct committeemen and vice committeemen
- Appointing precinct vice committeemen whenever the committeemen do not duly make such appointments or filling committee person posts not filled at the primary elections
- Having approval power for primary election candidates who have not voted in a primary election in the state before

Some additional duties conferred upon by the county chairperson of one or both major parties include the following:

- Approving proxies executed by duly elected party officers who are unable to attend the official meeting
- Retaining custody of poll books prepared by the party
- Calling a meeting of precinct committeemen within cities of that county to perfect the city organization
- Notifying precinct committeemen and vice committeemen of the date, hour and place of the biennial county organization meeting and all other meetings called by the chairperson
- Designating the newspaper in which the primary election notice is to be published

The county chairperson's duties, which stem from customs and practical considerations, are designed to test leadership ability. The chairperson must coordinate the work of the county organization and subordinate organizations within the county. If the committeemen and vice committeemen are in harmony with the county chairmen, the task will be made easier.

The county chairperson also advises appointing officers relative to the qualifications of would-be appointees in the county. In doing this and in performing many of the other day-to-day duties of office, the chairperson relies on the party, city, ward and precinct officers within the county.

Finally, the county chairperson is the director of party activities for the county. If the number of precinct committeemen and vice committeemen is large (nearly 1,200 in Marion County), they are subdivided into ward, township or area groups. The county chairperson then directs their activities through a smaller number of ward or township chairmen. In most counties, however, the number of committeemen and vice committeemen is small enough that the county chairperson can direct the activities without additional assistance from ward or township organizations.

## **District Organization**

There are nine congressional districts in the state of Indiana. They serve no governmental purpose except as a convenient unit from which members of the U.S. House of Representatives are elected. For political party purposes, however, the congressional district is of major importance from the standpoint of both organization and administration.

In addition to setting up the district organization, a party's district committee may be called on to settle disputes in county organizations. Or, if for any reason the party has no candidate for Congress after the primary, the committee is responsible for selecting a candidate.

The main burden of directing the work of the party in the district falls upon the district chairperson, who must see that all county organizations in the district have been perfected and are functioning properly. During the election campaign it is the district chairperson's duty to visit each county in the district frequently and to encourage and advise the county chairperson and other party workers. The district organization makes a special effort to assist the party's candidates for state or national legislative offices.

The office of district chairperson is a good illustration of how the whole party organization is tied together. This official, elected by the county chairmen and vice chairmen, is chairperson of the district committee and a member of the state central committee.

## **State Organization**

With regard to a party's state organization, supreme authority is vested in the state central committee. Indiana's nine district chairmen and nine vice chairmen meet to organize the state central committee. A state chairperson, vice chairperson, secretary and treasurer are elected. The first big task of the state central committee is to organize and conduct the political campaigns of the upcoming general election.

After an election campaign is over, the party organization must be held together and stay the course with its policies and agendas. If it has won, the party must work with the government in order to accomplish the objectives it advocated in the campaign. Conversely, if it has lost, it must be ready to criticize the party in power any time it makes a mistake, plus try to win public favor for itself. In either case, the party organization must be kept in readiness for the inevitable coming election year.

The supreme directing head of the party activities is the chairperson of the state central committee, called simply the state chairperson. In some respects, the state chairperson's position is a dual one. This official is at the apex of the party's organization, a continuing job. In addition, the chairperson and the secretary are the directing heads of the party headquarters, always a busy place during the campaign. As head of the organization, the chairperson must give overall direction to the activities of district, county and precinct party officers and literally thousands of volunteer workers.

At party headquarters the chairperson is responsible for the organization and direction of the many activities carried on during the campaign. Numerous subcommittees can be set up for this purpose. Among these are the executive committee, finance committee, publicity committee and auditing committee. Each committee has a director and other staff members. Individuals appointed directly by the chairperson and who are responsible to the chairperson direct other activities. Between election campaigns the staff at party headquarters is drastically reduced.

## **National Organization**

In the United States, we have what is known as a federal system of government. In such a system, the central or national government possesses certain powers independent of the states, and the states enjoy a certain degree of independence from the national government. Either government could function, if necessary, without assistance from the other. The two, however, cooperate to form a strong nation of powerful states rather than a weak confederation of fully independent states.

The nation's political party system operates in somewhat the same way. A party in Indiana can operate purely as a state organization. A national political party does not control it. Regardless, the state party organization and the national party organization cooperate for their mutual good. The two, like the state and national governments, are organically related. State and local governments conduct and pay for elections for national office. Likewise, state and local party units act to perfect the organization of the national political party and work for the success of the national party.

While a state party convention in Indiana elects delegates to the national party convention, the national convention nominates candidates for president and vice president. Also, the party's national platform is formulated. The state central committee names the two national committee members from the state (a man and a woman). The national committee elects a chairperson and other administrative officers for the immediate purpose of waging the political campaign. The committee is permanent in nature and manages the party affairs from year to year between national election campaigns.

For more than 100 years, presidential electors have been chosen in all states by popular vote. Each party nominates a slate of electors. The elector candidates garnering the most votes meet and cast their votes for president and vice president. It should be noted, though, that the United States Constitution does not provide for the popular election of the president and vice president. Furthermore, the constitution does not even require that the voters be required to vote for presidential electors. Electors are chosen in each state "in such manner as the Legislature thereof shall direct."

It is not required by the Constitution or by law that the electors choose the candidates selected by either major party. However, since 1796, there have been only a few occasions when electors have gone against their party choices. For example, some electors once voted for a candidate who had died prior to the time for their votes to be cast. These electors are called "faithless electors."

# Chapter 10

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## Indiana's Legislative Process

In addition to understanding political parties and elections, another key element to understanding Indiana government is knowing how the state's legislative process works. This includes familiarity with not only the basic guidelines for serving in the General Assembly, but also with the way in which a bill becomes a law in Indiana.

### Serving in the General Assembly

Anyone who runs for a seat in the Indiana General Assembly must know certain ground rules. For example, the Indiana Constitution requires that a candidate be a citizen of the United States and a resident of Indiana for at least two years. A candidate who seeks a seat in the House of Representatives must be at least 21 years old. In the Senate, the age requirement is at least 25 years old at the time of the general election.

A candidate declares himself or herself with the party of his or her political faith and files candidacy with the Indiana secretary of state. Then the candidate faces two elections: first a primary election to determine his or her party's legislative nominees, and then the general election, through which membership in the General Assembly is finally determined.

The General Assembly meets in regular session annually, but it must complete its work no later than April 29 in odd-numbered years and no later than March 14 in even-numbered years. Between sessions, legislators serve on special study committees discussing subjects likely to be considered in the next session. Special legislative sessions may be called at the governor's request.

Indiana has a citizen legislature, which means that lawmaking is not a full-time profession, and most legislators make their living at other occupations. The most common occupations of Indiana legislators are business owners or operators, teachers, attorneys and farmers. However, the General Assembly includes members from a variety of occupational groups.

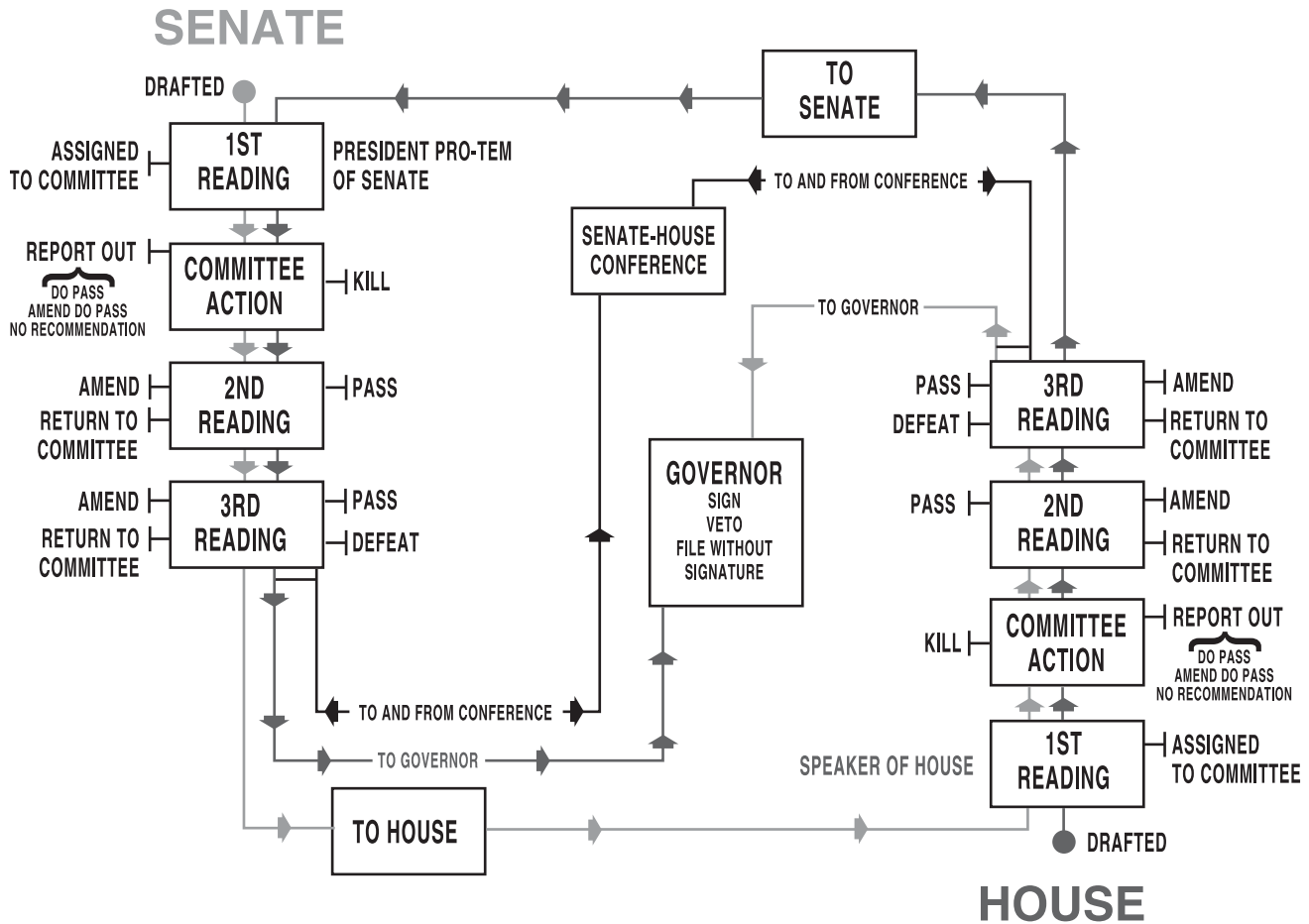
If a legislator wants a bill drawn up, he or she submits the request to the Office of Bill Drafting and Research of the Legislative Services Agency. Previously, he or she may have called upon governmental officials, private citizens or non-governmental groups for information to determine the potential effect of the proposed bill on certain segments of the population or in a particular governmental area. Representatives of outside groups who register with the Indiana Lobby Registration Commission to consult with legislators are called lobbyists. They work to get a legislator's support of, or opposition to, certain bills of interest.

There are more than 1,000 registered lobbyists in the state of Indiana. They represent business and industry, farmers, labor unions, teachers, veterans, women, professional and religious organizations, local governmental officials and many other groups. Some legislators see lobbying as a constructive addition to the legislative process because of specialized information the lobbyists may have that will assist lawmakers in decision making.

# How Bills Pass

Once a bill is drafted, it must successfully pass through many stages in order to become a law. This process is outlined in the following sections.

The diagram below indicates the steps by which a bill introduced in the Senate or in the House of Representatives becomes a law, with possible actions at each step. Bills may originate in either house of the General Assembly except for revenue-raising bills, which must be introduced in the House of Representatives.



## First Reading

Each bill presented by a legislator is first read by title in the chamber of its origin. At this point, either the speaker of the House of Representatives or the president pro tempore of the Senate (depending on which chamber is the house of origin) refers the bill to a committee.

## Committee Action

The committee's responsibility is to consider the merits of a bill and determine whether it can be improved by amending the language or by making additions or deletions. Committee schedules are required to be posted on House and Senate bulletin boards. Committee hearings are open to the public so that interested parties may speak on the measures being heard. The committee's final action is to report the bill back to the legislative body with the committee report. If the committee report is adopted, the bill is finalized and ready for further action.

## Second Reading

When the bill is brought up for second reading, it is ready for “amendment, recommitment, or engrossment.” At this point, it can be recommitted to a committee for further study, or legislators have an opportunity to propose amendments. Amendments must win the approval of a majority of the legislators present and voting in order to be accepted. The bill is then “ordered to engrossment.” This means that with its amendments, the bill is authenticated as being accurate and genuine. If the amendments are extensive or complicated, the bill may be put into its final format at this time.

## Third Reading

The engrossed bill is again called up to be read. Afterward, legislators have an opportunity to debate its merits before the final vote is taken. It must receive a constitutional majority, meaning 51 “aye” votes in the House of Representatives or 26 “aye” votes in the Senate, before it can be passed. Those bills that are approved are sent to the other chamber where the entire process will be repeated.

## Conference Committee

If the bill passed by one chamber is then amended by the other, the amendment(s) must be agreed to by the first chamber before the legislative process can be completed. Should the first chamber dissent (refuse to give its consent), a conference committee of two members from each house is appointed to work out a version of the bill that will be satisfactory to both houses. All four members must sign the conference committee report, and it must be favorably voted on in both houses. Once this has been accomplished, the bill goes to the governor for his or her signature.

## Governor's Action

The governor sends every bill received from the General Assembly to the state attorney general for examination to see if its content is legally acceptable. The last step in the enactment process is for the governor to sign the bill or let it become a law without signature. Bills become effective on July 1 of the year they are enacted unless a different effective date is specified on the bill.

## How Bills Fail

Of course, not all bills proposed in the General Assembly become law. In fact, on average, a bill is more likely to fail than to succeed. Of every 10 measures introduced, only two or three successfully run the legislative gauntlet to become law. Why is this so? Generally speaking, a bill fails for one of the following three reasons:

- The bill lacks intrinsic merit to the point of failing to gain sufficient support
- The bill attracts powerful opposition or generates strong disagreement
- The bill gets stalled somewhere in the legislative machinery and fails to regain momentum in time to be enacted

The following sections detail some of the specific ways in which a bill may fail during the legislative process.

### First Reading

Either house has the authority to vote not to receive a bill on its introduction (first reading). Also, a motion for indefinite postponement, or “tabling” the bill, may be made from the floor at any time throughout these steps. If approved, either of these motions has the effect of preventing any further progress.

### Committee Action

The committee to which a bill is referred can kill the bill simply by refraining from acting on it. (The bill can be forced out of committee by bringing the issue before the entire legislative body, but this rarely happens.)

### Second Reading

A motion for indefinite postponement, or “tabling,” is sometimes made from the chamber floor at this point in the legislative process. Attempts also may be made to amend the bill in such a way that it will stand less chance of passage.

### Third Reading

A bill can win approval of more than half the legislators voting on it and still falter at this point through failure to gain a constitutional majority, meaning 51 “aye” votes in the House of Representatives or 26 “aye” votes in the Senate. A bill that has simply failed to win a constitutional majority can be called up again for another vote. If it has been defeated by a constitutional majority, however, it cannot be considered again during that session.

A bill that reaches the second house is subject to all the opportunities to succeed or fail that exist in the house of origin.

### Conference Committee

A bill that survives the hazards of both houses but is amended in the second chamber in a manner unacceptable to the house of origin must go to a conference committee consisting of two members appointed from each house. The committee members attempt to reach an agreement that will be acceptable to legislators in both chambers. All four members of the committee must sign the conference committee report, and it must be approved in both houses. Bills sometimes die because no such agreement can be reached.

### Governor’s Action

The final obstacle to a bill passed by both houses is a veto by the governor. The veto can be overridden, but it requires a constitutional majority of both houses to do so. The governor has seven days in which to act on a bill that has been passed by both houses. If the governor neither signs nor vetoes the bill within that period, it becomes law without signature on the eighth day.



## Part V

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# **Indiana Reference Guide**



# Reference A

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## Hoosiers in Office

### Hoosiers Currently in Office

- Current **U.S. Senators** from Indiana can be found at [www.senate.gov](http://www.senate.gov).
- Current **U.S. Representatives** from Indiana can be found at [www.house.gov](http://www.house.gov).
- Find information on current **State Executives** at [www.in.gov](http://www.in.gov).
- Find a list of current members of the **Indiana General Assembly** at [www.iga.in.gov](http://www.iga.in.gov).

### Hoosiers Who Have Served

There is also a long list of Hoosiers who have represented the state with distinction in the past. Some of these individuals are listed in the following sections.

### Hoosier Presidents and Presidential Nominees

**Eugene V. Debs (1855-1926), Terre Haute:** Labor leader and Socialist Party candidate for president in 1900, 1904, 1908, 1912 and 1920.

**Frank Hanly (1863-1920), Williamsport:** Indiana governor, 1905-09; Prohibition Party candidate for president in 1916.

**Benjamin Harrison (1833-1901), Indianapolis:** Civil War brigadier general; Republican candidate for Indiana governor in 1876; U.S. senator 1881-87; 23rd president of the United States, 1889-93. His grandfather, William Henry Harrison, was the ninth president and his great-grandfather, Benjamin Harrison, signed the Declaration of Independence.

**William Henry Harrison (1773-1841), Vincennes:** A major general in wars against the British and Native Americans in early 1800s; Indiana territorial governor, 1800-13; former U.S. senator from Ohio and ninth president of the United States (Whig) in 1841, dying only 31 days after his inauguration.

**Abraham Lincoln (1809-1865), Gentryville:** 16<sup>th</sup> president of the United States, 1861-65 (Republican); he previously was a member of Congress and the Illinois General Assembly. (His family moved from Kentucky to Spencer County, in southern Indiana, when he was seven years old, and he moved to Illinois at age 21.)

**John P. St. John (1833-1916), Brookville:** Native of Indiana, he moved after the Civil War to Kansas where he was governor from 1879-83; Prohibitionist candidate for president in 1884.

**Wendell L. Willkie (1892-1944), Elwood:** Republican presidential nominee in 1940; former president of Commonwealth & Southern Corporation (utilities); author of *One World*.

**John Zahnd (1877-1961), Indianapolis:** Champion of the Greenback Party as presidential candidate in every election from 1924 through 1940; later served the party as national chairperson.

## Reference A

# Vice Presidential Nominees

**Schuyler Colfax, South Bend:** Newspaper editor; Republican member of Congress, 1854-68, with service as House speaker during last two terms; vice president under Ulysses S. Grant, 1869-73.

**William H. English, Scottsburg and Indianapolis:** Banker; congressman; secretary to 1850-51 state constitutional convention; Democratic nominee for vice president in 1880.

**Charles W. Fairbanks, Indianapolis:** Newspaper publisher; Republican U.S. senator elected in 1897; vice president under Theodore Roosevelt, 1905-09; vice presidential nominee with Charles E. Hughes in 1916.

**Thomas A. Hendricks, Shelbyville and Indianapolis:** Indiana congressman, 1852-55; elected to U.S. Senate in 1863; Indiana governor, 1873-77; Democratic vice president under President Cleveland, 1885-89.

**George W. Julian, Centerville:** Congressman in 1849-51 and 1861-71; Free Soil nominee for vice president in 1852; surveyor-general of New Mexico, 1885-89. In 1868, he presented the first resolution calling for an amendment giving women the right to vote.

**John W. Kern, Indianapolis:** Vice presidential nominee on the ticket with William Jennings Bryan in 1908; Democratic U.S. senator, 1911-17; Senate majority leader, 1913-17.

**Joseph Lane, Warrick County:** Served in the Indiana General Assembly, 1822-46; governor of the Oregon Territory, 1849-51, then territorial delegate to Congress; first U.S. senator from Oregon; Democratic candidate for vice president in 1860.

**Granville B. Leake, South Bend:** Greenback Party candidate for vice president in 1948 as the running mate of John G. Scott of New York.

**Thomas R. Marshall, North Manchester and Columbia City:** Indiana governor, 1909-13; Democratic vice president under Woodrow Wilson for two terms, 1913-21.

**Mike Pence, Columbus:** Indiana governor, 2013-2017; Indiana congressman, 2001-2013; Republican vice president under Donald Trump, 2017 - present.

**J. Danforth Quayle, Huntington:** Republican member of Congress, 1976-80; member of U.S. Senate, 1981-88; Republican vice president under George Bush, 1989-1992.

**Samuel Wardell Williams, Vincennes:** Elected to the Indiana House in 1882 and 1884; prominent attorney and People's (Populist) Party candidate for vice president in 1908 with Thomas E. Watson of Georgia.

## **Hoosiers in Other Federal Government Service**

**E. Ross Adair, Fort Wayne:** Republican member of Congress, 1951-71; ambassador to Ethiopia, 1971-74.

**Joseph W. Barr, Indianapolis:** U.S. representative, 1958-60; special assistant to secretary of treasury, 1961-64; chairperson, Federal Deposit Insurance Corporation, 1964-65; undersecretary of the treasury, 1965-68; secretary of the treasury, Dec. 1968-Jan. 1969.

**Albert J. Beveridge, Indianapolis:** Republican U.S. senator, 1899-1911; famed orator and Pulitzer Prize-winning political historian (1916).

**Otis R. Bowen, Bremen:** Two-term republican governor of Indiana (1973-1980) following service in the Indiana House where he became speaker; secretary of health and human services, 1985-88.

**Claude G. Bowers, Indianapolis and Terre Haute:** Journalist, political historian and biographer; U.S. ambassador to Spain (1833-39) and to Chile (1839-53).

**Earl L. Butz, Albion:** Assistant secretary of agriculture, 1954-57; dean of the School of Agriculture at Purdue University, 1957-68; dean of continuing education, Purdue University, and vice president of the Purdue Research Foundation, 1968-71; secretary of agriculture, 1971-76.

**Daniel R. Coats, Fort Wayne:** U.S. House of Representatives, 1981-88; U.S. senator, 1989-99; U.S. ambassador to the Federal Republic of Germany, 2001 – 2005.

**Mitch Daniels Jr., Indianapolis:** Assistant to the president under Ronald Reagan; chief of staff under Richard Lugar, Indianapolis mayor and U.S. senator, 1971-82; director, Office of Management and Budget under President George W. Bush. 2001-03; governor of Indiana, 2005-present.

**James J. Davis, Elwood:** Secretary of labor under presidents Harding, Coolidge and Hoover, 1921-29; U.S. senator from Pennsylvania.

**Edwin Denby, Evansville:** Secretary of the Navy under presidents Harding and Coolidge, 1921-24.

**John W. Foster, Pike County:** Secretary of state under President Benjamin Harrison; ambassador to Russia, Spain and Mexico; grandfather of John Foster Dulles, Secretary of state under President Eisenhower.

**Walter Q. Gresham, Lanesville:** Postmaster general under President Arthur, 1883; Secretary of treasury under Arthur in 1884; Secretary of state under President Cleveland in 1893.

**Charles A. Halleck, Rensselaer:** Republican member of Congress, 1935-68; House minority leader, 1959-64, and House majority leader in 1947-48 and 1953-54.

**Edward A. Hannegan, Covington:** U.S. senator, 1843-49; minister to Prussia under President Polk in 1849.

**Clifford M. Hardin, Knightstown:** Secretary of agriculture, 1969-71.

**John Hay, Salem:** Abraham Lincoln's secretary and biographer; secretary of state under presidents McKinley and Theodore Roosevelt, 1898-1905; ambassador to the Court of St. James.

**Will H. Hays, Sullivan:** Postmaster general under President Harding in 1921; Republican national chairperson in 1920; and president of Motion Picture Producers and Distributors of America, 1922-45.

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**Maj. Gen. Lewis B. Hershey, Angola:** Director of U.S. Selective Service System, 1941-70.

**George W. McCray, Evansville:** Secretary of war under President Hayes, 1877-79.

**Hugh McCulloch, Fort Wayne:** Secretary of treasury under presidents Lincoln, Johnson and Arthur in 1865 and in 1884.

**Robert H. McKinney, Indianapolis:** Chairperson, Federal Home Loan Bank Board, 1977-79.

**Paul V. McNutt, Franklin and Bloomington:** Dean of Indiana University Law School; democratic Indiana governor, 1933-37; commissioner to the Philippines; candidate for democratic vice-presidential nomination in 1940; World War II administrator of Federal Security Administration.

**William H. Miller, Fort Wayne and Indianapolis:** Attorney general under President Benjamin Harrison, 1889-93.

**Sherman Minton, Georgetown:** Democratic U.S. senator; U.S. Supreme Court justice, 1949-56.

**Oliver P. Morton, Centerville:** Indiana governor during the Civil War, serving from 1861 to 1867; served as U.S. senator, 1867-77.

**Harry S. New, Indianapolis:** Journalist, U.S. senator 1917-23; Postmaster general under presidents Harding and Coolidge, 1923-29.

**Robert D. Orr, McCutcheonville:** Businessman, state senator, 1968-72; lieutenant governor, 1973-80; governor of Indiana, 1981-88; U.S. ambassador to Singapore, 1989-92.

**Richard L. Roudebush, Noblesville:** VFW National Commander, 1957-58; Republican member of Congress, 1961-70; head (administrator) of U.S. Veterans' Administration, 1974-77.

**William D. Ruckelshaus, Indianapolis:** U.S. assistant attorney general, 1969-70; administrator, Federal Environmental Protection Agency, 1970-73 and 1983-85; acting director, Federal Bureau of Investigation, April-July, 1973; U.S. deputy attorney general, 1973-74.

**William M. Schreiber, Indianapolis:** International Boundary Commissioner under President Carter, 1977-81.

**Caleb B. Smith, Connersville:** Secretary of interior under President Lincoln, 1861-63.

**Lt. Gen. Walter Bedell Smith, Indianapolis:** Chief of staff, SHAEF, Europe, 1944-45; under presidents Truman and Eisenhower, he was undersecretary of state and ambassador to Russia.

**Richard W. Thompson, Terre Haute:** Secretary of the navy under President Hayes, 1877-80.

**James P. Tyner, Brookville:** Postmaster general under President Grant, 1876.

**John P. Usher, Terre Haute:** Secretary of interior under presidents Lincoln and Johnson, 1863-65.

**Willis Van Devanter, Marion:** U.S. Supreme Court Justice, 1911-37.

**Daniel W. Voorhees, Terre Haute and Fountain County:** Famed orator; Democratic U.S. senator, 1877-97.

**James E. Watson, Winchester and Rushville:** U.S. representative and senator for 35 years, until 1933, with three terms as Senate Republican floor leader; republican nominee for Indiana governor in 1908.

**Matthew E. Welsh, Vincennes and Indianapolis:** Governor, 1961-65; chairperson of U.S.-Canada International Joint Commission, 1965-70.

**James A. Whitcomb, Bloomington and Terre Haute:** Governor, 1843-48; commissioner of General Land Office under presidents Jackson and Van Buren, 1836-41.

**Claude R. Wickard, Camden:** World War II secretary of agriculture under President Franklin D. Roosevelt, 1940-44; Rural Electrification Administration administrator.

**Harvey W. Wiley, Kent:** Chief chemist of Department of Agriculture, 1883-1912; and chiefly responsible for 1906 Federal Pure Food and Drug Act.

**Joseph A. Wright, Parke County:** Governor, 1849-57; minister to Prussia, 1857-61 and 1865-67.

## Indiana Governors, 1816 to Present

Jonathan Jennings	1816-1822	Jefferson Republican/ Democrat	James D. Williams	1877-1880	Democrat
			*Isaac P. Gray	1880-1881	Democrat
Ratliff Boon	1822	Jefferson Republican/ Democrat	Albert G. Porter	1881-1885	Republican
			*Isaac P. Gray	1885-1889	Democrat
			Alvin P. Hovey	1889-1891	Republican
William Hendricks	1822-1825	Jefferson Republican/ Democrat	Ira Joy Chase	1891-1893	Republican
			Claude Matthews	1893-1897	Democrat
			James A. Mount	1897-1901	Republican
James B. Ray	1825-1831	Non-Partisan	Winfield T. Durbin	1901-1905	Republican
Noah Noble	1831-1837	Whig	J. Frank Hanly	1905-1909	Republican
David Wallace	1837-1840	Whig	Thomas R. Marshall	1909-1913	Democrat
Samuel Bigger	1840-1843	Whig	Samuel M. Ralston	1913-1917	Democrat
James Whitcomb	1843-1848	Democrat	James P. Goodrich	1917-1921	Republican
Paris C. Dunning	1848-1849	Democrat	Warren T. McCray	1921-1924	Republican
Joseph A. Wright	1849-1857	Democrat	Emmett Forest Branch	1924-1925	Republican
Ashbel P. Willard	1857-1860	Democrat	Ed Jackson	1925-1929	Republican
Abraham A. Hammond	1860-1861	Democrat	Harry G. Leslie	1929-1933	Republican
Henry Smith Lane	1861	Republican	Paul V. McNutt	1933-1937	Democrat
*Oliver P. Morton	1861-1867	Republican	M. Clifford Townsend	1937-1941	Democrat
*Conrad Baker	1867-1873	Republican	*Henry F. Schricker	1941-1945	Democrat
Thomas A. Hendricks	1873-1877	Democrat	Ralph F. Gates	1945-1949	Republican

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*Henry F. Schricker	1949-1953	Democrat
George N. Craig	1953-1957	Republican
Harold W. Handley	1957-1961	Republican
Matthew E. Welsh	1961-1965	Democrat
Roger D. Branigin	1965-1969	Democrat
Edgar D. Whitcomb	1969-1973	Republican
Otis R. Bowen	1973-1981	Republican
Robert D. Orr	1981-1989	Republican
Evan Bayh	1989-1997	Democrat
Frank O'Bannon	1997-2003	Democrat
Joseph Kernan	2003-2005	Democrat
Mitch Daniels	2005-2013	Republican
Mike Pence	2013-2017	Republican
Eric Holcomb	2017-present	Republican

*\*Under the present constitution, three governors – Oliver Morton, Conrad Baker and Isaac Gray – were elected after serving out the remainder of a predecessor's term; Henry Schricker was elected twice, but not in consecutive terms.*



# Reference B

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## Indiana's Symbols and Fun Facts

### Demographic and Statistical Data

#### Cities and Towns

The 2010 census listed Indiana's total population as 6,483,802, and the state added over 400,000 residents between 2000 and 2010. Forty-four Indiana cities have populations of at least 20,000 people. Most of Indiana's residents were born in the state, and one-quarter of all residents live in the Indianapolis area.

At the time of the 2010 census, the capital city of Indianapolis had a population of 820,445, making it the 12th largest city in the United States. Approximately 1,800,000 people live in the Indianapolis metropolitan area, and it is one of the nation's larger cities not located on navigable water. The next five largest cities in the state (along with their populations at the time of the census) are as follows:

1. Fort Wayne (253,691)
2. Evansville (117,429)
3. South Bend (101,168)
4. Hammond (80,830)
5. Bloomington (80,405)

There are 13 metropolitan areas in Indiana and 449 towns (normally with a population of less than 2,000) that are governed by boards of town trustees.

#### Industry

Indiana enjoys a diverse economy, including manufacturing, medical technology, pharmaceutical, automotive, steel and agricultural sectors. Indiana has a reputation as a center of heavy manufacturing and agriculture.

#### Agriculture

Indiana is also a major agricultural state despite its relatively small size. There are approximately 61,500 farms in the state with an average of 242 acres per farm. The state has almost 15 million acres of farmland, which is nearly 70% of all land in Indiana. Thirty percent of the state's agricultural production is exported.

#### Transportation

Indiana is located in the path of heavy commercial traffic, both going from north to south (and vice versa) and going from east to west (and vice versa). A great deal of this traffic is by rail. The state is served

## Reference B

by all "Eastern" railroads, in addition to others from the South and West. Within Indiana, there are 4,691 miles of track owned by 43 different railroads.

That a number of the nation's 10 largest commercial carriers are headquartered in Indiana reflects the state's central location for the movement of goods and people by highway. Indiana has over 1,100 miles of completed interstate routes. The interstates provide transportation to and through Indianapolis in six directions; this concentration is one of the highest of its kind in the United States. Within Indiana's borders there are over 93,000 miles of highways and roads.

## Education

Indiana has 42 institutions of higher education, consisting of 32 independent colleges and universities, as well as seven publicly supported institutions (five are four-year institutions, and the other two are two-year institutions). The state also has more than 100 proprietary schools that provide vocational and occupational training to approximately 20,000 students.

## Recreation

Prehistoric glaciers gouged out the basins that became more than 500 lakes in Indiana, creating recreational playgrounds for Hoosiers and tourists alike. In recent years, the water surface area within the state has been more than doubled by the construction of reservoirs for flood control, water supply and recreation.

The largest of these is Monroe Reservoir in Brown, Jackson, Lawrence and Monroe counties. It impounds 10,750 acres of water, which is only slightly less than the 12,000 acres of water surface in all natural lakes and more than four times as much as in the largest natural lake in Indiana, Lake Wawasee at Syracuse (2,618 acres). The three-reservoir Upper Wabash River Project, consisting of Salamonie Reservoir, Huntington Reservoir and Mississinewa Reservoir provides 6,965 acres of water surface area. Also, recently completed were the Brookville Reservoir and the reservoir-recreation area on the Patoka River in southwestern Indiana.

Indiana is home to numerous professional and amateur sports teams and events. Men and women field professional teams in basketball and soccer, in addition to developmental league ice hockey, football and minor league baseball teams. Indianapolis is home to the National Collegiate Athletic Association (NCAA).

Popular annual sporting events include the Indy 500, Brickyard 400, NHRA U.S. Nationals, Madison Regatta, RCA Championship and the National Muzzle Loading Rifle Match, to name a few. Indiana has also hosted events such as the NCAA basketball tournament, Special Olympics, Pan American Games, NCAA Track and Field Championships, World Gymnastics Championships and other professional and amateur competitions.

## Area

Indiana covers 36,291 square miles, which includes 253 square miles of water. It is 275 miles long and has a width of 144 miles, and it ranks 38th in total area in the United States. The highest altitude is 1,257 feet above sea level in Wayne County. The lowest altitude is 320 feet at the mouth of the Wabash River in Point Township, Posey County.

## Climate

Indiana has four distinct seasons. The average annual precipitation is approximately 40 inches. Blooming flowers, budding trees and tornadoes characterize an Indiana spring. In the month of July, average temperatures can range between 73 (in South Bend) and 78 (in Evansville) degrees Fahrenheit. The record high temperature was 116 degrees at Collegeville in 1936. With lush foliage, autumn is a beautiful season in Indiana. In winter, there is a possibility that snow can fall up to a period of six months and average more than 20 inches per year. In January, average temperatures range from 35 (in South Bend) to 36 (in Evansville) degrees Fahrenheit. In 1951, the record low of 35 degrees below zero was recorded in Greensburg.

## Personal Income

The average per capita income of Hoosiers in 2018 was \$46,646, according to STATS Indiana. In terms of per capita income, Indiana ranks 36th among the 50 states.

## Indiana Symbols

### Name

The name Indiana means "land of the Indians." It was coined in 1800 when Congress carved the new state of Ohio from the Northwest Territory and designated the remaining vast area as the Indiana Territory. The territorial name was retained when Indiana became a state on December 11, 1816, making it the 19th state admitted into the Union.

### Nickname

Residents of Indiana have long been referred to as "Hoosiers," and according to the Indiana Historical Bureau, the term came into general usage in the 1830s as a result of a poem entitled "The Hoosiers Nest" by John Finley of Richmond. Shortly thereafter, on January 8, 1833, John W. Davis offered "Hoosier State" as a toast at the Jackson Dinner. The origins of the actual word have been in debate for well over a century. The earliest written documentation of Hoosier was in 1827 in a diary quoted by Sandford Cox. The oral tradition goes back much earlier.

### Capital

The name Indianapolis is a combination of Indiana and the Greek word *polis*, which means city. Therefore, Indianapolis means "city of Indiana." Indianapolis became the capital of Indiana in January 1825. The largest city in Indiana, Indianapolis is located geographically in the center of the state. It was laid out in 1821 by Alexander Ralston and was patterned after Versailles, France and Washington, D.C. Its principal streets are Washington Street (east/west) and Meridian Street (north/south).

### Flower

The peony is a garden plant with large pink, white or red flowers. Adopted by the General Assembly in

## Reference B

1957, it was Indiana's fourth selection as state flower. Among the previous state flowers were the carnation and the common zinnia.

## Tree

The tulip tree (*Liriodendron Tulipifera*), also called the yellow poplar, was adopted as the state tree in 1931. In the previous year, its flower, a waxy, greenish-yellow bloom with red markings, was the state flower. The tulip tree is tall and shady, blooming in May or June with its leaves turning a golden yellow in the fall. Its wood is used for many items including furniture, siding, boxes and paper.

## Seal

The seal depicts a pioneer scene: a woodsman felling a tree, a bison fleeing from the sound of the axe and the sun gleaming over a distant hill. In use since 1801, the seal was officially adopted in 1963.

## Bird

Indiana is one of seven states that chose the cardinal as its state bird. Male cardinals are bright red, females are brownish in color, and both have a crest. They do not migrate and are very fond of sunflower seeds. The cardinal was adopted as the state bird in 1933.

## Stone

Limestone is a sedimentary rock that is made mostly of calcium carbonate. Some of its grains are microscopic pieces of fossil and animal shells. Primary deposits of limestone can be found in Indiana's south central area, in and around Bedford and Bloomington. Indiana limestone is used in many buildings, one of which is the Pentagon near Washington, D.C. Limestone was adopted as the state stone in 1971.

## Flag

The Indiana flag displays 19 gold stars surrounding a gold torch centered on a rectangular field of blue. The torch stands for liberty and enlightenment. Its rays represent the 13 original states, and the five in the inner arc represent the five states next admitted to the Union. The star above the torch stands for Indiana, the 19th state. The General Assembly adopted the state flag in 1917.



## Motto

Adopted in 1937, the state motto, "The Crossroads of America," is supported by the central location of the state and the convergence of numerous interstates in Indianapolis, in addition to its geographic proximity to major metropolitan areas across the country.

## Song

"On the Banks of the Wabash, Far Away," was composed and written by Paul Dresser and was adopted in 1913 as the state song.

### On the Banks of the Wabash, Far Away (1897)

Written by Paul Dresser

Composed by Paul Dresser

'Round my Indiana homesteads wave the cornfields,  
In the distance loom the woodlands clear and cool.  
Oftentimes my thoughts revert to scenes of childhood,  
Where I first received my lessons, nature's school.  
But one thing there is missing in the picture,  
Without her face it seems so incomplete.  
I long to see my mother in the doorway,  
As she stood there years ago, her boy to greet.

#### [CHORUS]

Oh, the moonlight's fair tonight along the Wabash,  
From the fields there comes the breath of newmown hay.  
Through the sycamores the candle lights are gleaming,  
On the banks of the Wabash, far away.

Many years have passed since I strolled by the river,  
Arm in arm, with sweetheart Mary by my side,  
It was there I tried to tell her that I loved her,  
It was there I begged of her to be my bride.  
Long years have passed since I strolled thro' there churchyard.  
She's sleeping there, my angel, Mary dear,  
I loved her, but she thought I didn't mean it,  
Still I'd give my future were she only here.

The musical score is written in G major and 4/4 time. It consists of ten staves of music with lyrics underneath. The lyrics are: 'Round my In-dian-a home-stead wave the corn-fields, In the dis-tance loom the wood-lands clear and cool, Of-ten times my thoughts re-vert to scenes of child-hood, Where I first re-ceived my les-sons Na-ture's school, But one thing there is mis-sing in the pic-ture With out her face it seems so in-com-plete, I long to see my moth-er in the door-way, As she stood there years a-go, her boy to greet. Oh, the moon-light's fair to-night a-long the Wa-bash, From the fields there comes the breath-of new-mown hay, Through the syc-a-mores the can-dle lights are gleam-ing, On the banks of the Wa-bash, far a-way.

## Poem

The poem "Indiana" was written by Arthur Franklin Mapes from Kendallville. In 1963 it was adopted by the General Assembly as the state poem.

### Indiana

God crowned her hills with beauty,  
Gave her lakes and winding streams.  
Then He edged them all with woodlands  
As the settings for our dreams.  
Lovely are her moonlit rivers,  
Shadowed by the sycamores,  
Where the fragrant winds of Summer  
Play along the willowed shores.  
I must roam those wooded hillsides,  
I must heed the native call,  
For a Pagan voice within me

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Seems to answer to it all.  
I must walk where squirrels scamper  
Down a rustic old rail fence,  
Where a choir of birds is singing  
In the woodland...green and dense.  
I must learn more of my homeland  
For it's paradise to me,  
There's no haven quite as peaceful,  
There's no place I'd rather be.  
Indiana...is a garden  
Where the seeds of peace have grown,  
Where each tree, and vine, and lower  
Has a beauty...all its own.  
Lovely are the fields and meadows  
That reach out to hills that rise  
Where the dreamy Wabash River  
Wanders on...through paradise.

## Indiana's Counties: How They Got Their Names

County	Origin of Name	Organization Date	County Seat
Adams	President John Quincy Adams	January 26, 1827	Decatur
Allen	Colonel John Allen of Kentucky	April 1, 1824	Fort Wayne
Bartholomew	Gen. Joseph Bartholomew, U.S. senator	February 12, 1821	Columbus
Benton	Thomas H. Benton, U.S. senator	February 18, 1840	Fowler
Blackford	Judge Isaac Blackford	February 18, 1839	Hartford City
Boone	Daniel Boone	April 1, 1831	Lebanon
Brown	Gen. Jacob Brown of the War of 1812	April 1, 1836	Nashville
Carroll	Charles Carroll of Maryland	May 1, 1828	Delphi
Cass	Gen. Lewis Cass, Governor of Michigan	April 13, 1829	Logansport
Clark	Gen. George Rogers Clark	February 3, 1801	Jeffersonville
Clay	Henry Clay	April 1, 1825	Brazil
Clinton	DeWitt Clinton, Governor of New York	March 1, 1830	Frankfort
Crawford	Col. William Crawford	March 1, 1818	English
Daviess	Col. Joseph H. Daviess	February 15, 1817	Washington
Dearborn	Gen. Henry Dearborn, secretary of war	March 7, 1803	Lawrenceburg
Decatur	Commodore Stephen Decatur	March 4, 1822	Greensburg

<b>County</b>	<b>Origin of Name</b>	<b>Organization Date</b>	<b>County Seat</b>
DeKalb	Baron DeKalb, French hero of American Revolution	May 1, 1837	Auburn
Delaware	Delaware Indian tribe	April 1, 1830	Muncie
Dubois	Capt. Toussaint Dubois of the War of 1812	February 1, 1818	Jasper
Elkhart	Elkhart Indian tribe	April 1, 1830	Goshen
Fayette	Marquis de Lafayette, French hero of American Revolution	January 1, 1819	Connersville
Floyd	Col. John Floyd of Virginia	February 2, 1819	New Albany
Fountain	Maj. Fountain of Kentucky	April 1, 1826	Covington
Franklin	Benjamin Franklin	February 1, 1811	Brookville
Fulton	Robert Fulton	April 1, 1836	Rochester
Gibson	John Gibson, territory governor	April 1, 1813	Princeton
Grant	Capt. Samuel and Moses Grant of Kentucky	April 1, 1832	Marion
Greene	Gen. Nathaniel Greene of American Revolution	February 5, 1821	Bloomfield
Hamilton	Alexander Hamilton	April 7, 1823	Noblesville
Hancock	John Hancock	March 1, 1828	Greenfield
Harrison	William Henry Harrison, territorial governor	December 1, 1808	Corydon
Hendricks	William Hendricks, Governor of Indiana	April 1, 1824	Danville
Henry	Patrick Henry	June 1, 1822	New Castle
Howard	Gen. T. A. Howard	May 1, 1844	Kokomo
Huntington	Samuel Huntington	December 2, 1834	Huntington
Jackson	Gen. Andrew Jackson	January 1, 1816	Brownstown
Jasper	Sgt. Jasper of South Carolina	March 15, 1838	Rensselaer
Jay	John Jay, Governor of New York	March 1, 1836	Portland
Jefferson	Thomas Jefferson	February 1, 1811	Madison
Jennings	Jonathan Jennings, first governor of Indiana	February 1, 1817	Vernon
Johnson	Judge John Johnson, Indiana Supreme Court	May 5, 1823	Franklin
Knox	Gen. Knox, secretary of war	June 20, 1790	Vincennes
Kosciusko	Thaddeus Kosciusko, Polish hero of American Revolution	June 1, 1837	Warsaw
LaGrange	Name of Marquis de Lafayette's home near Paris	April 1, 1832	LaGrange

**Reference B**

<b>County</b>	<b>Origin of Name</b>	<b>Organization Date</b>	<b>County Seat</b>
Lake	Lake Michigan	February 15, 1837	Crown Point
LaPorte	French term meaning "the door" or "the port"	April 1, 1832	LaPorte
Lawrence	Capt. James Lawrence	March 1, 1818	Bedford
Madison	James Madison	July 1, 1823	Anderson
Marion	Gen. Francis Marion	April 1, 1822	Indianapolis
Marshall	Chief Justice John Marshall	April 1, 1836	Plymouth
Martin	Maj. John T. Martin of Kentucky	February 1, 1820	Shoals
Miami	Miami Indian tribe	March 1, 1834	Peru
Monroe	James Monroe	April 10, 1813	Bloomington
Montgomery	Gen. Richard Montgomery	March 1, 1823	Crawfordsville
Morgan	Gen. Daniel Morgan	February 15, 1822	Martinsville
Newton	Sgt. John Newton	December 9, 1859	Kentland
Noble	James Noble, first senator from Indiana	March 1, 1836	Albion
Ohio	Ohio River	March 1, 1844	Rising Sun
Orange	Orange County, North Carolina	February 1, 1816	Paoli
Owen	Col. Abraham Owen, casualty at Battle of Tippecanoe	January 1, 1819	Spencer
Parke	Benjamin Parke, first territorial congressional delegate	April 2, 1821	Rockville
Perry	Commodore Oliver H. Perry	November 1, 1814	Cannelton
Pike	Gen. Zebulon M. Pike	February 1, 1817	Petersburg
Porter	Commodore David Porter of the War of 1812	February 1, 1836	Valparaiso
Posey	Gen. Thomas Posey	November 1, 1814	Mt. Vernon
Pulaski	Casimir Pulaski, Polish hero of American Revolution	May 1, 1822	Winamac
Putnam	Gen. Israel Putnam	April 1, 1822	Greencastle
Randolph	Either Thomas Randolph or Randolph County, NC	August 10, 1818	Winchester
Ripley	Gen. R. W. Ripley of the War of 1812	April 10, 1818	Versailles
Rush	Dr. Benjamin Rush	April 1, 1822	Rushville
Scott	Gen. Charles Scott, Governor of Kentucky	February 1, 1820	Scottsburg
Shelby	Isaac Shelby	April 1, 1822	Shelbyville
Spencer	Capt. Spier Spencer	February 1, 1818	Rockport



<b>County</b>	<b>Origin of Name</b>	<b>Organization Date</b>	<b>County Seat</b>
Starke	Gen. Starke	January 15, 1850	Knox
St. Joseph	St. Joseph River	April 1, 1830	South Bend
Steuben	Baron Steuben of the Revolutionary War	May 1, 1837	Angola
Sullivan	Gen. Daniel Sullivan	January 15, 1817	Sullivan
Switzerland	Switzerland, native country of first settlers	October 1, 1814	Vevay
Tippecanoe	Tippecanoe River and battleground	March 1, 1826	Lafayette
Tipton	Gen. John Tipton	May 1, 1844	Tipton
Union	Symbolic of union interests	February 1, 1821	Liberty
Vanderburgh	Henry Vanderburgh, territorial judge	February 1, 1818	Evansville
Vermillion	Vermillion River	February 1, 1824	Newport
Vigo	Col. Francis Vigo	February 15, 1818	Terre Haute
Wabash	Wabash River	March 1, 1835	Wabash
Warren	Gen. Joseph Warren, American Revolution	March 1, 1827	Williamsport
Warrick	Capt. Jacob Warrick	April 1, 1813	Boonville
Washington	George Washington	January 17, 1814	Salem
Wayne	Gen. Anthony Wayne	February 1, 1811	Richmond
Wells	Capt. William A. Wells	May 1, 1837	Bluffton
White	Col. Isaac White	April 1, 1834	Monticello
Whitley	Col. William Whitey	April 1, 1839	Columbia City

## **Notable Natives**

**Joseph Allen**, astronaut and NASA employee, hails from Crawfordsville.

**David Anspaugh**, a Decatur native, is a television and film director and producer. A few of his hits are “Hoosiers” and “Rudy.” He won Emmys in 1982 and 1983 for “Hill Street Blues.”

**Serena Auñón-Chancellor** was a NASA flight surgeon and astronaut who was born in 1976 in Indianapolis.

**Ann Baxter**, famous actress in films including Cecil B. DeMille’s “The Ten Commandments” and “All About Eve,” was from Michigan City.

**Frank Bellamy** is the author of the Pledge of Allegiance. Born in 1875, the Madison native wrote the pledge in high school as part of a class assignment.

**Larry Bird** was French Lick’s gift to the National Basketball Association. He was the league’s most valuable player three years in a row from 1984-1986 as a member of the Boston Celtics basketball team. In 1997, he became coach of the Indiana Pacers for a three-season run. In July 2003, Bird returned to the Pacers as president of basketball operations.

Fashion designer **Bill Blass** was born on June 22, 1922, in Fort Wayne.

## Reference B

**Frank Borman** is a native of Gary who served as the commander of the Gemini 7 mission in 1965 and the Apollo 8 flight in 1968, which was the first manned lunar orbital mission.

**Walter Botts**, the model for the famous Uncle Sam figure, was born on August 9, 1900, in Sullivan.

**Mark Brown** is an aerospace consultant who spent more than 249 hours in space as a NASA astronaut and is a native of Valparaiso.

**Hoagy Carmichael**, popular songwriter, singer, actor and bandleader, was born in Bloomington.

**Levi Coffin** of Richmond is famous for his contributions to the Underground Railroad. The Coffin home provided a safe haven for more than 3,000 slaves during pre-Civil War days.

**Jim Davis**, a Fairmount native, is the cartoonist who created the fat, lazy and cynical cat named Garfield. Syndicated in hundreds of newspapers around the world, the "Garfield" comic strip is produced at PAWS, Inc., Davis' studio just outside Muncie.

**James Dean** was born in Marion and raised in Fairmount. The actor was posthumously nominated for an Oscar for "Giant."

**Paul Dresser**, who wrote "On the Banks of the Wabash, Far Away," was born in Terre Haute in 1858. He was a well-known singer, popular American songwriter, and comedic actor of the late nineteenth and early twentieth centuries.

**Theodore Dreiser** was born in 1871 in Terre Haute. His first novel, *Sister Carrie* (1900), became one of the most famous novels in literary history.

Singer, songwriter and music producer **Kenneth "Babyface" Edmonds** was born in Indianapolis. A stretch of Interstate 65 that runs through the city has been renamed in his honor.

**Anthony England**, born in Indianapolis, was a scientist-astronaut at NASA in 1967. He is best known for developing and communicating instructions for construction of the lithium hydroxide canisters on Apollo 13, which saved the crew from suffocating.

**Kevin Ford** was an astronaut for NASA born in Portland, Indiana, in 1960. Between his space flights and time on the International Space Station, he spent 157 days in space.

**Vivica A. Fox**, an Indianapolis native, is an actress who has starred in such movies as "Independence Day" and "Soul Food."

NASCAR driver **Jeff Gordon** is from Pittsboro.

**Virgil "Gus" Grissom** from Mitchell was a Mercury astronaut and the first Hoosier in space on July 21, 1961.

**John Gruelle**, an early 20th-century cartoonist for the *Indianapolis Star*, wrote and illustrated Raggedy Ann for the comics and for books. He wrote nearly 40 books before he died in 1938.

**Benjamin Harrison** of Indianapolis was the only U.S. president born in Indiana.

**Elwood Haynes** invented the first successful gasoline-powered automobile in 1894. The Kokomo native later invented stainless steel.

**Florence Henderson**, a Dale native, was the mother of "three very lovely girls" on "The Brady Bunch," in addition to being the Wesson cooking oil spokesperson. She is also an accomplished Broadway actress.

**John Hiatt**, who grew up in Indianapolis, is a Grammy-nominated songwriter and singer and remains a very influential artist. His song "Have a Little Faith in Me" has been covered many times.

**Jimmy Hoffa** is the well-known and still-missing labor leader from Brazil, Indiana. Hoffa's fiery resolve eventually made him president of the International Brotherhood of Teamsters.

**Janet Jackson**, famous singer and actress (and sister to Michael), is from Gary, Indiana.

**Michael Jackson**, the famous singer known as the "King of Pop," was from Gary, Indiana. Among his many historic accomplishments, his album *Thriller* remains the highest selling album of all-time.

Born in Vincennes in 1891, **Buck Jones** was an American motion picture star of the 1920s, '30s and '40s, best known for his work starring in many popular western movies.

**Alex Karras**, one-time lineman for the Detroit Lions, was born in Gary, Indiana. Karras also served as a commentator on "Monday Night Football" and eventually starred as the dad on TV's "Webster."

**Greg Kinnear**, the Oscar-nominated actor, hails from Logansport.

**David Letterman** was born in Indianapolis in 1947. Long before he became a late-night talk-show star, Letterman was a bag boy at the Atlas Supermarket on College Avenue in Indianapolis. He attended Ball State University.

Actress **Carole Lombard** was born in Ft. Wayne in 1908. She is particularly noted for her roles in the screwball comedies of the 1930s.

**Shelley Long**, the actress who played Diane on "Cheers," hails from Fort Wayne.

Singer/songwriter **Jon McLaughlin**, who appeared in the film "Enchanted" and performed at the 2008 Academy Awards, is from Anderson.

Actor **Steve McQueen** was born in Beech Grove.

Rock star **John Mellencamp** is from Seymour.

Comic strip artist **Dalia "Dale" Messick** was born in South Bend and attended Hobart High School. Her comic strip, "Brenda Starr," ran in 250 newspapers and reached its height of popularity in the 1950s.

**Jane Pauley** is the Indianapolis-born former host of "Dateline NBC." She has a degree from Indiana University.

**Angelo Pizzo**, who grew up in Bloomington and also graduated from Indiana University, is an American screenwriter known best for writing the classic sports films "Hoosiers" and "Rudy." He worked with his fraternity brother David Anspaugh (see above) on the production of those films.

Composer and songwriter **Cole Porter** was born in Peru, Indiana.

**Ernie Pyle** from Dana, Indiana, was a legendary World War II journalist. He was killed while covering the war's Pacific theater.

**Orville Redenbacher**, a Brazil native, turned popcorn into a daily staple for many Americans.

**James Whitcomb Riley** is considered the "Hoosier Poet." During his life, Riley wrote more than one thousand poems about the state he loved, including "The Raggedy Man." Born in Greenfield in 1849, Riley spent the last 20 years of his life in Indianapolis at 52 Lockerbie Street.

## Reference B

**Oscar Robertson**, an Indianapolis high school basketball star, was co-captain of the U.S. Olympic team that won the gold medal in 1960. He was the National Basketball Association's most valuable player in 1964 and scored over 25,000 points in his career.

**Axl Rose**, previously known as William Bruce Bailey, is a native of Lafayette. He is the lead singer of rock band Guns N' Roses.

**Jerry Ross** was a NASA astronaut for three decades before retiring in 2012. He was born in Crown Point in 1948.

**David Lee Roth**, the original front man for Van Halen, hails from Bloomington.

**Colonel Harland Sanders** is a native of Henryville. The famous Kentucky Fried Chicken franchise was his brainchild at the age of 66.

**May Wright Sewall** was a suffragette, educator and Indianapolis civic leader.

**Red Skelton** was born in 1913 in Vincennes. At the age of 13, he launched a career as a clown that eventually would take him to vaudeville, radio and finally to his own television show that lasted 20 years.

**Tony Stewart**, born in Rushville, was the Indianapolis 500 rookie of the year in 1996, won the Indy Racing League championship in 1997 and captured the NASCAR championship in 2002 and 2005.

**Gene Stratton-Porter**, one of the state's most widely read authors and known best for her novel "A Girl of the Limberlost," is from Rome, Indiana.

**Booth Tarkington** wrote over 50 novels and plays. The Indianapolis author won Pulitzer Prizes for "The Magnificent Ambersons" and "Alice Adams."

**Marshall "Major" Taylor** was one of the fastest bicycle racers to ever compete. The Indianapolis native was the most respected black athlete at the turn of the century and was hailed as a hero in Europe. His legacy continues at the Major Taylor Velodrome in Indianapolis.

**Albert Von Tilzer** wrote the sentimental song "Take Me Out to the Ball Game."

**Kurt Vonnegut** was the Indianapolis-born author of "Cat's Cradle," "Breakfast of Champions" and "Slaughterhouse Five." He died in 2007.

**Janice Voss** was born in South Bend. She served as a NASA specialist on five missions and participated in the first shuttle rendezvous with Russia's Mir space station. She orbited Earth 779 times.

**Dan Wakefield**, author of "Going All the Way," is from Indianapolis. Both he and legendary author Kurt Vonnegut attended Shortridge High School.

**Lew Wallace**, author of the novel "Ben Hur," was from Brookville.

**Charles Walker** is a Bedford native. While not a NASA astronaut, Walker is the first non-government astronaut to fly in space and perform scientific experiments and was a test subject in numerous medical studies.

**Donald Williams** is a Lafayette native. He was a NASA astronaut who first launched into space in 1985, a mission on which multiple experiments were conducted. One experiment involved toys, making him the first person to juggle in micro-gravity.

**Matt Williams** of Evansville is the creator, writer and producer of "Roseanne," "The Cosby Show" and "Home Improvement."

**Robert Wise** from Winchester is the Oscar-winning director of "West Side Story" and "The Sound of Music."

Indianapolis' **David Wolf** is an astronaut and NASA ambassador.

Basketball player and coach **John Wooden** was born near Martinsville. As a player, he was nominated to the Basketball Hall of Fame for his career at Purdue. As a coach, he was also nominated to the Hall of Fame for his role in leading UCLA to 10 college titles in 12 years.

**Wilbur Wright** of the Wright brothers was born in New Castle in 1867. He and his brother Orville would later fly the first powered aircraft at Kitty Hawk, North Carolina.

**Fuzzy Zoeller** is a professional golfer who has won 10 PGA Tour events. He was born and raised in New Albany.

## Little-Known (Yet Interesting) Indiana Facts

**Milk** is the celebratory drink for winners of the Indianapolis 500.

**Thomas Edison** was once a Western Union telegraph operator at Union Station in Indianapolis.

**Abraham Lincoln** gave a speech at Union Station in Indianapolis on his way to Washington to be sworn in as the 16th president of the United States. Lincoln's funeral train also stopped in Indianapolis on its way back to Illinois.

**Elvis Presley's** last verified public performance was at Market Square Arena in Indianapolis on June 26, 1977.

John Chapman, or "**Johnny Appleseed**" as he's historically known, planted one of his biggest orchards in Fort Wayne and lived his last 20 years there.

**Amelia Earhart** was an instructor at Purdue University and departed from Purdue Airport in her last flight.

The **Empire State Building, Rockefeller Center, Grand Central Station, the Chicago Tribune Tower, the World Astoria Hotel, the Indiana Statehouse and the Chicago Museum of Science and Industry** were all built with Indiana limestone from Lawrence and Monroe counties.

Marcella Gruelle of Indianapolis created the **Raggedy Ann** doll in 1914.

The **first professional baseball game** was played in Fort Wayne on May 4, 1871.

**Santa Claus, Indiana,** receives over half a million letters and requests at Christmas time.

In Fort Wayne, Syvanus F. Bower designed the **world's first practical gasoline pump**.

Indianapolis grocer Gilbert Van Camp discovered his customers enjoyed an old family recipe for pork and beans in tomato sauce. He opened a canning company and **Van Camp's Pork and Beans** became an American staple.

## Reference B

On April 4, 1968, **Robert Kennedy** informed a crowd in Indianapolis of the death of **Dr. Martin Luther King, Jr.**, earlier that day in Memphis. With an often-overlooked speech that is now considered one of the greatest in history, Kennedy was able to maintain calm in the crowd. While there was rioting in more than 100 cities around the country that night, there were no riots in Indianapolis, a fact that is attributed to RFK's six-minute speech.

# Reference C

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## Indiana Historical Timeline

- 1679 French explorer Robert Cavelier, Sieur de la Salle, crosses the St. Joseph-Kankakee River portage into Indiana. He is the first European known to set foot in the state.
- 1720 French trading posts are in operation near the present cities of Fort Wayne and Lafayette.
- 1732 French settlers found Vincennes and establish Indiana's first church, which is of Jesuit denomination.
- 1754 - 1763 French and Indian War occurs. As a result, the territory encircling Indiana becomes an English possession.
- 1763 The English forbid American colonists to settle in the "New West" (including Indiana), thus helping spark the Revolutionary War.
- 1779 George Rogers Clark leads forces that capture Fort Sackville in Vincennes, thus leading to the British loss of the Northwest Territory. (This battle gives Indiana the only American Revolution historic site west of the Allegheny Mountains.) Clark was granted 150,000 acres of land for his efforts; this area now includes Clark County.
- 1784 The town of Clarksville (Clark County) is settled.
- 1787 Congress enacts the Ordinance of 1787 for the administration of the Northwest Territory, which included the present states of Ohio, Indiana, Illinois, Michigan, Wisconsin and part of Minnesota. This law established a territorial government, prohibited slavery, encouraged public education and guaranteed religious freedom and civil rights to all people. It also provided for the eventual creation of new states from the lands included in the territory.
- 1790 Knox County, Indiana's first county, is created. It is patterned after the English county unit of government.
- 1800 Congress separates Ohio from the Northwest Territory. The remaining land is designated as the Indiana Territory. Congress appoints William Henry Harrison as territorial governor, and Vincennes is named capital.
- 1804 Elihu Stout begins publishing the state's first newspaper in Vincennes, a weekly publication called the *Indiana Gazette*.
- 1805 Michigan is separated from the Indiana Territory and becomes its own territory.
- 1806 Indiana's territorial assembly charters Vincennes University, the state's first institution of higher learning.
- 1809 The Illinois Territory is formed. It includes the present states of Illinois, Wisconsin and part of Minnesota, thus reducing Indiana to its present size.
- 1811 The Battle of Tippecanoe is fought near Lafayette between Native American and U.S. forces, ending Native American domination of the northern two-thirds of the state.
- 1816 On December 11, Indiana becomes the 19th state, with its capital in Corydon.

## Reference C

- 1820 Indiana's population is measured at 147,178 citizens, most of whom are farmers, with artisans and tradesmen scattered in small towns in the southern part of the state.
- 1824 Welsh-born philanthropist Robert Owen founds the utopian community of New Harmony in southern Posey County. The community's success is short lived.
- 1825 The state capital is moved from Corydon to Indianapolis. Also, the Indiana Seminary (the precursor to Indiana University) is opened in Bloomington after being chartered five years earlier.
- 1836 The state legislature passes an act providing for the construction of a vast network of canals. One year later, the Panic of 1837 causes the state to become bankrupt, thus halting this project.
- 1840 - 1850 Indiana founds its first mental institution, as well as schools for the blind and deaf. The state also becomes one of the first in the nation to grant women the right to make wills.
- 1851 Indiana drafts a new state constitution.
- 1852 The state creates a tax-supported public school system.
- 1855 Indiana becomes the second state to have a coeducational college when Northwestern Christian College (now Butler University) starts admitting women.
- 1861 - 1865 More than 210,000 Hoosiers serve in the Union forces during the Civil War, with 24,416 giving their lives.
- 1863 Hoosier citizens in southern Indiana join together to battle cavalrymen led by rogue Confederate General John Hunt Morgan during what would later be called Morgan's Raid, eventually forcing the Confederates to flee to Ohio. The raid is still remembered via John Hunt Morgan Heritage Trails in Indiana and Kentucky. In 2011, Conner Prairie Interactive History Park in Fishers would launch a major exhibit to educate visitors about the raid.
- 1880 - 1900 The state creates numerous new agencies aimed at improving the way of life of Indiana residents. These include examining and licensing boards, natural resources conservation agencies, and social health and welfare agencies.
- 1905 Indiana begins levying a statewide property tax to raise money for school funding.
- 1909 - 1911 A new state constitution is drafted, but the Supreme Court invalidates this action and the 1851 constitution remains in place.
- 1917 - 1918 Approximately 118,000 Hoosiers serve in World War I, with 3,350 dying while in service.
- 1923 The General Assembly enacts the state's first gasoline tax, which helps fund the State Highway Commission (created in 1917) and pay for the construction of many state highways.
- 1933 State government undergoes reorganization; all state agencies are grouped into departments, and the power of the governor's office is strengthened in an attempt to operate government more efficiently and economically. The General Assembly also passes the Indiana Gross Income Tax Act, which serves as the state's principal source of tax income until 1963.



- 1940 Wendell Willkie of Elwood is the Republican Party candidate for president of the United States.
- 1941 - 1945 Approximately 340,000 Indiana soldiers serve in World War II, with about 10,000 of them perishing in service.
- 1947 Indiana's Department of Revenue is created to consolidate the administration of the state's major tax laws.
- 1957 The General Assembly introduces Indiana to an expanded federal highway-building program and increased state motor fuel tax connected to the development of the U.S. interstate system.
- 1959 The state begins construction on a modern, 13-story office building in order to house state government primarily under one roof. The building is completed two years later.
- 1959 The General Assembly enacts legislation allowing local communities to reorganize and consolidate their school systems into more efficient units.
- 1963 The state tax structure is drastically changed; two new taxes are introduced to supplement the gross income tax. The Indiana Civil Rights Commission is also created, as is the Indiana Vocational Technical College (Ivy Tech).
- 1969 The governments of Indianapolis and Marion County are merged into a single apparatus commonly referred to as "Unigov."
- 1970 Census results indicate that the state's population has passed 5 million people. Also, Indiana voters approve a constitutional amendment allowing the General Assembly to fix the length and frequency of its sessions.
- 1973 The General Assembly reduces the age of adulthood to 18 for most activities while holding 21 as the legal age for consumption of alcoholic beverages.
- 1975 State lawmakers decree that the right to nominate candidates for governor, lieutenant governor and U.S. senator is now by direct primary.
- 1977 The state legislature ratifies the Equal Rights Amendment, but this amendment is not ratified by enough other states to become law.
- 1980 - 1985 Recession hits Indiana hard, especially in its steel and other manufacturing industries. To help ease the state's financial difficulties, the individual income tax is raised, and the sales tax is increased.
- 1987 The General Assembly passes a series of laws for school reform, including measures calling for a longer school year and for standardized testing for both students and teachers.
- 1988 U.S. Senator Dan Quayle of Indiana is elected vice president. Democrat Evan Bayh is elected governor, ending decades of Republican domination of state government. Also, state voters approve elimination of the state constitutional amendment banning lotteries, leading to the establishment of the Hoosier Lottery in 1989.
- 1997 State has \$1.6 billion budget surplus; over the next two years, this will grow to \$2.1 billion.

## Reference C

- 2000 The Indiana Pacers reach the NBA Finals for the first time but fall to the Los Angeles Lakers in six games.
- 2001 On September 11, terrorists hijack and crash commercial planes into New York City's World Trade Center, as well as the Pentagon. Several thousand Americans die, but the entire nation mourns the day that will be remembered from then on as "9/11."
- 2001 Nationwide economic problems lead to significant job loss and declining revenues in Indiana, thus eating away at the state budget surplus.
- 2004 Republican Mitch Daniels is elected governor, ending 16 years of Democratic domination of the governor's office.
- 2005 New efforts at state government overhaul are introduced.
- 2007 The Indianapolis Colts defeat the Chicago Bears 29-17 in Super Bowl XLI. Tony Dungy becomes the first African American head coach to win the Lombardi Trophy. Played in Miami, the game is the first Super Bowl to be contested in the rain, according to ESPN.
- 2009 Gary native and controversial international music icon Michael Jackson is found dead in his California mansion. The cause of death is determined to be an overdose of the drug Propofol, although allegations are made that his personal physician is at fault.
- 2010 The Indianapolis Colts fall to the New Orleans Saints 31-17 in Super Bowl XLIV.
- 2011 The Indiana legislature makes national news as House Democrats flee the state to Illinois to protest what they argue is an overly aggressive GOP agenda. Many pundits cite right-to-work legislation (which is later dropped) – proposed by House Republicans – as the tipping point.
- 2011 Education reforms proposed by Superintendent of Public Instruction Tony Bennett and Gov. Mitch Daniels are passed. Chief among the initiatives are merit pay for teachers and a more favorable environment for charter schools in the state.
- 2012 The Indiana legislature passes a right-to-work law, making Indiana the 23rd state to have such a law, and the first Rust Belt state to do so. Under right-to-work laws, companies cannot negotiate a contract with a union that requires non-members to pay fees for representation. The measure was upheld by the Indiana Supreme Court in 2014.
- 2012 The Indiana legislature passes a statewide smoking ban, prohibiting smoking inside all restaurants, workplaces and most bars. The law still permits smoking in free-standing bars and taverns, casinos, cigar and hookah bars and tobacco shops, as well as in private clubs with designated, ventilated smoking rooms and home-based businesses where all employees are family.
- 2014 The Indiana legislature debates HJR-3, a measure to add a ban on same sex marriage to the Indiana Constitution. The House and Senate does not pass identical versions, so the constitutional ban is not made into law. Then in June 2015, the United States Supreme Court puts an end to statewide same sex marriage bans nationwide via a 5-4 decision. There were 14 states at the time with such bans.
- 2015 The Indiana legislature passes the Religious Freedom Restoration Act, stating the government cannot intrude on a person's religious liberty. Due to the wording, a national media firestorm erupts as many believe this would allow discrimination against the gay

community, people of certain faiths and others if a business opts to not serve them. A “fix” to prevent outright discrimination is then passed and signed by the governor, following consultation on language with the business community and other interested parties.

2018

Indiana becomes the 41st state to allow Sunday alcohol sales. Indiana had restricted Sunday alcohol sales since becoming a state in 1816, even after the 21st Amendment in 1933 overturned Prohibition.



# Reference D

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## Constitution of Indiana, 1851

The current Constitution of Indiana was drafted by a convention that assembled in Indianapolis on October 7, 1850, and adjourned on February 10, 1851. At an election held on August 4, 1851, it was ratified by a vote of 113,230 to 27,638. The constitution became effective November 1, 1851. It is the seventh-oldest and third-shortest constitution among those of the 50 states.

Articles of the Indiana Constitution			
1. Bill of Rights	5. Executive	9. State Institutions	13. Municipal Debt
2. Suffrage and Elections	6. Administrative	10. Finance	14. Boundaries
3. Distribution of Powers	7. Judicial	11. Corporations	15. Miscellaneous
4. Legislative	8. Education	12. Militia	16. Amendments

### Preamble

To the end, that justice be established, public order maintained, and liberty perpetuated: We, the people of the state of Indiana, grateful to Almighty God for the free exercise of the right to choose our own form of government, do ordain this constitution.

# Article 1: Bill of Rights

Section	Section Name	Section	Section Name
1.	Natural rights	20.	Trial by jury inviolate in civil cases
2.	Right to worship	21.	Compensation for services or property
3.	Freedom of thought	22.	Exemption – Imprisonment for debt
4.	No preference to any creed	23.	Privileges equal
5.	No religious test for office	24.	Ex post facto laws – Laws impairing obligations of contract
6.	No money for religious institutions	25.	Taking effect of laws
7.	Competency of witness	26.	Suspension of laws
8.	Oath, how administrated	27.	Suspension of habeas corpus
9.	Free speech and writing	28.	Treason
10.	The truth in libel	29.	Proof in treason
11.	Unreasonable search or seizure	30.	Effect of conviction
12.	Courts open; due course of law; administration of justice	31.	Right to assemble, instruct, and petition
13.	Rights of accused	32.	Right to bear arms
14.	Double jeopardy; self-incrimination	33.	Military subject to civil power
15.	Unnecessary rigor prohibited	34.	Restrictions upon soldiers
16.	Excessive bail, punishment, penalties	35.	No titles of nobility or hereditary distinctions
17.	Bailable offenses	36.	Emigration free
18.	Reformation as basis of penal code	37.	Slavery prohibited
19.	Jury in criminal cases; right to determine law and facts		

**Section 1.** We declare, that all people are created equal; that they are endowed by their Creator with certain inalienable rights; that among these are life, liberty, and the pursuit of happiness; that all power is inherent in the People; and that all free governments are, and of right ought to be, founded on their authority, and instituted for their peace, safety, and well-being. For the advancement of these ends, the People have, at all times, an indefeasible right to alter and reform their government.

**Section 2.** All people shall be secured in their natural right to worship Almighty God, according to the dictates of their own consciences.

**Section 3.** No law shall, in any case whatever, control the free exercise and enjoyment of religious opinions, or interfere with the rights of conscience.

**Section 4.** No preference shall be given, by law, to any creed, religious society, or mode of worship; and no person shall be compelled to attend, erect, or support, any place of worship, or to maintain any ministry, against his consent.

**Section 5.** No religious test shall be required as a qualification for any office of trust or profit.

**Section 6.** No money shall be drawn from the treasury, for the benefit of any religious or theological institution.

**Section 7.** No person shall be rendered incompetent as a witness, in consequence of his opinions on matters of religion.

**Section 8.** The mode of administering an oath or affirmation, shall be such as may be most consistent with, and binding upon, the conscience of the person, to whom such oath or affirmation may be administered.

**Section 9.** No law shall be passed, restraining the free interchange of thought and opinion, or restricting the right to speak, write, or print freely on any subject whatsoever; but for the abuse of that right, every person shall be responsible.

**Section 10.** In all prosecutions for libel, the truth of the matters alleged to be libelous may be given in justification.

**Section 11.** The right of the people to be secure in their people, houses, papers, and effects against unreasonable search, or seizure, shall not be violated; and no warrant shall issue, but upon probable cause, supported by oath or affirmation and particularly describing the place to be searched, and the person or thing to be seized.

**Section 12.** All courts shall be open; and every person, for injury done to him in his person, property, or reputation, shall have remedy by due course of law. Justice shall be administered freely, and without purchase; completely, and without denial; speedily, and without delay.

**Section 13.** In all criminal prosecutions, the accused shall have the right to a public trial, by an impartial jury, in the county in which the offense shall have been committed; to be heard by himself and counsel; to demand the nature and cause of the accusation against him, and to have a copy thereof; to meet the witnesses face to face and to have compulsory process for obtaining witnesses in his favor.

**Section 14.** No person shall be put in jeopardy twice for the same offense. No person, in any criminal prosecution, shall be compelled to testify against himself.

**Section 15.** No person arrested, or confined in jail, shall be treated with unnecessary rigor.

**Section 16.** Excessive bail shall not be required. Excessive fines shall not be imposed. Cruel and unusual punishments shall not be inflicted. All penalties shall be proportioned to the nature of the offense.

**Section 17.** Offenses, other than murder or treason, shall be bailable by sufficient sureties. Murder or treason shall not be bailable, when the proof is evident, or the presumption strong.

**Section 18.** The penal code shall be founded on the principles of reformation, and not of vindictive justice.

**Section 19.** In all criminal cases whatever, the jury shall have the right to determine the law and the facts.

**Section 20.** In all civil cases, the right of trial by jury shall remain inviolate.

**Section 21.** No person's particular services shall be demanded, without just compensation. No person's property shall be taken by law, without just compensation; nor, except in the case of the State, without such compensation first assessed and tendered.

**Section 22.** The privilege of the debtor to enjoy the necessary comforts of life, shall be recognized by wholesome laws, exempting a reasonable amount of property from seizure or sale for the payment of any debt or liability hereafter contracted; and there shall be no imprisonment for debt, except in case of fraud.

**Section 23.** The General Assembly shall not grant to any citizen, or class of citizens, privileges or immunities, which upon the same terms, shall not equally belong to all citizens.

**Section 24.** No ex post facto law, or law impairing the obligation of contracts, shall ever be passed.

**Section 25.** No law shall be passed, the taking effect of which shall be made to depend upon any authority, except as provided in this Constitution.

## Reference D

**Section 26.** The authority of the General Assembly shall never suspend except the operation of the laws.

**Section 27.** The privilege of the writ of habeas corpus shall not be suspended, except in case of rebellion or invasion; and then, only if the public safety demands it.

**Section 28.** Treason against the State shall consist only in levying war against it, and in giving aid and comfort to its enemies.

**Section 29.** No person shall be convicted of treason, except on the testimony of two witnesses to the same overt act, or upon his confession in open court.

**Section 30.** No conviction shall work corruption of blood, or forfeiture of estate.

**Section 31.** No law shall restrain any of the inhabitants of the State from assembling together in a peaceable manner, to consult for their common good; nor from instructing their representatives; nor from applying to the General Assembly for redress of grievances.

**Section 32.** The people shall have a right to bear arms, for the defense of themselves and the State.

**Section 33.** The military shall be kept in strict subordination to the civil power.

**Section 34.** No soldier shall, in time of peace, be quartered in any house, without the consent neither of the owner; nor, in time of war, but in a manner to be prescribed by law.

**Section 35.** The General Assembly shall not grant any title of nobility, nor confer hereditary distinctions.

**Section 36.** Emigration from the State shall not be prohibited.

**Section 37.** There shall be neither slavery, nor involuntary servitude, within the State, otherwise than for the punishment of crimes, whereof the party shall have been duly convicted.

## Article 2: Suffrage and Election

Section	Section Name	Section	Section Name
1.	Elections free and equal	8.	Disfranchisement
2.	Qualifications of voters	9.	Effect of holding lucrative offices
3.	Soldiers; seamen; marines	10.	Defaulters not eligible
4.	Residence	11.	Pro tempore appointments
5.	(Repealed)	12.	Electors free from arrest
6.	Bribery a disqualification for office	13.	Method of election
7.	(Repealed)	14.	Time of election; judges; registration

**Section 1.** All elections shall be free and equal.

**Section 2.** Every citizen of the United States, of the age of eighteen (18) years or more, who has been a resident of a precinct thirty (30) days immediately preceding such election, shall be entitled to vote in that precinct.



**Section 3.** No member of the armed forces of the United States, or of their allies, shall be deemed to have acquired a residence in State, in consequence of having been stationed within the same; nor shall any person have the right to vote.

**Section 4.** No person shall be deemed to have lost his residence in the State, by reason of his absence, either on business of this State or of the United States.

**Section 5.** (Stricken out by constitutional amendment of March 24, 1983.)

**Section 6.** Every person shall be disqualified from holding office, during the term for which he may have been elected, who shall have given or offered a bribe, threat, or reward, to procure his election.

**Section 7.** (Stricken out by constitutional amendment of March 24, 1983.)

**Section 8.** The General Assembly shall have power to deprive of the right of suffrage, and to render ineligible, any person convicted of an infamous crime.

**Section 9.** No person holding a lucrative office or appointment under the United States or under this State is eligible to a seat in the General Assembly; and no person may hold more than one lucrative office at the same time, except as expressly permitted in this Constitution. Offices in the militia to which there is attached no annual salary shall not be deemed lucrative.

**Section 10.** No person who may hereafter be a collector or holder of public moneys, shall be eligible to any office of trust or profit, until he shall have accounted for, and paid over, according to law, all sums for which he may be liable.

**Section 11.** In all cases in which it is provided, that an office shall be filled by the same person more than a certain number of years continuously, an appointment pro tempore shall not be reckoned a part of that term.

**Section 12.** In all cases, except treason, felony, and breach of the peace electors shall be free from arrest, in going to elections, during their attendance there, and in returning from the same.

**Section 13.** All elections by the People shall be by ballot; and all elections by the General Assembly, or by either branch thereof, shall be viva voce.

**Section 14.** All general elections shall be held on the first Tuesday after the first Monday in November, but township elections may be held at such times as may be provided by law for the election of all Judges of courts of general and appellate jurisdiction, by an election to be held for such officers only, at which time no other officer shall be voted for; and shall also provide for the registration of all people entitled to vote.

## **Article 3: Distribution of Powers**

**Section 1.** The powers of the Government are divided into three separate departments: The Legislative, the Executive including the Administrative, and the Judicial; and no person, charged with official duties under one of these departments, shall exercise any of the functions of another, except as in this Constitution expressly provided.

# Article 4: Legislative

Section	Section Name	Section	Section Name
1.	The General Assembly	16.	Powers of each house
2.	Number of members	17.	Bills
3.	Term of office	18.	Reading and vote
4.	Filling of vacancies	19.	Subject matter of acts
5.	Apportionment of representation	20.	Plain wording
6.	(Repealed)	21.	(Repealed)
7.	Qualifications of members of assembly	22.	Local or special laws forbidden
8.	Privileges of members	23.	Laws must be general
9.	Sessions	24.	Suits against the state
10.	Officers; procedure; adjournment	25.	Passage of bills
11.	Quorum	26.	Protest and entry
12.	Journal	27.	Public laws
13.	Doors to be open	28.	Effective date of statutes
14.	Disorderly behavior punished	29.	Pay of members
15.	Imprisonment for contempt	30.	Members of ineligible to certain offices

**Section 1.** The Legislative authority of the State shall be vested in the General Assembly, which shall consist of a Senate and a House of Representatives. The style of every law shall be: "Be it enacted by the General Assembly of the State of Indiana"; and no law shall be enacted, except by bill.

**Section 2.** The Senate shall not exceed fifty, nor the House of Representatives one hundred members; and they shall be chosen by the electors of the respective districts into which the State may, from time to time, be divided.

**Section 3.** Senators shall be elected for the term of four years, and Representatives for the term of two years, from the day next after their general election. One-half of the Senators, as nearly as possible, shall be elected biennially.

**Section 4.** The General Assembly may provide by law for the filling of such vacancies as may occur in the General Assembly.

**Section 5.** The General Assembly elected during the year in which a federal decennial census is taken shall fix by law the number of Senators and Representatives and apportion them among districts according to the number of inhabitants in that district, as revealed by that federal decennial census. The territory in each district shall be contiguous.

**Section 6.** (Stricken out by constitutional amendment of February 21, 1984.)

**Section 7.** No person shall be a Senator or a Representative who, at the time of his election, is not a citizen of the United States; nor any one who has not been for two years next preceding his election, an inhabitant of the district whence he may be chosen. Senators shall be at least twenty-five, and Representatives at least twenty-one years of age.

**Section 8.** Senators and Representatives, in all cases except treason, felony, and breach of the peace, shall be privileged from arrest, during the session of the General Assembly, and in going and returning from the same; and shall not be subject to any civil process, during the session of the General Assembly, nor during the fifteen days next before the commencement thereof. For any speech or debate in either House, a member shall not be questioned in any other place.

**Section 9.** The sessions of the General Assembly shall be held at the capital of the State, commencing on the Tuesday next after the second Monday in January of each year in which the General Assembly meets unless a different day or place shall have been appointed by law. But if, in the opinion of the governor, the public welfare shall require it, he may at any time by proclamation, call a special session. Law shall fix the length and frequency of the sessions of the General Assembly.

**Section 10.** Each House, when assembled, shall choose its own officers, the President of the Senate excepted; judge the elections, qualifications, and returns of its own members; determine its rules of proceeding, and sit upon its own adjournment. But neither House shall, without the consent of the other, adjourn for more than three days, nor to any place other than that in which it may be sitting.

**Section 11.** Two-thirds of each House shall constitute a quorum to do business; but a smaller number may meet, adjourn from day to day, and compel the attendance of absent members. A quorum being in attendance, if either House fails to effect an organization within the first five days thereafter, the members of the House so failing, shall be entitled to no compensation, from the end of the said five days, until an organization shall have been effected.

**Section 12.** Each House shall keep a journal of its proceedings, and publish the same. The yeas and nays, on any question, shall, at the request of any two members, be entered, together with the names of the members demanding the same, on the journal; Provided, that on motion to adjourn, it shall require one-tenth of the members present to order the yeas and nays.

**Section 13.** The doors of each House, and of Committees of the Whole, shall be kept open, except in such cases, as, in the opinion of either House, may require secrecy.

**Section 14.** Either House may punish its members for disorderly behavior, and may, with the concurrence of two-thirds, expel a member; but not a second time for the same cause.

**Section 15.** Either House, during its session, may punish, by imprisonment, any person not a member, who shall have been guilty of disrespect to the House, by disorderly or contemptuous behavior, in its presence; but such imprisonment shall not, at any one time, exceed twenty-four hours.

**Section 16.** Each House shall have all powers necessary for a branch of the Legislative department of a free and independent State.

**Section 17.** Bills may originate in either House, but may be amended or rejected in the other; except that bills for raising revenue shall originate in the House of Representatives.

**Section 18.** Every bill shall be read, by sections, on three separate days, in each House; unless, in case of emergency, two-thirds of the House where such bill may be pending shall, by a vote of yeas and nays, deem it expedient to dispense with this rule; but the reading of a bill, by sections, on its final passage, shall, in no case, be dispensed with; and the vote on the passage of every bill or joint resolution shall be taken by yeas and nays.

**Section 19.** An act, except an act for the codification, revision or arrangement of laws, shall be confined to one (1) subject and matters properly connected therewith.

**Section 20.** Every act and joint resolution shall be plainly worded, avoiding, as far as practicable, the use of technical terms.

**Section 21.** (Stricken out by constitutional amendment of November 8, 1960.)

**Section 22.** The General Assembly shall not pass local or special laws:

- providing for the punishment of crimes and misdemeanors;

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- regulating the practice in courts of justice;
- providing for changing the venue in civil and criminal cases;
- granting divorces;
- changing the names of people;
- providing for laying out, opening, and working on, highways, and for the election or appointment of supervisors;
- vacating roads, town plats, streets, alleys, and public squares;
- summoning and empanelling grand and petit juries, and providing for their compensation;
- regulating county and township business;
- regulating the election of county and township officers and their compensation;
- providing for the assessment and collection of taxes for State, county, township, or road purposes;
- providing for the support of common schools, or the preservation of school funds;
- relating to fees or salaries, except that the laws may be so made as to grade the compensation of officers in proportion to the population and the necessary services required;
- relating to interest on money;
- providing for opening and conducting elections of State, county, or township officers, and designating the places of voting;
- providing for the sale of real estate belonging to minors or other people laboring under legal disabilities by executors, administrators, guardians, or trustees.

**Section 23.** In all cases enumerated in the preceding Section, and in all other cases where a general law can be made applicable, all laws shall be general, and of uniform operation throughout the State.

**Section 24.** Provision may be made, by general law, for bringing suit against the State; but no special law authorizing such suit to be brought, or making compensation to any person claiming damages against the state, shall ever be passed.

**Section 25.** A majority of all the members elected to each House, shall be necessary to pass every bill or joint resolution; and the Presiding Officers of the respective Houses shall sign all bills and joint resolutions so passed.

**Section 26.** Any member of either House shall have the right to protest, and to have his protest, with his reasons for dissent, entered on the journal.

**Section 27.** Every statute shall be a public law, unless otherwise declared in the statute itself.

**Section 28.** No act shall take effect, until the same shall have been published and circulated in the several counties of this State, by authority, except in case of emergency; which emergency shall be declared in the preamble, or in the body, of the law.

**Section 29.** The members of the General Assembly shall receive for their services a compensation to be fixed by law; but no increase of compensation shall take effect during the session at which such increase may be made.

**Section 30.** No Senator or Representative shall, during the term for which he may have been elected, be eligible to any office, the election to which is vested in the General Assembly; nor shall he be appointed to any civil office of profit, which shall have been created, or the emoluments of which shall have been increased, during such term; but this latter provision shall not be construed to apply to any office elective by the People.

## Article 5: Executive

Section	Section Name	Section	Section Name
1.	Governor	13.	Messages
2.	Lieutenant governor	14.	Bills signed or vetoed
3.	Election	15.	Information from officers
4.	Manner of voting	16.	Execution of laws
5.	Tie vote	17.	Pardons and reprieves
6.	Contested elections	18.	Vacancies filled by governor
7.	Qualifications	19.	General Assembly vacancies (repealed)
8.	People ineligible	20.	Change of meeting-place of assembly
9.	Term of office	21.	Duties of lieutenant governor
10.	Vacancies	22.	Pay of governor
11.	President pro tempore of Senate	23.	Pay of lieutenant governor
12.	Governor; Commander-in-chief	24.	Ineligibility to other office

**Section 1.** The executive power of the State shall be vested in a governor. He shall hold his office during four years, and shall not be eligible more than eight years in any period of twelve years.

**Section 2.** There shall be a lieutenant governor, who shall hold his office during four years.

**Section 3.** The governor and lieutenant governor shall be elected at the times and places of choosing members of the General Assembly.

**Section 4.** Each candidate for lieutenant governor shall run jointly in the general election with a candidate for governor, and his name shall appear jointly on the ballot with the candidate for governor. Each vote cast for a candidate for governor shall be considered cast for the candidate for lieutenant governor as well. The candidate for lieutenant governor whose name appears on the ballot jointly with that of the successful candidate for governor shall be elected lieutenant governor.

**Section 5.** In the event of a tie vote, the governor and lieutenant governor shall be elected from the candidates having received the tie vote by the affirmative vote in joint session of a majority of the combined membership of both Houses as the first order of business after their organization.

**Section 6.** Contested elections for governor or lieutenant governor, shall be determined by the General Assembly, in such manner as may be prescribed by law.

**Section 7.** No person shall be eligible to the office of governor or lieutenant governor who shall not have been five years a citizen of the United States, and also a resident of the State of Indiana during the five years next preceding his election; nor shall any person be eligible to either of the said offices, who shall not have attained the age of thirty years.

**Section 8.** No member of Congress, or person holding any office under the United States or under this State, shall fit the office of governor or lieutenant governor.

**Section 9.** The official term of the governor and lieutenant governor shall commence on the second Monday of January, in the year one thousand eight hundred and fifty-three; and on the same day every fourth year thereafter.

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**Section 10.** (a) In case the governor-elect fails to assume office, or in case of the death or resignation of the governor or his removal from office, the lieutenant governor shall become governor and hold office for the unexpired term of the person whom he succeeds. In case the governor is unable to discharge the powers and duties of his office, the lieutenant governor shall discharge the powers and duties of the office as acting governor.

(b) Whenever there is a vacancy in the office of lieutenant governor, the governor shall nominate a lieutenant governor who shall take office upon confirmation by a majority vote in each house of the General Assembly and hold office for the unexpired term of the person whom he succeeds. If the General Assembly is not in session, the governor shall call it into special session to receive and act upon the governor's nomination. In the event of the inability of the lieutenant governor to discharge the powers and duties of his office, the general Assembly may provide by law for the manner in which a person shall be selected to act in his place and declare which powers and duties of his office.

(c) Whenever the governor transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration to the contrary, such powers and duties shall be discharged by the lieutenant governor as acting governor. Thereafter, when the governor transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that if no inability exists, he shall resume the powers and duties of his office.

(d) Whenever the governor transmits to the President pro tempore of the Senate and the Speaker of the House of Representatives his written declaration that he is unable to discharge the powers and duties of his office, the Supreme Court shall meet within forty-eight hours to decide the question and such decision shall be final. Thereafter, when ever the governor files with the Supreme Court his written declaration that no inability exists, the Supreme Court shall meet within forty-eight hours to decide the question and such decision shall be final. Thereafter, whenever the governor files with the Supreme Court his written declaration that no inability exists, the Supreme Court shall meet within forty-eight hours to decide whether such be the case and such decision shall be final. Upon a decision that no inability exists, the governor shall resume the powers and duties of his office.

(e) Whenever there is a vacancy in both the office of the governor and lieutenant governor, the General Assembly shall convene in joint session forty-eight hours after such occurrence and elect a governor from and of the same political party as the immediately past governor by a majority vote of each house.

**Section 11.** Whenever the lieutenant governor shall act as governor, or shall be unable to attend as President of the Senate, the Senate shall elect one of its own members as President for the occasion.

**Section 12.** The governor shall be commander-in-chief of the armed forces, and may call out such forces, to execute the laws, to suppress insurrection, or to repel invasion.

**Section 13.** The governor shall, from time to time, give to the General Assembly information touching the condition of the State, and recommend such measures as he shall judge to be expedient.

**Section 14.** (a) Every bill that shall have passed the General Assembly shall be presented to the governor. The governor shall have seven days after the day of presentment to act upon such bill as follows:

He may sign it, in which even it shall become a law

He may veto it:

- In the event of a veto while the general Assembly is in session, he shall return such bill with his objections, within seven days of presentment, to the House in which it originated. If the governor does not return the bill within seven days of presentment, the bill becomes a law notwithstanding the veto.
- If the governor returns the bill under clause (A), the House in which the bill originated shall enter the governor's objections at large upon its journals and proceed to reconsider and vote upon whether to

approve the bill. The bill must be reconsidered and voted upon within the time set out in clause (C). If, after such reconsideration and vote, a majority of all the members elected to that House shall approve the bill, it shall be sent, with the governor's objections, to the other House, by which it shall likewise be reconsidered and voted upon, and, if approved by a majority of all the members elected to that House, it shall be a law.

- If the governor returns the bill under clause (A), the General Assembly shall reconsider and vote upon the approval of the bill before the final adjournment of the next regular session of the General Assembly that follows the regular or special session in which the bill originated does not approve the bill under clause (B), the other House is not required to reconsider and vote upon the approval of the bill. If, after voting, either House fails to approve the bill within this time, the veto is sustained.
- In the event of a veto after final adjournment of a session of the General Assembly, such bill shall be returned by the governor to the House in which it originated on the first day that the General Assembly is in session after such adjournment, which House shall proceed in the same manner as with a bill vetoed before adjournment. The bill must be reconsidered and voted upon within the time set out in clause (C). If such bill is not so returned, it shall be a law notwithstanding such veto.

He may refuse to sign or veto such bill in which event it shall become a law without his signature on the eighth day after presentment to the governor

(b) Every bill presented to the governor, which is signed by him or on which he fails to act within said seven days after presentment, shall be filed with the Secretary of State within ten days of presentment. The failure to so file shall not prevent such a bill from becoming a law.

(c) In the event a bill is passed over the governor's veto, such bill shall be filed with the Secretary of State without further presentment to the governor: Provided, that in the event of such passage over the governor's veto in the next succeeding General Assembly, the passage shall be deemed to have been the action of the General Assembly which initially passed such bill.

**Section 15.** The governor shall transact all necessary business with the officers of government, and may require information in writing, from the officers of the administrative department, upon any subject relating to the duties of their respective offices.

**Section 16.** The governor shall take care that the laws are faithfully executed.

**Section 17.** The governor may grant reprieves, commutations, and pardons, after conviction, for all offenses except treason and cases of impeachment, subject to such regulations as may be provided by law. Upon conviction for treason, the governor may suspend the execution of the sentence, until the case has been reported to the General Assembly, at its next meeting where the General Assembly shall either grant a pardon, commute the sentence, direct the execution of the sentence, or grant a further reprieve. The governor may remit fines and forfeitures, under such regulations as may be provided by law; and shall report to the General Assembly, at its next meeting, each case of reprieve, commutation, or pardon granted, and also the names of all people in whose favor remission of fines and forfeitures were made, and the several amounts remitted: provided, however, the General Assembly may, by law, constitute a council composed of officers of State, without whose advice and consent the governor may not grant pardons, in any case, except those left to his sole power by law.

**Section 18.** When, during a recess of the General Assembly, a vacancy shall happen in any office, the appointment to which is vested in the General Assembly; or when, at any time, a vacancy shall have occurred in any other State office, or in the office of Judge or any court; the governor shall fill such vacancy, by appointment, which shall expire, when a successor shall have been elected and qualified.

**Section 19.** (Stricken out by constitutional amendment of March 29, 1983.)

**Section 20.** Should the seat of government become dangerous from disease or a common enemy, the governor

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may convene the General Assembly at any other place.

**Section 21.** The lieutenant governor shall, by virtue of his office, be President of the Senate; have a right, when in committee of the whole, to join in debate, and to vote on all subjects; and, whenever the Senate shall be equally divided, he shall give the casting vote.

**Section 22.** The governor shall, at stated times, receive for his services a compensation which shall neither be increased nor diminished, during the term for which he shall have been elected.

**Section 23.** The lieutenant governor, while he shall act as President of the Senate, shall receive, for his services, the same compensation as the Speaker of the House of Representatives; and any person, acting as governor, shall receive the compensation attached to the office of governor.

**Section 24.** Neither the governor nor the lieutenant governor shall be eligible to any other office, during the term for which he shall have been elected.

## Article 6: Administrative

Section	Section Name	Section	Section Name
1.	Secretary, Auditor, and Treasurer of State	7.	Impeachment of state officers
2.	Designated county officers, terms	8.	Impeachment of local officers
3.	Other county and township officers	9.	Vacancies in local offices
4.	Qualifications of county officers	10.	County boards
5.	Residence of state officers (Repealed)	11.	County Sheriff-Election
6.	Residence of local officers		

**Section 1.** There shall be elected, by the voters of the State, a Secretary, an Auditor and a Treasurer of State, who shall severally, hold their offices for four years. They shall perform such duties as may be enjoined by law; and no person shall be eligible to either of these offices, more than eight years in any period of twelve years.

**Section 2.** There shall be elected, in each county by the voters thereof, at the time of holding general elections, a Clerk of the Circuit Court, Auditor, Recorder, Treasurer, Sheriff, Coroner, and Surveyor, who shall, severally, hold their offices for four years; and no person shall be eligible to the office of the Clerk, Auditor, Recorder, Treasurer, Sheriff, or Coroner more than eight years in any period of twelve years.

**Section 3.** Such other county and township officers as may be necessary shall be elected, or appointed, in such manner as may be prescribed by law.

**Section 4.** No person shall be elected, or appointed, as a county officer, who is not an elector of the county, and who has not been an inhabitant of the county one year next preceding his election or appointment.

**Section 5.** The governor, and the secretary, auditor, and treasurer of state, shall, severally reside and keep the public records, books, and papers, in any manner relating to their respective offices, at the seat of government.

**Section 6.** All county, township, and town officers, shall reside within their respective counties, townships, and towns; and shall keep their respective offices at such places therein, and perform such duties, as may be directed by law.

**Section 7.** All State officers shall, for crime, incapacity, or negligence, be liable to be removed from office, either by impeachment by the House of Representatives, to be tried by the Senate, or by a joint resolution of the General Assembly; two-thirds of the members elected to each branch voting, in either case, therefore.



**Section 8.** All State, county, township, and town officers, may be impeached, or removed from office, in such manner as may be prescribed by law.

**Section 9.** Vacancies in county, township, and town offices, shall be filled in such manner as may be prescribed by law.

**Section 10.** The General Assembly may confer upon the boards doing county business in the several counties, powers of a local administrative character.

**Section 11.** (Stricken out by constitutional amendment of March 29, 1983.)

## **Article 7: Judicial**

<b>Section</b>	<b>Section Name</b>	<b>Section</b>	<b>Section Name</b>
1.	Judicial power	12.	Substitution of judges
2.	Supreme Court	13.	Removal of circuit court judges and prosecuting attorneys
3.	Chief Justice	14.	(Repealed)
4.	Jurisdiction of Supreme Court	15.	No limitation on term of office
5.	Court of Appeals	16.	Prosecuting attorneys
6.	Jurisdiction of Court of Appeals	17.	Grant jury
7.	Judicial circuits	18.	Criminal prosecutions
8.	Circuit courts	19.	Pay
9.	Judicial nominating commission	20.	(Repealed)
10.	Selection of justices of the Supreme Court and judges of the Court of Appeals	21.	(Repealed)
11.	Tenure of justices of Supreme Court and judges of the Court of Appeals		

**Section 1.** The judicial power of the State shall be vested in one Supreme Court, one Court of Appeals, Circuit Courts, and such other courts as the General Assembly may establish.

**Section 2.** The Supreme Court shall consist of the Chief Justice of the State and not less than four nor more than eight associate justices; a majority of who shall form a quorum. The court may appoint such personnel as may be necessary.

**Section 3.** The judicial nominating commission from the members of the Supreme Court shall select the Chief Justice of the State and he shall retain that office for a period of five years, subject to reappointment in the same manner, except that a member of the Court may resign the office of Chief Justice without resigning from the Court. During a vacancy in the office of Chief Justice caused by absence, illness, incapacity or resignation all powers and duties of that office shall devolve upon the member of the Supreme Court who is senior in length of service and if equal in length of service the determination shall be by lot until such time as the cause of the vacancy is terminated or the vacancy is filled.

The Chief Justice of the State shall appoint such people as the General Assembly by law may provide for the administration of his office. The Chief Justice shall have prepared and submit to the General Assembly regular reports on the condition of the courts and such other reports as may be requested.

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**Section 4.** The Supreme Court shall have no original jurisdiction except in admission to the practice of law, discipline or disbarment of those admitted; the unauthorized practice of law; discipline, removal and retirement of justices and judges; supervision of the exercise of jurisdiction by the other courts of the State; and issuance of writs necessary or appropriate in aid of its jurisdiction. The Supreme Court shall exercise appellate jurisdiction under such terms and conditions as specified by rules except that appeals from a judgment imposing a sentence of death, life imprisonment or imprisonment for a term greater than fifty years shall be taken directly to the Supreme Court. The Supreme Court shall have, in all appeals of criminal cases, the power to review all questions of law and to review and revise the sentence imposed.

**Section 5.** The Court of Appeals shall consist of as many geographic districts and sit at such locations as the General Assembly shall determine to be necessary. Each geographic district of the Court shall consist of three judges. The judges of each geographic district shall appoint such personnel as the General Assembly may provide by law.

**Section 6.** The Court shall have no original jurisdiction, except that it may be authorized by rules of the Supreme Court to review directly decisions of administrative agencies. In all other cases, it shall exercise appellate jurisdiction under such terms and conditions as the Supreme Court shall specify by rules which shall, whoever, provide in all cases an absolute right to one appeal and to the extent provided by rule, review and revision of the sentences for defendants in all criminal cases.

**Section 7.** The State shall, from time to time, be divided into judicial circuits; and the voters shall elect a Judge for each circuit thereof. He shall reside within the circuit and shall have been duly admitted to practice law by the Supreme Court of Indiana; he shall hold his office for the term of six years, if he so long behaves well.

**Section 8.** The Circuit Courts shall have such civil and criminal jurisdiction as may be prescribed by law.

**Section 9.** There shall be one judicial nominating commission for the Supreme Court and Court of Appeals. This commission shall, in addition, be the commission on judicial qualifications for the Supreme Court and Court of Appeals.

The judicial nominating commission shall consist of seven members, a majority of whom shall form a quorum, one of whom shall be the Chief Justice of the State or a Justice of the Supreme Court whom he may designate, who shall act as chairman. Those admitted to the practice of law shall elect three of their number to serve as members of said commission. All election shall be in such manner as the General Assembly may provide. The governor shall appoint to the commission three citizens, not admitted to the practice of law. The terms of office and compensation for members of a judicial nominating commission other than the Chief Justice or his designee shall hold any other salaried public office. No member shall hold an office in a political party organization. NO member of the judicial nominating commission shall be eligible for appointment to a judicial office so long as he is a member of the commission and for a period of three years thereafter.

**Section 10.** A vacancy in a judicial office in the Supreme Court or Court of Appeals shall be filled by the governor, without regard to political affliction, from a list of three nominees presented to him by the judicial nominating commission. If the governor shall fail to make an appointment from the list within sixty days from the day it is presented to him, the Chief Justice or the acting Chief Justice shall make the appointment from the same list.

To be eligible for nomination as a justice of the Supreme Court or judge of the Court of Appeals, a person must be domiciled with the geographic district, a citizen of the United States, admitted to the practice of law in the courts of the State for a period of not less than ten (10) years or must have served as judge of a circuit, superior or criminal court of the State of Indiana for a period of not less than five (5) years.

**Section 11.** A justice of the Supreme Court or judge of the Court of Appeals shall serve until the next general election following the expiration of two (2) years from the date of appointment, and, subject to approval or rejection

by the electorate, shall continue to serve for terms of ten (10) years, so long as he retains his office. In the case of a justice of the Supreme Court, the electorate of the entire state shall vote on the question of approval or rejection. In the case of judges of the Court of Appeals the electorate of the geographic district in which he serves shall vote on the question of approval or rejection.

Every such justice and judge shall retire at the age specified by statute in effect at the commencement of his current term.

Every such justice or judge is disqualified from acting as a judicial officer, without loss of salary, while there is pending (1) an indictment or information charging him in any court in the United States with a crime punishable as a felony under the laws of Indiana or the United States, or (2) a recommendation to the Supreme Court by the commission on judicial qualifications for his removal or retirement.

On recommendations of the commission on judicial qualifications or on its own motion, the Supreme Court may suspend such justice or judge from office without salary when in any court in the United States he pleads guilty or no contest or is found guilty of a crime punishable as a felony under the laws of Indiana or the United States, or of any other crime that involves moral turpitude under the law. If his conviction is reversed, suspension terminates and he shall be paid his salary for the period of suspension. If he is suspended and his conviction becomes final, the Supreme Court shall remove him from office.

On recommendation of the commission on judicial qualifications the Supreme Court may (1) retire such justice or judge for disability that seriously interferes with the performance of his duties and is or is likely to become permanent and (2) censure or remove such justice or judge, for action occurring not more than six (6) years prior to the commencement of his current term, when such action constitutes willful misconduct in office, willful and persistent failure to perform his duties, habitual intemperance, or conduct prejudicial to the administration of justice that brings the judicial office into disrepute.

A justice or judge so retired by the Supreme Court shall be considered to have retired voluntarily. A justice or judge so removed by the Supreme Court is ineligible for judicial office and pending further order of the Court he is suspended from practicing law in this State.

Upon receipt by the Supreme Court of any such recommendation, the Court shall hold a hearing, at which such justice or judge is entitled to be present, and make such determinations as shall be required. No justice shall participate in the determination of such hearing when it concerns himself.

The Supreme Court shall make rules implementing this section and provide for convening of hearings. Hearings and proceedings shall be public upon request of the justice or judge whom it concerns.

No such justice or judge shall, during his term of office, engage in the practice of law, run for elective office other than a judicial office, directly or indirectly make any contribution to, or hold any office in, a political party or organization or take part in any political campaign.

**Section 12.** The General Assembly may provide, by law, that the Judge of one circuit may hold the Courts of another circuit, in cases of necessity or convenience; and in case of temporary inability of any Judge, from sickness or other cause, to hold the Courts in his circuit, provision may be made, by law, for holding such Courts.

**Section 13.** Any judge of the Circuit Court or Prosecuting Attorney, who shall have been convicted of corruption or other high crime, may, on information in the name of the State, be removed from office by the Supreme Court, or in such other manner as may be prescribed by law.

**Section 14.** (Stricken out by constitutional amendment of March 29, 1983.)

## Reference D

**Section 15.** The provisions of Article 15, Section 2, prohibiting terms of office longer than four years, shall not apply to justices and judges.

**Section 16.** There shall be elected in each judicial circuit by the voters thereof a prosecuting attorney, who shall have been admitted to the practice of law in this State before his election, who shall hold his office for four years, and whose term of office shall begin on the first day of January next succeeding his election. The election of prosecuting attorneys under this section shall be held at the time of holding the general election in the year 1974 and each four years thereafter.

**Section 17.** The General Assembly may modify, or abolish, the grand jury system.

**Section 18.** All criminal prosecutions shall be carried on in the name, and by the authority of the State; and the style of all process shall be "The State of Indiana."

**Section 19.** The Justices of the Supreme Court and Judges of the Court of Appeals and of the Circuit Courts shall at states times receive a compensation that shall not be diminished during their continuance in office.

**Section 20.** (Stricken out by constitutional amendment of March 29, 1983.)

**Section 21.** (Stricken out by constitutional amendment of 1932.)

## Article 8: Education

Section	Section Name	Section	Section Name
1.	Common schools	5.	Reinvestment
2.	Common school fund	6.	Counties-Liability
3.	Principal a perpetual fund; appropriation of income	7.	Trust funds inviolate
4.	Investment and distribution	8.	Superintendent of public instruction

**Section 1.** Knowledge and learning, generally diffused throughout a community, being essential to the preservation of a free government; it shall be the duty of the General Assembly to encourage, by all suitable means, moral, intellectual, scientific, and agricultural improvement; and to provide, by law, for a general and uniform system of Common Schools, wherein tuition shall be without charge, and equally open to all.

**Section 2.** The Common School fund shall consist of the Congressional Township fund, and the lands belonging thereto; the Surplus Revenue fund; the Saline fund and the lands belonging thereto; the Bank Tax fund, and the fund arising from the one hundred and fourteenth section of the charter of the State Bank of Indiana; the fund to be derived from the sale of County Seminaries, and the moneys and property heretofore held for such seminaries; from the fines assessed for breaches of the penal law of the State; and from all forfeitures which may accrue; all lands and other estate which shall escheat to the State, for want of heirs of kindred entitled to the inheritance; all lands that have been, or may hereafter be, granted to the State, where no special purpose is expressed in the grant, and the proceeds of the sales thereof; and including the proceeds of the sales of the swamp lands, granted to the State of Indiana by the act of Congress of the twenty-eighth of September, eighteen hundred and fifty, after deducting the expense of selecting and draining the same; taxes on the property of corporations, which may be assessed by the General Assembly for common school purposes.

**Section 3.** The principal of the Common School fund shall remain a perpetual fund, which may be increased, but shall never be diminished; and the income thereof shall be inviolably appropriated to the support of the Common Schools, and to no other purpose whatever.

**Section 4.** The General Assembly shall invest, in some safe and profitable manner, all such portions of the Common School fund, as have not heretofore been entrusted to the several counties; and shall make provision, by law, for the distribution, among the several counties, of the interest thereof.

**Section 5.** If any county shall fail to demand its proportion of such interest, for common School purposes, the same shall be reinvested, for the benefit of such county.

**Section 6.** The several counties shall be held liable for the preservation of so much of the said fund as may be entrusted to them, and for the payment of the annual interest thereon.

**Section 7.** All trust funds, held by the State, shall remain inviolate and be faithfully and exclusively applied to the purposes for which the trust was created.

**Section 8.** There shall be a State Superintendent of Public Instruction, whose method of selection, tenure, duties and compensation shall be prescribed by law.

## **Article 9: State Institutions**

<b>Section</b>	<b>Section Name</b>	<b>Section</b>	<b>Section Name</b>
1.	Benevolent institutions	3.	County asylums
2.	Houses of refuge		

**Section 1.** It shall be the duty of the General Assembly to provide, by law, for the support of Institutions for the education of the deaf, the mute, and the blind; and for the treatment of the insane.

**Section 2.** The General Assembly shall provide institutions for the correction and reformation of juvenile offenders.

**Section 3.** The counties may provide farms, as an asylum for those people, who, by reason of age, infirmity, or other misfortune, have claims upon the sympathies and aid of society.

## **Article 10: Finance**

<b>Section</b>	<b>Section Name</b>	<b>Section</b>	<b>Section Name</b>
1.	Assessment and taxation	5.	State debt prohibited; exceptions
2.	Payment of public debt	6.	County indebtedness for stock; State assumption of debts
3.	Appropriations	7.	Wabash and Erie Canal
4.	Statement of receipts and expenditures	8.	Income Tax

**Section 1.** (a) Subject to this section, the General Assembly shall provide, by law, for a uniform and equal rate of property assessment and taxation and shall prescribe regulations to secure a just valuation for taxation of all property, both real and personal.

(b) A provision of this section permitting the General Assembly to exempt property from taxation also permits the General Assembly to exercise its legislative power to enact property tax deductions and credits for the property. The General Assembly may impose reasonable filing requirements for an exemption, deduction, or credit.

## Reference D

(c) The General Assembly may exempt from property taxation any property in any of the following classes:

- (1) Property being used for municipal, educational, literary, scientific, religious, or charitable purposes.
- (2) Tangible personal property other than property being held as an investment.
- (3) Intangible personal property.
- (4) Tangible property, including curtilage, used as a principal place of residence by an:
  - (A) owner of the property;
  - (B) individual who is buying the tangible property under a contract; or
  - (C) individual who has a beneficial interest in the owner of the tangible property.

(d) The General Assembly may exempt any motor vehicles, mobile homes (not otherwise exempt under this section), airplanes, boats, trailers, or similar property, provided that an excise tax in lieu of the property tax is substituted therefor.

(e) This subsection applies to property taxes first due and payable in 2012 and thereafter. The following definitions apply to subsection (f):

(1) "Other residential property" means tangible property (other than tangible property described in subsection (c)(4)) that is used for residential purposes.

(2) "Agricultural land" means land devoted to agricultural use.

(3) "Other real property" means real property that is not tangible property described in subsection (c)(4), is not other residential property, and is not agricultural land.

(f) This subsection applies to property taxes first due and payable in 2012 and thereafter. The General Assembly shall, by law, limit a taxpayer's property tax liability as follows:

(1) A taxpayer's property tax liability on tangible property described in subsection (c)(4) may not exceed one percent (1%) of the gross assessed value of the property that is the basis for the determination of property taxes.

(2) A taxpayer's property tax liability on other residential property may not exceed two percent (2%) of the gross assessed value of the property that is the basis for the determination of property taxes.

(3) A taxpayer's property tax liability on agricultural land may not exceed two percent (2%) of the gross assessed value of the land that is the basis for the determination of property taxes.

(4) A taxpayer's property tax liability on other real property may not exceed three percent (3%) of the gross assessed value of the property that is the basis for the determination of property taxes.

(5) A taxpayer's property tax liability on personal property (other than personal property that is tangible property described in subsection (c)(4) or personal property that is other residential property) within a particular taxing district may not exceed three percent (3%) of the gross assessed value of the taxpayer's personal property that is the basis for the determination of property taxes within the taxing district.

(g) This subsection applies to property taxes first due and payable in 2012 and thereafter. Property taxes imposed after being approved by the voters in a referendum shall not be considered for purposes of calculating the limits to property tax liability under subsection (f).

(h) As used in this subsection, “eligible county” means only a county for which the General Assembly determines in 2008 that limits to property tax liability as described in subsection (f) are expected to reduce in 2010 the aggregate property tax revenue that would otherwise be collected by all units of local government and school corporations in the county by at least twenty percent (20%). The General Assembly may, by law, provide that property taxes imposed in an eligible county to pay debt service or make lease payments for bonds or leases issued or entered into before July 1, 2008, shall not be considered for purposes of calculating the limits to property tax liability under subsection (f). Such a law may not apply after December 31, 2019.

(History: As Amended November 8, 1966; November 2, 2004; November 2, 2010).

**Section 2.** All the revenue derived from the sale of any of the public works belonging to the State, and from the net annual income thereof, and any surplus that may, at any time, remain in the treasury, derived from taxation for general State purposes, after the payment of the ordinary expenses of the government, and of the interest of bonds of the State, other than bank bonds, shall be annually applied, under the direction of the General Assembly, to the payment of the principal of the Public Debt.

**Section 3.** No money shall be drawn from the treasury, but in pursuance of appropriations made by law.

**Section 4.** An accurate statement of the receipts and expenditures of the public money, shall be published with the laws of each regular session of the General Assembly.

**Section 5.** No law shall authorize any debt to be contracted, on behalf of the State, except in the following cases: To meet casual deficits in the revenue; to pay the interest on the State debt; to repel invasion, suppress insurrection, or, if hostilities be threatened, provide for the public defense.

**Section 6.** No county shall subscribe for stock in any incorporated company, unless the same be paid for at the time of such subscription; nor shall any county loan its credit to any incorporated company, nor borrow money for the purpose of taking stock in any such company; nor shall the General Assembly ever, on behalf of the State, assume the debts of any county, city, town, or township; nor of any corporation whatever.

**Section 7.** No law or resolution shall ever be passed by the General Assembly of the State of Indiana, that shall recognize any liability of this State to pay or redeem any certificate of stock issued in pursuance of an act entitled “An act to provide for the funded debt of the State of Indiana, and for the completion of the Wabash and Erie Canal to Evansville,” passed January 19, 1846, and an act supplemental to said act, passed January 29, 1847, which, by the provisions of the said acts, or either of them, shall be payable exclusively from the proceeds of the canal lands, and the tolls and revenues of the canal in said acts mentioned, and no such certificate or stocks shall ever be paid by this State.

**Section 8.** The General Assembly may levy and collect a tax upon income, from whatever source derived, at such rates, in such manner, and with such exemptions as may be prescribed by law.

# Article 11: Corporations

Section	Section Name	Section	Section Name
1.	Incorporation of banks	8.	Holders' preference
2.	General banking law	9.	Interest
3.	Registry of notes	10.	(Repealed)
4.	Bank with branches	11.	Trust funds
5.	Branches mutually responsible	12.	State not to be stockholder
6.	(Repealed)	13.	General laws
7.	Redemption	14.	Individual liability of stockholders

**Section 1.** The General Assembly shall not have power to establish, or incorporate, any bank or banking company, or moneyed institution, for the purpose of issuing bills of credit, or bills payable to order or bearer, except under the conditions prescribed in this Constitution.

**Section 2.** No banks shall be established otherwise than under a general banking law, except as provided in the fourth section of this article.

**Section 3.** If the General Assembly shall enact a general banking law, such law shall provide for the registry and countersigning, by an officer of State, of all paper credit designed to be circulated a money; and ample collateral security, readily convertible into specie, for the redemption of the same in gold or silver, shall be required; which collateral security shall be under the control of the proper officer of officers of State.

**Section 4.** The General Assembly may also charter a bank with branches, without collateral security as required in the preceding section.

**Section 5.** If the General Assembly shall establish a bank with branches, the branches shall be mutually responsible for each other's liabilities, upon all paper credit issued as money.

**Section 6.** (Stricken out by constitutional amendment ratified by the electors at the general election held November 5, 1940.)

**Section 7.** All bills or notes issued as money shall be, at all times, redeemable in gold or silver; and no law shall be passed, sanctioning, directly or indirectly, the suspension, by any bank or banking company, or specie payments.

**Section 8.** Holders of bank notes shall be entitled, in case of insolvency, to preference of payment over all other creditors.

**Section 9.** No bank shall receive directly or indirectly, a greater rate of interest than shall be allowed, by law, to individuals loaning money.

**Section 10.** (Stricken out by constitutional amendment ratified by the electors at the general election held November 5, 1940.)

**Section 11.** The General Assembly is not prohibited from investing the trust funds in a bank with branches; but in case of such investment, the safety of the same shall be guaranteed by unquestionable security.

**Section 12.** The State shall not be a stockholder in any bank; nor shall the credit of the State ever be given, or loaned, in aid of any person, association or corporation; nor shall the state become a stockholder in any corporation or association.



**Section 13.** Corporations, other than banking, shall not be created by special Act, but may be formed under general laws.

**Section 14.** Dues from corporations shall be secured by such individual liability of the stockholders, or other means, as may be prescribed by law.

## Article 12: Militia

Section	Section Name	Section	Section Name
1.	Organization	3.	Adjutant general
2.	Commander-in-chief	4.	Conscientious objectors

**Section 1.** A militia shall be provided and shall consist of all people over the age of seventeen (17) years, except those people who may be exempted by the laws of the United States or of this State. The militia may be divided into active and inactive classes and consist of such military organizations as may be provided by law.

**Section 2.** The governor is Commander-in-Chief of the militia and other military forces of this state.

**Section 3.** There shall be an Adjutant General, who shall be appointed by the governor.

**Section 4.** No person, conscientiously opposed to bearing arms, shall be compelled to do so in the militia.

## Article 13: Municipal Debt

**Section 1.** No political or municipal corporation in this State shall ever become indebted in any manner or for any purpose to an amount in the aggregate exceeding two per centum on the value of the taxable property within such corporation, to be ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness; and all bonds or obligations, in excess of such amount, given by such corporations, shall be void: Provided, that in time of war, foreign invasion, or other great public calamity, on petition of a majority of the property owners, in number and value, within the limits of such corporation, the public authorities, in their discretion, may incur obligations necessary for the public protection and defense, to such an amount as may be requested in such petition.

## Article 14: Boundaries

Section	Section Name	Section	Section Name
1.	State	2.	Jurisdiction and sovereignty

**Section 1.** In order that the boundaries of the State may be known and established, it is hereby ordained and declared, that the State of Indiana is bounded, on the East, by the meridian line, which forms the western boundary of the State of Ohio; on the South, by the Ohio River, from the mouth of the Great Miami River to the mouth of the Wabash River; on the West, by a line drawn along the middle of the Wabash River, from its mouth to a point where a due north line, drawn from the town of Vincennes, would last touch the northwestern shore of said Wabash River; and thence, by a due north line, until the same shall intersect an east and west line, drawn through a point ten miles north of the southern extreme of Lake Michigan; on the North, by said east and west line, until the same shall intersect the first mentioned meridian line, which forms the western boundary of the State of Ohio.

**Section 2.** The State of Indiana shall possess jurisdiction and sovereignty co-extensive with the boundaries

## Reference D

declared in the preceding section; and shall have concurrent jurisdiction, in civil and criminal cases, with the State of Kentucky on the Ohio River, and with the State of Illinois on the Wabash River, so far as said rivers from the common boundary between the state and said States respectively.

# Article 15: Miscellaneous

Section	Section Name	Section	Section Name
1.	Official appointments	6.	Commissions
2.	Duration of office	7.	Areas of counties
3.	Holding over	8.	Public grounds
4.	Official oath	9.	Public grounds
5.	State seal	10.	Tippecanoe Battle Ground

**Section 1.** All officers, whose appointment is not other wise provided for in this Constitution, shall be chosen in such manner as now is, or hereafter may be, prescribed by law.

**Section 2.** When the duration of any office is not provided for by this Constitution, it may be declared by law; and if not so declared, such office shall be held during the pleasure of the authority making the appointment. But the General Assembly shall not create any office, the tenure of which shall be longer than four (4) years.

**Section 3.** Whenever it is provided in this Constitution, or in any law which may be hereafter passed, that nay officer, other than a member of the General Assembly, shall hold his office for any given term, the same shall be construed to mean, that such officer shall hold his office for such term, and until his successor shall have been elected and qualified.

**Section 4.** Every person elected or appointed to any office under this Constitution, shall before entering on the duties thereof, take an oath or affirmation, to support the Constitution of this State, and of the United States, and also an oath of office.

**Section 5.** There shall be a Seal of State, kept by the governor for official purposes, which shall be called the Seal of the State of Indiana.

**Section 6.** All commissions shall be issued in the name of the State, shall be signed by the governor, sealed with the State Seal, and attested by the Secretary of State.

**Section 7.** No county shall be reduced to an area less than four hundred square miles; nor shall any county, under that area, be further reduced.

**Section 8.** (Stricken out by constitutional amendment of 1988.)

**Section 9.** The following grounds owned by the State in Indianapolis, namely: The State House Square, the Governor's Circle, and so much of outlot numbered one hundred and forty-seven, as lies north of the arm of the Central Canal, shall not be sold or leased.

**Section 10.** It shall be the duty of the General Assembly to provide for the permanent enclosure and preservation of the Tippecanoe Battle Ground.

# Article 16: Amendments

Section	Section Name	Section	Section Name
1.	How made	2.	Separate vote

**Section 1.** (a) An amendment to this Constitution may be proposed in either branch of the General Assembly. If the amendment is agreed to by a majority of the members elected to each of the two houses, the proposed amendment shall, with the yeas and nays thereon, be entered on their journals, and referred to the General Assembly to be chosen at the next general election.

(b) If, in the General Assembly so next chosen, the proposed amendment is agreed to by a majority of all the members elected to each House, then the General Assembly shall submit the amendment to the electors of the State at the next general election.

(c) If a majority of the electors voting on the amendment ratify the amendment, the amendment becomes a part of this Constitution.

(History: As Amended November 3, 1998).

**Section 2.** If two or more amendments shall be submitted at the same time, they shall be submitted in such manner that the electors shall vote for or against each of such amendments separately.

(History: As amended November 8, 1966.)

## Schedule

Whenever a portion of the citizens of the counties of Perry and Spencer, shall deem it expedient to form, of the contiguous territory of said counties, a new County, it shall be the duty of those interested in the organization of such new county, to lay off the same, by proper metes and bounds, of equal portions as nearly as practicable, not to exceed one-third of the territory of each of said counties. The proposal to create such new county shall be submitted to the voters of said counties of a general election, in such manner as shall be prescribed by law. And if a majority of all the votes given at said election, shall be in favor of the organization of said new county, it shall be the duty of the General Assembly to organize the same out of the territory thus designated.

The General Assembly may alter or amend the charter of Clarksville, and make such regulations as may be necessary for carrying into effect the objects contemplated in granting the same; and the funds belonging to said town shall be applied, according to the intention of the grantor.

(History: As amended November 6, 1984.)

## Reference D

# Reference E

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## Glossary of Common Legislative Terms and Phrases

### A

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**Adjournment:** Termination of a session for that day, with the hour and day of the next meeting being set prior to adjournment.

**Adjournment Sine Die:** Final termination of a regular or special legislation session. (Literally, adjournment “without a day” set for reconvening.)

**Adoption:** Approval or acceptance, usually applied to committee reports or resolutions upon acceptance on the floor.

**Advisor(s):** Legislator(s) appointed to a conference committee by the presiding officer of Senate or House. An advisor does not have authority to sign a conference report.

**Aides:** Legislative staff members, hired or appointed to perform clerical, technical or official duties.

**Amend:** To alter a measure formally by modification, deletion or addition.

**Amendment:** Any alteration made or proposed to be made, in a bill, motion or clause thereof; by adding, changing, substituting or omitting.

**Amendment, Constitutional:** Resolution passed by both houses affecting the constitution, requires approval by voters at a general election.

**Amendment, Floor:** An amendment offered to a legislative document, or to modify another amendment, presented by a legislator while the document is on the floor of that legislator’s house.

**Appeal from Ruling of the Chair:** A parliamentary procedure for testing and possibly changing the decision of a presiding officer.

**Apportionment:** Establishment of legislative districts from which members are elected.

**Appropriate:** To allocate funds.

**Appropriation:** Funds allocated to a department of government set aside by formal action for specific use.

**Approved by Governor:** Signature of the governor on a bill passed by the legislature.

**Assembly:** The two houses of the legislature, made up of the 50 members of the Senate and 100 members of the House of Representatives.

**Assessor:** Assessors value property for property tax purposes. Indiana has both county and township assessors. The county assessor is an elected position established by state statute. The county assessor oversees, advises and instructs township assessors and township trustee-assessors in their duties.

## Reference E

**Auditor:** The county auditor is an elected position established in the state constitution. The county auditor is the county fiscal officer who assists with budget preparation and analysis and keeps accounts. The auditor prepares tax duplicates showing property assessments and taxes due.

**Author:** Legislator who presents a bill or resolution for consideration.

## B

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**Bicameral legislature:** A legislature containing two houses.

**Biennium:** Two-year period of legislative activity.

**Bill:** Draft of proposed law presented to the legislature for consideration.

**Bill History:** Record of all the action on any given bill or resolution.

**Bill Jacket:** Colored paperback enclosing legislative proposal, bearing number, author, and dated track of progress through both houses of the legislature.

**Bill List:** List of bills introduced on a specific day.

**Bill, Pre-filed:** Bills prepared and filed prior to the opening of a regular session.

**Blast Motion:** Motion to bring a bill to the floor after it has been under consideration by a committee for at least six days. This motion requires a constitutional majority in the House and a two-thirds majority in the Senate.

**Budget:** Suggested allocation of state moneys. It is presented as a bill every two years in the first regular session. In Indiana, the budget is prepared for a biennium.

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**Calendar:** A list of bills and other business scheduled for consideration during a daily session.

**Capital Assets:** Every governmental unit is required by the SBOA to have a complete inventory of all capital assets owned by the unit and which reflect their acquisition value. Capital assets include infrastructure property that is stationary and has a long life; permanent improvements that add value to land; and machinery, equipment and vehicles, and construction in progress, books and other assets not included in the previous two categories.

**Caucus:** A group of legislators who have certain interests in common and may vote together on matters affecting that interest. May also be used as a verb.

**Censure:** An act by a legislative body to officially reprimand an elected official for actions by that official while in office.

**Chair:** Presiding officer or chairperson.

**Chamber:** Official hall for the meeting of the Senate or House.

**Christmas Tree:** Appropriation bill with numerous items for special interests.

**Co-Author:** Member(s) joining original author of a bill. In the House, all additional members after the author are called "co-authors" and with consent of the author may call a bill for second or third reading.

## Glossary of Common Legislative Terms and Phrases

In the Senate, all additional members after the author and second author are called “co-authors.” (In Indiana the terms “author,” “second Author,” and “co-Author” apply only to first house members.)

**Code:** The compilation of state laws; the official publication of the statutes.

**Commit:** Action to send a measure to a committee after it has been introduced.

**Committee:** A body of elected members delegated by a legislative body to consider and make recommendations concerning disposition of bills, resolutions and other matters pertaining to specific subject areas.

- **Conference Committee:** Committee made up of two members of each house appointed by the respective presiding officers, upon refusal of the first house to concur in the amendments adopted by the second house. A conference committee attempts to prepare a version of the measure acceptable to both houses.
- **Interim Committee:** Committee of legislators established to work between sessions on a particular subject matter and report to the next legislative session.
- **Joint Committee:** Committee composed of members of both houses.
- **Select Committee:** Committee appointed to consider specific proposals and make subsequent recommendations.
- **Standing Committee:** A committee appointed with a continuing responsibility in the general field of legislative activity. Members and chairpersons are appointed by the president pro tempore in the Senate and by the speaker of the House.
- **Statutory Committee:** A committee specifically established by law.

**Committee Chairperson:** A member appointed to function as the parliamentary head of a standing or special committee in the consideration of matters assigned to such committee by the body.

**Committee of the Whole:** Either house of the legislature sitting as a committee. (Prior to 1995, the House sat as a committee of the whole to consider the budget bill.)

**Committee Report:** An official release from a committee of a bill or resolution with or without a specific recommendation.

**Concurrence:** Action by which one house agrees to amendments adopted by second house action.

**Concurrent Resolution:** A document expressing sentiment or intent of the legislature, governing the business of the legislature or to express recognition.

**Conference Committee:** Committee made up of two members of each house appointed by the respective presiding officers, upon refusal of the first house to concur in amendments adopted by the second house. A conference committee attempts to prepare a version of the measure acceptable to both houses.

**Conflict of Interest:** Position that threatens the ability of a legislator to vote impartially due to some personal interest in a legislative issue.

**Constituent:** A citizen residing within the district of a legislator.

**Constitution:** A written instrument embodying the fundamental principles of the state that guarantees powers and duties of the government and guarantees certain rights to the people.

**Constitutional Majority:** One more than half of the members of a deliberative body.

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**Constitutional Right:** Right or privilege provided or guaranteed by the constitution.

**Contested Seat:** The situation in which two or more contestants claim the right to represent a given legislative district.

**Contingency Fund:** Money appropriated by the respective houses for incidental operational expenses.

**Convene:** The opening or beginning of the day's legislative session.

**Convention, Constitutional:** The assembling of citizens or delegates for the purpose of writing or revising a constitution.

**Co-Sponsor:** Member(s) joining original sponsor of a bill (see "co-author"). In the House, all additional members after the sponsor are called "co-sponsors" and, with consent of the sponsor, may call a bill for second or third reading. In the Senate, all additional members after the sponsor and second sponsor are called "co-sponsors." (In Indiana the terms "sponsor," "second sponsor," and co-sponsor" apply only in the second house.)

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**Debatable:** Open to parliamentary discussion or argument.

**Debate:** Discussion of a matter according to parliamentary rules.

**Decorum:** Proper order, etiquette and conduct of members during a floor session.

**Died in Committee:** Measure defeated or not acted on in committee.

**Digest:** A brief statement of the effect of a proposed measure on existing law.

**Dissent:** Failure of first house to agree to second house amendment(s) to a bill, resulting in a negative vote.

**District:** The division of the state represented by a legislator distinguished numerically. In Indiana there are 50 state Senate districts and 100 state House districts.

**Division of the House:** A method of voting; a request that members stand or raise hands to be counted when the outcome of a voice vote is unclear or in dispute.

**Division of the Question:** Procedure to separate a matter to be voted upon into two or more questions.

**Do Pass:** The affirmative recommendation made by a committee in sending a bill to the floor for additional action.

**Do Pass Amend:** Recommendation by a committee that certain changes be made in a bill before additional action is taken on the floor.

## E

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**Effective Date:** The date a law becomes binding. If no specific date(s) is named in the bill the following applies in Indiana: 1) for bills passed in a regular session, the effective date is July 1 of the year of passage; 2) for bills passes in a special session, the effective date is the first day of the third calendar month following sine die of that session.



**Emergency Clause:** A statement in the bill indicating the act shall take effect immediately upon passage.

**Enacting Clause:** That clause of an act which formally expresses the legislative sanction. In Indiana legislation that phrase is, "Be it enacted by the General Assembly of the state of Indiana."

**Engrossed Bill:** An official copy of a bill or resolution incorporating all amendments up to that point in time.

**Enrolled Bill:** The final copy of a bill passed by both houses of the legislature.

**Excused:** Absent with permission of the presiding officer.

**Ex Officio:** The holding of a particular office by reason of holding another office.

**Expunge:** An action that directs specific portions be removed from the journal.

## F

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**File:** To present to the clerk of the House or secretary of the Senate a bill, resolution or amendment for action by that house.

**First Reading:** To read the first of three times the bill or resolution (actually only the title is read) for consideration by that body; also called "introduction."

**First Regular Session:** Session that meets in odd-numbered years and must be completed by April 29.

**Fiscal Note:** The statement of the estimated amount of increase or decrease in revenue or expenditures, as well as the present and future fiscal implications of a pending bill.

**Filibuster:** The prolonged discussion of a bill to delay legislative action.

**Floor:** That portion of the assembly chamber reserved for members and officers of the assembly and other people granted the privilege of the floor while the body is meeting.

**Floor Leader:** One Democrat and one Republican chosen to lead floor action in each house.

## G

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**Gallery:** Balconies of chamber from which visitors may view proceedings of the houses.

**Germane:** Relevance of amendment to subject matter of the bill to which it is being proposed.

**Gerrymandering:** Drawing legislative district boundary lines to obtain partisan or factional advantages.

**Grandfather Clause:** Clause in a new law that exempts people presently practicing in a profession from having to comply with enhanced or additional qualifications for the profession made by that new law.

**Gut a Bill:** Striking everything after the enacting clause of a bill and inserting entirely new material.

## H

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**Hearing:** Public meeting and discussion on a proposal scheduled by a committee.

**House:** Either meaning a single body of the legislature or the House of Representatives.

## Reference E

**House Resolution:** A document expressing sentiment or intent of the House of Representatives, sometimes called a “simple resolution.”

## I

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**Impeachment:** Procedure to remove from office public officials accused of misconduct.

**Indiana Code:** Compilation of all laws passed by the Indiana General Assembly.

**Interim:** The interval between regular sessions.

**Interim Committee:** Committee of legislators established to work between sessions on a particular subject matter and report to the next legislative session.

**Introduction:** The formal presentation of a bill or resolution after it has been processed. Also known as the first reading.

**Invocation:** Prayer given prior to a session.

## J

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**Joint Committee:** Committee composed of members of both houses.

**Joint Resolution:** Proposal for a change in the state constitution that must be passed in two legislative sessions, with an election intervening, and then submitted to the electorate.

**Joint Rules:** Rules adopted by both houses at the outset of the first regular session, which govern the procedures to be followed in all areas of joint legislative activity.

**Joint Session:** Both houses meet together in one chamber.

**Journal:** The constitutionally required official chronological record of the actions taken and proceedings of the respective houses.

**Junket:** Travel by an official at public expense.

## L

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**Lay on the Table:** Postponement of the matter before the house, which may later be brought up for consideration by a motion to “take from the table.”

**Legislative Council:** Statutory council composed of 16 legislators (most are ex officio members), which is responsible for coordinating and assisting with the many functions of the legislative department. The president pro tempore of the Senate serves as chairperson in odd-numbered years, while the speaker of the House serves as chairperson in even-numbered years.

**Legislative Services Agency:** Statutory bipartisan service and administrative agency maintained by the legislative council to provide legal and bill drafting, impartial research, and technical and other services for the General Assembly.

**Line Item:** Specific numeric line in an appropriation bill.

**Lobbyist:** A person, usually under hire, engaged in representing a particular interest or group of interests before the legislature.

### M

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**Majority Caucus:** Members of the political party with the greater number of members in either house.

**Majority Report:** Recommendation of action on a measure submitted by majority of a committee.

**Mason's Manual:** The volume of parliamentary law and procedure providing a basis for ruling on questions of order in the General Assembly.

**Measure:** A bill or resolution.

**Member Elect:** Elected member who has not taken the oath of office or is not yet officially serving.

**Memorialize:** Method by which the legislature speaks to Congress and other governments or governmental agencies.

**Message from Governor:** Official communications from governor read into official record.

**Message from House or Senate:** Official communication from opposite house read into official record.

**Minority Caucus:** Members of the political party with the lesser number of members in either house.

**Minority Report:** A report which reflects the thinking of the members of a committee not favoring the majority position or action.

**Minutes:** Accurate, chronological record of the proceedings of a meeting.

**Motion:** Formal proposal offered by a member of the deliberative assembly.

**Motion to Reconsider:** A move that places the question in the same status it was prior to the vote on the question. Most often, this is done to reconsider a bill that has previously failed on third reading. Motion must be made by person previously voting with the majority, within a specified period of time, and is non-debatable.

### N

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**Non-debatable:** Those subjects or motions that cannot be discussed or debated; for example, a motion to reconsider on third reading.

### O

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**Oath of Office:** Oath taken by members-elect of the legislature prior to being seated and embarking upon official duties.

**Order of Business:** The defined routine of procedure in the legislative body each day, which may be deviated from by permission of the membership.

## Reference E

**Organization Day/Meeting:** Meeting of the legislature on the third Tuesday following the first Monday in November of each year to prepare for the upcoming session.

**Out of Order:** Not being conducted under proper parliamentary rules and procedures.

**Override:** To pass a bill over the governor's veto, requiring a constitutional majority of both houses.

## P

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**Passage of Bill:** Favorable action on measure before either house.

**Pending Business:** Unfinished business left from previous day or earlier in same calendar day.

**Per Diem:** Literally, "per day," daily expense money rendered legislators and personnel.

**Point of Information:** A request from a legislator to the presiding officer for clarification of a procedural matter.

**Point of Order:** Calling attention to a breach of order or rules.

**Point of Personal Privilege:** Statement by a legislator defending his or her rights, reputation, conduct or explaining a particular vote.

**Pork-Barrel Spending:** A process that legislators use to obtain funding from a central government to finance projects benefiting the legislators' local constituents. The benefits of such projects typically do not extend beyond a legislator's constituency, despite the fact that funding was obtained through taxation of the larger geographic region. This form of political patronage helps the legislator attract campaign contributions and the support of local voters.

**Pre-filed Bill:** Bill presented to the secretary of the Senate prior to the convening of the regular session. (The House does not use the term "pre-filed," but lists of bills filed in the clerk's office are released prior to the next scheduled convening day.)

**President of the Senate:** By constitutional enactment the lieutenant governor holds this position. He or she presides over the Senate and is required to cast the deciding vote to break a tie.

**President Pro Tempore:** The person elected by the Senate to preside in the absence of the president. The president pro tempore (or pro tem) appoints committee chairmen, majority officers and majority staff, with the exception of the secretary of the Senate who is elected by the Senate.

**Presiding Officer:** Person designated to preside at legislative session.

**Prevail:** To approve or accept, usually applied to a motion.

**Previous Question:** Move to end debate on pending issue.

**Principal Clerk of the House:** Chief officer of the House staff elected by the House membership.

**Principal Secretary of Senate:** Chief officer of the Senate staff elected by the Senate membership.

## Q

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**Quorum:** The required number of members that must be present to transact business.

**Quorum Call:** Method used to establish the presence of a majority for the lawful transacting of business.

### R

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**Reapportionment:** Redrawing legislative district boundaries to provide equality of representation. Indiana House and Senate reapportionment is constitutionally required in Indiana every 10 years following the federal census.

**Reassign:** To change the committee assignment on a bill, which has not yet been heard by the original committee.

**Recall a Bill:** A motion that enables either house to recall a bill previously passed.

**Recede:** Withdraw from an amendment or position.

**Recess:** Intermission in a daily session.

**Recommit:** To send back to a committee or send to another committee a bill that has already passed out of committee.

**Reconsideration:** A motion that, when granted, gives rise to another vote annulling or reaffirming an action previously taken. Motion may be offered only by a member having voted previously on the prevailing side and is non-debatable.

**Record:** Request by a legislator that the “record” show that he or she by “recorded” in a certain way. These requests, if approved, are entered in the journal. By constitutional right, a member may, upon request, have a protest and reasons for his or her dissent recorded in the journal.

**Referendum:** Situation in which a measure adopted by the legislature is submitted to popular vote of the electorate.

**Referral:** The sending of a bill or resolution to committee.

**Regular Technical Session:** One day session that meets at the option of the General Assembly no sooner than 30 days after the sine die of a regular session. This session is limited to the consideration of vetoes, conflicts or technical errors in bills passed in the immediate previous regular session.

**Regulation:** A rule or order of an agency promulgated under the authority of a statute passed by the legislature. These regulations are contained in the Indiana Administrative Code.

**Repeal:** A method by which legislative action is revoked or abrogated.

**Representative:** A member of the House of Representatives.

**Resolution, Joint:** Proposal for a change in the state constitution that must be passed by two consecutive general assemblies, then ratified by a majority of the state’s voters.

**Resolution, Senate or House:** Sometimes called a “simple resolution,” the same as a concurrent resolution except it is the expression of one house.

**Return to a Committee of One:** Return of a bill at third reading to the author or sponsor, with specific instructions to amend the bill or resolution prior to the vote being taken. These amendments are generally technical in nature or correct printing errors.

**Revised Code:** Updated statutory laws of the state.

**Roll Call:** The vote on an issue before the body; either by an electronic tabulating machine or by voice vote with names of members being called in alphabetical order by reader and recorded.

## Reference E

**Rostrum:** Podium or desk area at the front of a chamber.

**Ruling of the Chair:** A decision by the presiding officer concerning a question of order or procedure.

## S

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**Second Author:** This term used in the Senate refers to the second senator signing on to a Senate bill. All additional signers are called "co-authors." With consent of the author, only the second author of a bill may call it for second or third reading in the Senate.

**Second Reading:** Presentation of a bill or resolution to the full body following the adoption of the committee report. At this point, the bill or resolution is eligible for amendment, recommitment or engrossment.

**Second Regular Session:** Session that meets in even number years and must be completed by March 14.

**Second Sponsor:** This term, used only in the Senate, refers to the second senator signing on to a House bill. All additional signers are called "co-sponsors." With consent of the sponsor, only the second sponsor of a bill may call it for second or third reading in the Senate.

**Select Committee:** Special committee of legislators created for a special function.

**Senate:** The legislative body having 50 members. Sometimes referred to as the "upper house."

**Senate Resolution:** A document expression sentiment or intent of the Senate, sometimes called a "simple resolution."

**Session:** Period during which the legislature meets.

1. **First Regular Session:** Session that meets in odd numbered years and must be completed by April 29.
2. **Second Regular Session:** Session that meets in even numbered years and must be completed by March 14.
3. **Regular Technical Session:** One-day session that meets at the option of the General Assembly no sooner than 30 days after the sine die of a regular session. This session is limited to the consideration of vetoes, conflicts or technical errors in bills passed in the immediate previous regular session.
4. **Special Session:** Session called by the governor as provided by the constitution and limited to 40 calendar days.

**Simple Majority:** One more than half of those voting on a question.

**Simple Resolution:** A document expressing sentiment of intent of the house in which it is offered. Also known as House or Senate resolution.

**Sine Die:** Final termination of a regular or special legislative session. (Literally, adjournment "without a day" set for reconvening.)

**Skate:** To purposely avoid voting on a measure by leaving the floor

**Speaker Pro Tempore:** Substitute presiding officer in the House or member taking the chair on request of the speaker, in his absence.

**Special Order of Business:** Matter of business set for a special time and day, designated and agreed to by motion.

**Special Session:** Session called by the governor as provided by the constitution and limited to 40 calendar days.

**Sponsor:** Legislator who carries a bill in the second house.

**Spread of Record:** Request by a legislator that the record show that he or she by “recorded” in a certain way. These requests, if approved, are entered in the journal. By constitutional right, a member may, upon request, have a protest and reasons for his or her dissent recorded in the journal.

**Standing Committee:** Regular committees of the legislature set up to perform certain legislative functions. Members are appointed by the president pro tempore in the Senate and by the speaker of the House.

**Standing Vote:** Members vote by standing to indicate approval of a measure.

**State the Question:** To place a question before a legislative body for its consideration.

**Statutes:** Laws passed by the legislature.

**Statutory Committee:** A committee created by statute.

**Stopping the Clock:** Practice of lengthening the hours of the legislative day, irrespective of the passing of hours of the calendar day, by stopping the clock.

**Strip a Bill:** Striking everything after the enacting clause of a bill and inserting entirely new material.

**Sunset:** Expiration of date of measure.

**Suspension of the Rules:** Parliamentary procedure whereby actions can be taken that would otherwise be out of order.

**Synopsis:** A brief statement or summary of the contents of a proposed measure.

## T

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**Table, Motion to:** A means of disposing a bill or other matter for an indefinite period of time.

**Term of Office:** Period of time for which a person is elected.

**Third Reading:** Recitation of measure number, title and author/sponsor, by reading clerk, before consideration and vote in either house.

**Title:** One of 36 divisions of the Indiana Code, offers brief description of a bill.

## U

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**Unicameral legislature:** A legislature with a single house. (At the present time, Nebraska is the only state in the U.S. having a unicameral legislature.)

## Reference E

### V

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**Veto:** The action of the governor disapproving a measure.

**Veto Override:** Passage of a bill over the governor's veto, requires constitutional majority of both houses.

**Voice Vote:** Oral expression of the members when a question is submitted for their determination. Responses of "aye" or "nay" are given, and the presiding officer states his or her decision as to which side prevailed.

### W

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**Whip:** A member elected from both the majority and minority parties to keep the rest of the members informed as to the decisions of the leadership.

**Withdraw:** To recall or remove a bill, resolution or motion from further consideration for that legislative session.

**Withdraw Call:** To recall a measure from the floor action, usually only temporarily, after it has been placed before the body.

**Without Recommendation:** A committee report that is neither favorable nor unfavorable.

### Y

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**Yield:** The relinquishing of the floor to another member to speak or ask a question.





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