

# BUILT IN RESISTANCE TO TOWNSHIP REFORM; GOOD BILL REIGNS IN MUNICIPALITIES

By Bill Waltz, vice president of taxation and public finance, and Greg Ellis, vice president of energy and environmental policy

Late last year a series of articles ran in newspapers across the state drawing renewed attention to the antiquated status of township government. But like volumes of prior evidence, the “need for reform” message continues to go unheeded by those in the Statehouse. Why?

The only logical conclusion is that many members of the General Assembly came from a local political system that includes township officials. I’d suggest that whether they really believe that township government is the most efficient and effective means of providing services isn’t really the question. It is about their natural reluctance to turn against political constituents and a system that they were and remain part of. This built-in resistance manifested itself last year when House majority members locked arms with township officials and other self-interested parties to kill legislation that called for the merger of ridiculously small townships.

This year another eminently reasonable proposal aimed at structural progress met the same resistance and likewise went down in defeat. House Bill 1650 would have eliminated township boards in almost a thousand townships; that’s nearly 3,000 elected officials statewide who do little but look over the shoulder of their elected township trustee – a task already performed by the county council in regard to every other county office holder. Meaningful reform was again stymied by the those who are more interested in protecting township turf and maintaining the status quo than exploring logical means for more efficient government.

Lamenting aside, a little progress was made in improving how townships operate. House Bill 1177 did pass and will now require townships to develop a capital improvement plan before they can simply overtax constituents year after year in order to save up

money for some unspecified future expenditure.

The Chamber will continue to strive for better and more efficient government at all levels, regardless of the entrenched opposition to these objectives.

We sincerely thank Rep. Cindy Ziemke (R-Batesville), author of both HB 1650 and HB 1177, for her efforts not only this year but in recent years of keeping this important issue front and center – regardless of the tough climate at the Statehouse.

Another type of local government reform was spearheaded by Sen. Phil Boots (R-Crawfordsville). The successful legislation dealt with municipalities and not townships.

Senate Bill 535 repeals the general authority of a municipality to regulate conduct or property within four miles outside of its municipal boundaries. (The new law doesn’t void an ordinance or resolution adopted before January 1, 2019, or prevent the validity of such an ordinance or resolution from being challenged in a legal proceeding.)

Additionally, it provides that a municipality may only exercise eminent domain within the municipality unless a statute expressly provides otherwise. It also repeals the general authority of a municipality to regulate watercourses located within 10 miles outside the municipal boundaries. We supported this bill along with the Indiana Farm Bureau, the Indiana Manufacturers Association, the Indiana Association of Counties and others. This is a win for the business community because it should eliminate overlap in regulation by neighboring communities and provide regulatory certainty. It also is important that citizens and business owners have a voice (vote) for those that regulate them.