

January 30, 1998

HOUSE BILL No. 1177

DIGEST OF HB 1177 (Updated January 28, 1998 7:06 pm - DI 94)

Citations Affected: IC 22-14; IC 36-8; noncode.

Synopsis: Provides that an individual may serve as a member of more than one volunteer fire company. Provides that the interest rate for loans from the firefighting and emergency equipment revolving loan fund is 3%. Establishes a volunteer firefighting and emergency services study committee to study issues related to volunteer firefighting and emergency services.

Effective: Upon passage; July 1, 1998.

Ruppel, Bischoff, Liggett, Becker

January 8, 1998, read first time and referred to Committee on Local Government.
January 29, 1998, amended, reported — Do Pass.

HB 1177—LS 7187/DI 96



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January 30, 1998

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

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HOUSE BILL No. 1177

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 22-14-5-9, AS ADDED BY P.L.70-1995,
2 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 1998]: Sec. 9. A loan under this chapter is subject to the
4 following conditions:
5 (1) The qualified entity may use the loan only for the purchase of
6 new or used firefighting and other emergency equipment or
7 apparatus, and legal and other incidental expenses that are
8 directly related to acquiring the equipment or apparatus.
9 (2) The repayment period may not exceed seven (7) years.
10 (3) The amount of the loan may not be less than ten thousand
11 dollars (\$10,000).
12 (4) The interest rate **of the loan is to be set by the board of**
13 **finance at a rate that is not more than two three percent (2%)**
14 **below the prime bank lending rate prevailing at the time the loan**
15 **is approved: (3%).**

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- 1 (5) All interest reverts to the revolving fund created by this
2 chapter.
- 3 (6) The loan must be repaid in installments, including interest on
4 the unpaid balance of the loan.
- 5 (7) The repayment of principal may be deferred for a period not
6 to exceed two (2) years.
- 7 (8) The repayment of the loan may be limited to a specified
8 revenue source of the qualified entity. If the repayment is limited,
9 the repayment:
- 10 (A) is not a general obligation of the qualified entity; and
11 (B) is payable solely from the specified revenue source.
- 12 (9) If prepayment of the loan is made, a penalty may not be
13 charged.
- 14 (10) The office shall have a security interest in the purchased
15 firefighting or other emergency equipment or apparatus for the
16 balance of the loan, accrued interest, penalties, and collection
17 expenses.
- 18 (11) Any other conditions that the office considers appropriate.
- 19 SECTION 2. IC 36-8-10.5-6 IS AMENDED TO READ AS
20 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 6. (a) A full-time
21 firefighter must successfully complete the minimum basic training
22 requirements established by this chapter before the firefighter may
23 perform the duties of a full-time firefighter for the political subdivision.
- 24 (b) A volunteer firefighter **must who has** successfully **complete**
25 **completed** the minimum basic training requirements established by
26 this chapter **before being** **may be** elected or appointed to membership
27 in a **more than one (1)** volunteer fire company.
- 28 SECTION 3. [EFFECTIVE UPON PASSAGE] (a) **As used in this**
29 **SECTION, "committee" refers to the volunteer firefighting and**
30 **emergency services study committee established by subsection (b).**
- 31 (b) **The volunteer firefighting and emergency services study**
32 **committee is established.**
- 33 (c) **The committee shall do the following:**
- 34 (1) **Study issues related to volunteer firefighting and**
35 **emergency services.**
- 36 (2) **Study the current laws related to volunteer firefighting**
37 **and emergency services.**
- 38 (3) **Make recommendations to revise and consolidate Indiana**
39 **laws related to volunteer firefighting and emergency services.**
- 40 (d) **The committee may study other topics assigned by the**
41 **legislative council or as directed by the committee's chairman.**
- 42 (e) **The committee is under the jurisdiction of the legislative**

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1 council and shall operate under the direction of the legislative
2 council.

3 (f) Before November 1 of each year, the committee shall issue an
4 annual report stating the committee's findings, conclusions, and
5 recommendations made during the most recent interim period
6 between meetings of the general assembly. The committee shall
7 issue other reports as directed by the legislative council.

8 (g) The committee consists of the following eight (8) members:

9 (1) Four (4) members of the house of representatives, not
10 more than two (2) of whom are of the same political party,
11 appointed by the speaker of the house of representatives with
12 the advice of the floor leader of the party opposite the
13 speaker's party.

14 (2) Four (4) members of the senate, not more than two (2) of
15 whom are of the same political party, appointed by the
16 president pro tempore of the senate with the advice of the
17 minority leader of the senate.

18 (h) At the time the committee members are appointed, the
19 chairman of the legislative council shall name one (1) of the
20 legislative members as chairman and the vice chairman of the
21 legislative council shall name one (1) of the legislative members as
22 vice chairman. However, the appointing authority may name a
23 different legislative member as chairman or vice chairman at any
24 time.

25 (i) A member of the committee may be removed at any time by
26 the appointing authority who appointed the member.

27 (j) The term of a legislative member expires immediately upon
28 the election of the general assembly following the member's
29 appointment. A vacancy occurs if a legislative member leaves office
30 for any reason.

31 (k) The appointing authority shall fill a vacancy on the
32 committee by appointing a member for the unexpired term.

33 (l) The committee shall meet annually during the interim
34 between adjournment of sessions of the general assembly and
35 November 1 at the call of the chairman or at other times the
36 committee determines.

37 (m) Notice of the time, place, and agenda of committee meetings
38 shall be given in the same manner as meetings of interim study
39 committees established by the legislative council.

40 (n) The affirmative vote of a majority of the members appointed
41 to the committee are required for the committee to take action on
42 any measure, including final reports.

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- 1 **(o) Each member of the committee is entitled to receive the same**
- 2 **per diem, mileage, and travel allowances paid to individuals**
- 3 **serving as legislative and lay members, respectively, on interim**
- 4 **study committees established by the legislative council.**
- 5 **(p) The legislative services agency shall provide staff and**
- 6 **administrative support for the committee.**
- 7 **(q) The legislative council shall establish a budget for the**
- 8 **committee. Subject to prior authorization of the legislative council,**
- 9 **the expenses incurred by the committee in performing the**
- 10 **committee's duties shall be paid from the funds appropriated to the**
- 11 **legislative council.**
- 12 **(r) This SECTION expires December 31, 1998.**
- 13 **SECTION 4. An emergency is declared for this act.**

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1177, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 22-14-5-9, AS ADDED BY P.L.70-1995, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 9. A loan under this chapter is subject to the following conditions:

- (1) The qualified entity may use the loan only for the purchase of new or used firefighting and other emergency equipment or apparatus, and legal and other incidental expenses that are directly related to acquiring the equipment or apparatus.
- (2) The repayment period may not exceed seven (7) years.
- (3) The amount of the loan may not be less than ten thousand dollars (\$10,000).
- (4) The interest rate ~~of the loan is to be set by the board of finance at a rate that is not more than two three percent (2%) below the prime bank lending rate prevailing at the time the loan is approved: (3%).~~
- (5) All interest reverts to the revolving fund created by this chapter.
- (6) The loan must be repaid in installments, including interest on the unpaid balance of the loan.
- (7) The repayment of principal may be deferred for a period not to exceed two (2) years.
- (8) The repayment of the loan may be limited to a specified revenue source of the qualified entity. If the repayment is limited, the repayment:
 - (A) is not a general obligation of the qualified entity; and
 - (B) is payable solely from the specified revenue source.
- (9) If prepayment of the loan is made, a penalty may not be charged.
- (10) The office shall have a security interest in the purchased firefighting or other emergency equipment or apparatus for the balance of the loan, accrued interest, penalties, and collection expenses.
- (11) Any other conditions that the office considers appropriate."

Page 1, delete lines 10 through 15.

Delete pages 2 through 4.

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Page 5, delete lines 1 through 24.

Page 7, delete lines 10 through 12.

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to House Bill 1177 as introduced.)

STEVENSON, Chair

Committee Vote: yeas 13, nays 0.

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