

SENATE MOTION

MR. PRESIDENT:

I move that Senate Bill 347 be amended to read as follows:

- 1 Page 8, between lines 5 and 6, begin a new paragraph and insert:
2 "SECTION 2. IC 22-14-2-8, AS AMENDED BY P.L.167-1997,
3 SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
4 UPON PASSAGE]: Sec. 8. (a) Regardless of the extent of the
5 investigation conducted by a fire department under IC 36-8-17-7, the
6 office may conduct an investigation into the causes and circumstances
7 surrounding any fire or explosion.
8 (b) To carry out this section, the office may:
9 (1) exercise its powers under section 4 of this chapter;
10 (2) assist a prosecuting attorney with any criminal investigation;
11 (3) subpoena witnesses and order the production of books,
12 documents, and other evidence;
13 (4) give oaths and affirmations;
14 (5) take depositions and conduct hearings;
15 (6) separate witnesses and otherwise regulate the course of
16 proceedings; and
17 (7) obtain and secure evidence.
18 (c) Subpoenas, discovery orders, and protective orders issued
19 under this section shall be enforced under IC 4-21.5-6-2.
20 (d) A person who is summoned and testifies under this section is
21 entitled to receive a minimum salary per diem and a mileage allowance
22 from the fire and building services fund. The budget agency shall set
23 the amount of the per diem and mileage allowance.
24 (e) The state fire marshal and the investigators in the arson
25 division of the office of the state fire marshal have law enforcement
26 authority at all times while discharging their duties under this section
27 as employees of the department.
28 **(f) The executive director of the fire and building services**
29 **department has law enforcement authority at all times while**
30 **discharging the duties of the executive director under this section."**
31 Renumber all SECTIONS consecutively.
 (Reference is to SB 347 as printed January 21, 1998.)

