



Reprinted
February 25, 1999

HOUSE BILL No. 1869

DIGEST OF HB1869 (Updated February 24, 1999 10:08 pm - DI 87)

Citations Affected: IC 5-26; IC 10-1.

Synopsis: Integrated public safety commission. Establishes the integrated public safety commission to promote the efficient use of local, state, and federal public safety agency resources through improved coordination and cooperation. Allows the integrated public safety commission to contract for the establishment of a statewide public safety voice and data communications system. Eliminates the public safety trunking system committee. Establishes the state agency public safety committee. Requires a state public safety agency that has or wants to have a voice or data wireless communications network to join the statewide public safety voice and data communications system. Provides that the commission is subject to state procurement laws.

Effective: July 1, 1999.

Cochran, Bauer, Frenz, Ayres

January 26, 1999, read first time and referred to Committee on Ways and Means.
February 18, 1999, amended, reported — Do Pass.
February 24, read second time, amended, ordered engrossed.

HB 1869—LS 8030/DI 87+



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First Regular Session 111th General Assembly (1999)

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 1998 General Assembly.

HOUSE BILL No. 1869

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

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

- 1 SECTION 1. IC 5-26 IS ADDED TO THE INDIANA CODE AS A
2 **NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,**
3 **1999]:**
4 **ARTICLE 26. PUBLIC SAFETY COMMUNICATIONS**
5 **Chapter 1. Definitions**
6 **Sec. 1. As used in this article, "commission" refers to the**
7 **integrated public safety commission established under IC 5-26-2-1.**
8 **Sec. 2. As used in this article, "member" refers to a member of**
9 **the integrated public safety commission.**
10 **Sec. 3. As used in this article, "public safety agency" means a**
11 **federal, state, or local governmental entity eligible to hold an**
12 **authorization in a public safety radio service as set forth in 47**
13 **C.F.R. 90 et. seq.**
14 **Sec. 4. As used in this article, "system" refers to the Indiana**
15 **statewide public safety voice and data communications system.**
16 **Sec. 5. As used in this article, "user agency" means a public**
17 **safety agency or other entity that uses the system.**

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1 **Chapter 2. Integrated Public Safety Commission**

2 **Sec. 1. The integrated public safety commission is established**
 3 **for the purpose of promoting the efficient use of public safety**
 4 **agency resources through improved coordination and cooperation**
 5 **to enhance the safety of Indiana residents. As a first step in**
 6 **accomplishing this goal, the commission shall focus on establishing**
 7 **a statewide voice and data communications system.**

8 **Sec. 2. The commission shall publish its policies within a**
 9 **standardized operations procedures manual.**

10 **Sec. 3. (a) The commission is comprised of fourteen (14)**
 11 **members as follows:**

12 **(1) A sheriff of a county with a population greater than fifty**
 13 **thousand (50,000) appointed by the governor.**

14 **(2) A sheriff of a county with a population less than fifty**
 15 **thousand (50,000) appointed by the governor.**

16 **(3) A chief of police of a first or second class city appointed by**
 17 **the governor.**

18 **(4) A chief of police of a third class city or town marshal**
 19 **appointed by the governor.**

20 **(5) A fire chief appointed by the governor.**

21 **(6) A head of an emergency medical services provider**
 22 **appointed by the governor.**

23 **(7) A mayor appointed by the governor.**

24 **(8) A county commissioner appointed by the governor.**

25 **(9) A representative of campus law enforcement appointed by**
 26 **the governor.**

27 **(10) A representative of the private sector appointed by the**
 28 **governor.**

29 **(11) The superintendent of the state police department, who**
 30 **represents the state agency public safety committee.**

31 **(12) The special agent in charge of the Indiana office of the**
 32 **Federal Bureau of Investigation or designee.**

33 **(13) A member of the house of representatives appointed by**
 34 **the speaker of the house of representatives.**

35 **(14) A member of the senate appointed by the president pro**
 36 **tempore of the senate.**

37 **(b) Not more than four (4) members appointed under subsection**
 38 **(a)(1) through (a)(8) may be members of the same political party.**

39 **Sec. 4. (a) Seven (7) members of the commission constitute a**
 40 **quorum.**

41 **(b) An affirmative vote of at least seven (7) members of the**
 42 **commission is required for the commission to take action.**

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1 **Sec. 5. The commission's powers include the following:**

2 (1) Planning for voluntary coordination of resources by public
3 safety agencies.

4 (2) Developing coordinated, integrated responses to
5 significant public safety events by those public safety agencies
6 that choose to take part.

7 (3) Developing means of sharing information operationally
8 and technologically to improve public safety.

9 (4) Contracting with consultants to assist in the planning and
10 development under this article.

11 (5) Contracting with others to provide services under this
12 article.

13 (6) The powers enumerated in IC 5-26-3-6.

14 (7) Any other power necessary to accomplish the goals of the
15 commission.

16 **Sec. 6. (a) The governor shall select a chair and vice chair of the**
17 **commission.**

18 (b) The chair may appoint staff needed to carry out this chapter
19 from the existing staff of participating agencies.

20 **Sec. 7. Each member of the commission who is not a state**
21 **employee is entitled to the minimum salary per diem provided by**
22 **IC 4-10-11-2.1(b). The member is also entitled to reimbursement**
23 **for traveling expenses as provided under IC 4-13-1-4 and other**
24 **expenses actually incurred in connection with the member's duties**
25 **as provided in the state policies and procedures established by the**
26 **Indiana department of administration and approved by the budget**
27 **agency.**

28 **Sec. 8. Each member of the commission who is a state employee**
29 **is entitled to reimbursement for traveling expenses as provided**
30 **under IC 4-13-1-4 and other expenses actually incurred in**
31 **connection with the member's duties as provided in the state**
32 **policies and procedures established by the Indiana department of**
33 **administration and approved by the budget agency.**

34 **Sec. 9. The legislative members of the commission are entitled**
35 **to receive the same per diem, mileage, and travel allowances paid**
36 **to persons who serve as legislative members of interim study**
37 **committees established by the legislative council.**

38 **Sec. 10. The commission is subject to the procurement**
39 **procedures under IC 5-22.**

40 **Chapter 3. Indiana Statewide Public Safety Voice and Data**
41 **Communications System**

42 **Sec. 1. (a) The commission may contract for the establishment**

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1 of a statewide public safety voice and data communications system.

2 (b) The system must:

3 (1) be efficient;

4 (2) provide modern two (2) way voice or data communication
5 to user agencies without a duplication of efforts; and

6 (3) allow user agencies with compatible equipment to
7 communicate with one another, resulting in the efficient
8 handling of emergencies and cooperation between agencies.

9 Sec. 2. If a public safety agency or other entity decides to use the
10 system, the agency or other entity must enter into a user's
11 agreement with the commission.

12 Sec. 3. The commission is responsible for the supervision of the
13 following:

14 (1) Maintenance of the main wide area transmitter sites and
15 interconnection links.

16 (2) Management of Federal Communications Commission
17 licensing.

18 (3) Frequency planning.

19 (4) System management.

20 Sec. 4. The commission shall develop criteria for determining
21 whether a public safety agency or other entity may use the system.

22 Sec. 5. (a) Except as provided in subsection (b), a public safety
23 agency or other entity may join the system with the approval of the
24 commission.

25 (b) A state public safety agency may join the system if the
26 agency is approved by the state agency public safety committee
27 under IC 10-1-10 and the commission.

28 Sec. 6. In addition to the powers enumerated in IC 5-26-2-5, the
29 commission has the following powers related to the system:

30 (1) Ensuring that federal and state communications
31 requirements are followed.

32 (2) Providing system planning, including mutual aid planning
33 and compatibility planning with other public safety agency
34 communications systems.

35 (3) Creating a standard user agreement.

36 (4) Providing assistance to local public safety agencies in
37 making equipment purchases.

38 (5) Assessing charges for using the system.

39 (6) Exercising any power necessary to carry out this chapter.

40 Sec. 7. The following subcommittees are created:

41 (1) A user's subcommittee.

42 (2) A technical subcommittee.

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(3) A finance subcommittee.

(4) Any other subcommittee as determined by the commission.

SECTION 2. IC 10-1-10-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 1. As used in this chapter, "committee" refers to the **state agency** public safety ~~trunking system~~ committee established under section ~~4~~ **9.1** of this chapter.

SECTION 3. IC 10-1-10-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. As used in this chapter, "state public safety agency" means a state ~~or local governmental~~ entity eligible to hold an authorization in a public safety radio service as set forth in 47 CFR 90 et seq.

SECTION 4. IC 10-1-10-7.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 7.5. As used in this chapter, "system" refers to the Indiana statewide public safety voice and data communications system under IC 5-26-3.**

SECTION 5. IC 10-1-10-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 8. As used in this chapter, "user agency" means a **state** public safety agency that uses the system.

SECTION 6. IC 10-1-10-9.1 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 9.1. The state agency public safety committee is established.**

SECTION 7. IC 10-1-10-9.5 IS ADDED TO THE INDIANA CODE AS A **NEW SECTION** TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: **Sec. 9.5. A state public safety agency that has or wants to have a voice or data wireless communications network must join the system when technically and economically feasible.**

SECTION 8. IC 10-1-10-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 10. ~~(a)~~ The communications division is responsible for the following **with regard to state public safety agencies and state owned assets** unless otherwise directed by the superintendent:

- (1) Maintenance of the main wide area transmitter sites and interconnecting links.
- (2) Management of FCC licensing.
- (3) Frequency planning.
- (4) Appropriate radio program software.
- (5) Code plugs.
- (6) System keys.
- (7) Assignment and control of individual identification numbers



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1 and talkgroup numbers.

2 ~~(b) The communications division shall keep statistical information~~
 3 ~~and control reports for use by the committee and the superintendent~~
 4 ~~that are available from at least one (1) system manager terminal.~~

5 SECTION 9. IC 10-1-10-15 IS AMENDED TO READ AS
 6 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 15. The committee
 7 shall develop criteria for determining whether a **state** public safety
 8 agency may use the system.

9 SECTION 10. IC 10-1-10-16 IS AMENDED TO READ AS
 10 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 16. (a) The committee
 11 consists of ~~twelve (12)~~ **ten (10)** members appointed by the
 12 superintendent. Each of the following user agencies shall be
 13 represented by **one** (1) committee member:

- 14 (1) State police department.
- 15 (2) Indiana department of transportation.
- 16 (3) State emergency management agency.
- 17 (4) Department of natural resources.
- 18 (5) Alcoholic beverage commission.
- 19 (6) Department of state revenue.
- 20 (7) Indiana department of environmental management.
- 21 (8) Military department of the state of Indiana.
- 22 (9) Department of correction.
- 23 (10) Department of administration.

24 ~~(11) A county public safety agency that uses the system.~~

25 ~~(12) A city public safety agency that uses the system.~~

26 (b) A director of an agency described in subsection (a)(2) through
 27 (a)(10) shall recommend a person to the superintendent to serve as a
 28 committee member.

29 (c) The superintendent shall fill any vacancies on the committee.

30 (d) A committee member serves until the earlier of the following:

- 31 (1) The member is removed by the superintendent.
- 32 (2) The date the member ceases to be employed by the agency the
 33 member represents on the committee.

34 SECTION 11. IC 10-1-10-17 IS AMENDED TO READ AS
 35 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 17. (a) ~~Seven (7)~~ **Six**
 36 **(6)** members of the committee constitute a quorum.

37 (b) An affirmative vote of at least ~~seven (7)~~ **six (6)** members of the
 38 committee is required for the committee to take action.

39 SECTION 12. IC 10-1-10-19 IS AMENDED TO READ AS
 40 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 19. The committee's
 41 powers include the following:

- 42 (1) ~~Creating sanctions and recommending to the superintendent~~



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1 the imposition of sanctions for violations by user agencies.
 2 **Ensuring that federal and state communications requirements**
 3 **are followed.**
 4 (2) Providing system planning, including mutual aid planning and
 5 compatibility planning with local public safety agency
 6 communications systems: **in coordination with the integrated**
 7 **public safety commission established under IC 5-26-2-1.**
 8 (3) **Subject to IC 5-26-3-5**, determining whether a state public
 9 safety agency may become a system user.
 10 (4) ~~Creating a standard user agreement:~~
 11 ~~(5) Providing assistance to local public safety agencies in making~~
 12 ~~equipment purchases.~~
 13 ~~(6) (5) Exercising any power necessary to carry out this chapter.~~
 14 SECTION 13. THE FOLLOWING ARE REPEALED [EFFECTIVE
 15 JULY 1, 1999: IC 10-1-10-7; IC 10-1-10-9; IC 10-1-10-11;
 16 IC 10-1-10-13; IC 10-1-10-14; IC 10-1-10-23.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1869, 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 3, line 12, delete "shall" and insert "**may**".

Page 3, line 12, delete "an executive director and other".

Page 3, line 13, after "chapter" insert "**from the existing staff of participating agencies**".

Page 3, between lines 31 and 32, begin a new paragraph and insert: "**Sec. 10. The commission is subject to the procurement procedures under IC 5-22.**".

and when so amended that said bill do pass.

(Reference is to HB 1869 as introduced.)

BAUER, Chair

Committee Vote: yeas 24, nays 0.

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HOUSE MOTION

Mr. Speaker: I move that House Bill 1869 be amended to read as follows:

Page 2, line 10, strike "twelve (12)" and insert "**fourteen (14)**".

Page 2, line 12, after "sheriff" insert "**of a county with a population greater than fifty thousand 50,000**".

Page 2, between lines 12 and 13, and insert "**(2) A sheriff of a county with a population less than fifty thousand 50,000 appointed by the governor.**"

Page 2, line 13, strike "(2)" and insert "**(3)**".

Page 2, line 13, after "police" insert "**of a first or second class city**".

Page 2, between lines 13 and 14, begin a new line inserting "**(4) A chief of police of a third class city or town marshal appointed by the governor.**"

Page 2, line 14, strike "(3)" and insert "**(5)**".

Page 2, line 15, strike "(4)" and insert "**(6)**".

Page 2, line 17, strike "(5)" and insert "**(7)**".

Page 2, line 18, strike "(6)" and insert "**(8)**".

Page 2, line 19, strike "(7)" and insert "**(9)**".

Page 2, line 21, strike "(8)" and insert "**(10)**".

Page 2, line 23, strike "(9)" and insert "**(11)**".

Page 2, line 25, strike "(10)" and insert "**(12)**".

Page 2, line 27, strike "(11)" and insert "**(13)**".

Page 2, line 29, strike "(12)" and insert "**(14)**".

(Reference is to HB 1869 as printed February 19, 1999.)

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