

# HOUSE BILL No. 1869

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## DIGEST OF INTRODUCED BILL

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

**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.

**Effective:** July 1, 1999.

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**Bauer**

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January 26, 1999, read first time and referred to Committee on Ways and Means.

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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 twelve (12) members**  
 11 **as follows:**

- 12 (1) A sheriff appointed by the governor.  
 13 (2) A chief of police appointed by the governor.  
 14 (3) A fire chief appointed by the governor.  
 15 (4) A head of an emergency medical services provider  
 16 appointed by the governor.  
 17 (5) A mayor appointed by the governor.  
 18 (6) A county commissioner appointed by the governor.  
 19 (7) A representative of campus law enforcement appointed by  
 20 the governor.  
 21 (8) A representative of the private sector appointed by the  
 22 governor.  
 23 (9) The superintendent of the state police department, who  
 24 represents the state agency public safety committee.  
 25 (10) The special agent in charge of the Indiana office of the  
 26 Federal Bureau of Investigation or designee.  
 27 (11) A member of the house of representatives appointed by  
 28 the speaker of the house of representatives.  
 29 (12) A member of the senate appointed by the president pro  
 30 tempore of the senate.

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

33 **Sec. 4. (a) Seven (7) members of the commission constitute a**  
 34 **quorum.**

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

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

- 38 (1) Planning for voluntary coordination of resources by public  
 39 safety agencies.  
 40 (2) Developing coordinated, integrated responses to  
 41 significant public safety events by those public safety agencies  
 42 that choose to take part.



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

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

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

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

8 (7) Any other power necessary to accomplish the goals of the  
9 commission.

10 Sec. 6. (a) The governor shall select a chair and vice chair of the  
11 commission.

12 (b) The chair shall appoint an executive director and other staff  
13 needed to carry out this chapter.

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

22 Sec. 8. Each member of the commission who is a state employee  
23 is entitled to reimbursement for traveling expenses as provided  
24 under IC 4-13-1-4 and other expenses actually incurred in  
25 connection with the member's duties as provided in the state  
26 policies and procedures established by the Indiana department of  
27 administration and approved by the budget agency.

28 Sec. 9. The legislative members of the commission are entitled  
29 to receive the same per diem, mileage, and travel allowances paid  
30 to persons who serve as legislative members of interim study  
31 committees established by the legislative council.

32 Chapter 3. Indiana Statewide Public Safety Voice and Data  
33 Communications System

34 Sec. 1. (a) The commission may contract for the establishment  
35 of a statewide public safety voice and data communications system.

36 (b) The system must:

37 (1) be efficient;

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

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



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

4           **Sec. 3. The commission is responsible for the supervision of the**  
 5 **following:**

6           (1) **Maintenance of the main wide area transmitter sites and**  
 7 **interconnection links.**

8           (2) **Management of Federal Communications Commission**  
 9 **licensing.**

10          (3) **Frequency planning.**

11          (4) **System management.**

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

14          **Sec. 5. (a) Except as provided in subsection (b), a public safety**  
 15 **agency or other entity may join the system with the approval of the**  
 16 **commission.**

17          (b) **A state public safety agency may join the system if the**  
 18 **agency is approved by the state agency public safety committee**  
 19 **under IC 10-1-10 and the commission.**

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

22          (1) **Ensuring that federal and state communications**  
 23 **requirements are followed.**

24          (2) **Providing system planning, including mutual aid planning**  
 25 **and compatibility planning with other public safety agency**  
 26 **communications systems.**

27          (3) **Creating a standard user agreement.**

28          (4) **Providing assistance to local public safety agencies in**  
 29 **making equipment purchases.**

30          (5) **Assessing charges for using the system.**

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

32          **Sec. 7. The following subcommittees are created:**

33          (1) **A user's subcommittee.**

34          (2) **A technical subcommittee.**

35          (3) **A finance subcommittee.**

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

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

41          SECTION 3. IC 10-1-10-5 IS AMENDED TO READ AS  
 42 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 5. As used in this



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1 chapter, "**state** public safety agency" means a state ~~or local~~  
 2 ~~governmental~~ entity eligible to hold an authorization in a public safety  
 3 radio service as set forth in 47 CFR 90 et seq.

4 SECTION 4. IC 10-1-10-7.5 IS ADDED TO THE INDIANA CODE  
 5 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 6 1, 1999]: **Sec. 7.5. As used in this chapter, "system" refers to the**  
 7 **Indiana statewide public safety voice and data communications**  
 8 **system under IC 5-26-3.**

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

13 SECTION 6. IC 10-1-10-9.1 IS ADDED TO THE INDIANA CODE  
 14 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 15 1, 1999]: **Sec. 9.1. The state agency public safety committee is**  
 16 **established.**

17 SECTION 7. IC 10-1-10-9.5 IS ADDED TO THE INDIANA CODE  
 18 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
 19 1, 1999]: **Sec. 9.5. A state public safety agency that has or wants to**  
 20 **have a voice or data wireless communications network must join**  
 21 **the system when technically and economically feasible.**

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

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

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

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



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

- 6 (1) State police department.  
 7 (2) Indiana department of transportation.  
 8 (3) State emergency management agency.  
 9 (4) Department of natural resources.  
 10 (5) Alcoholic beverage commission.  
 11 (6) Department of state revenue.  
 12 (7) Indiana department of environmental management.  
 13 (8) Military department of the state of Indiana.  
 14 (9) Department of correction.  
 15 (10) Department of administration.  
 16 ~~(11) A county public safety agency that uses the system.~~  
 17 ~~(12) A city public safety agency that uses the system.~~

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

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

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

- 23 (1) The member is removed by the superintendent.  
 24 (2) The date the member ceases to be employed by the agency the  
 25 member represents on the committee.

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

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

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

34 ~~(1) Creating sanctions and recommending to the superintendent~~  
 35 ~~the imposition of sanctions for violations by user agencies.~~  
 36 **Ensuring that federal and state communications requirements**  
 37 **are followed.**

38 (2) Providing system planning, including mutual aid planning and  
 39 compatibility planning ~~with local public safety agency~~  
 40 ~~communications systems.~~ **in coordination with the integrated**  
 41 **public safety commission established under IC 5-26-2-1.**

42 (3) **Subject to IC 5-26-3-5**, determining whether a state public

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1 safety agency may become a system user.  
2 (4) ~~Creating a standard user agreement.~~  
3 ~~(5) Providing assistance to local public safety agencies in making~~  
4 ~~equipment purchases.~~  
5 ~~(6) (5) Exercising any power necessary to carry out this chapter.~~  
6 SECTION 13. THE FOLLOWING ARE REPEALED [EFFECTIVE  
7 JULY 1, 1999]: IC 10-1-10-7; IC 10-1-10-9; IC 10-1-10-11;  
8 IC 10-1-10-13; IC 10-1-10-14; IC 10-1-10-23.

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