

SENATE MOTION

MADAM PRESIDENT:

I move that Senate Bill 336 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
2 paragraph and insert:
3 "SECTION 1. IC 10-14-3-10.6, AS AMENDED BY P.L.19-2010,
4 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
5 JULY 1, 2011]: Sec. 10.6. (a) As used in this section, "participating
6 unit" refers to a unit that does not opt out under subsection (c) from
7 participating in the statewide mutual aid program.
8 (b) As used in this section, "unit" means the following:
9 (1) A unit (as defined in IC 36-1-2-23).
10 (2) A fire protection district established under IC 36-8-11.
11 (3) A provider unit (as defined in IC 36-8-19-3) acting on behalf
12 of a fire protection territory established under IC 36-8-19.
13 **(4) A fire department established by the board of trustees of**
14 **a state educational institution (as defined in IC 21-7-13-32),**
15 **including a fire department established by the board of**
16 **trustees of Purdue University under IC 21-39-7.**
17 (c) A unit may choose not to participate in the statewide mutual aid
18 program if the unit:
19 (1) adopts an ordinance or a resolution declaring that the unit will
20 not participate in the statewide mutual aid program; and
21 (2) provides a copy of the ordinance or resolution to:
22 (A) the local emergency management organization that serves
23 the unit; and
24 (B) the department.
25 (d) Each participating unit shall establish an incident management
26 system and a unified command system to be used in a response to a
27 disaster or an emergency.
28 (e) A participating unit may request the assistance of at least one (1)
29 other participating unit to:
30 (1) manage disaster response or recovery; or

- 1 (2) conduct disaster response or recovery related exercises,
2 testing, or training.
- 3 (f) A request for assistance to a participating unit under subsection
4 (e) shall be made by and to the executive of the unit or the executive's
5 authorized representative. A request may be oral or in writing. A
6 written request shall be made on forms developed by the department.
7 An oral request shall be confirmed in writing not later than twenty-four
8 (24) hours after the oral request is made.
- 9 (g) A request must include the following information:
- 10 (1) A description of the disaster response and recovery functions
11 for which assistance is needed, including the following:
- 12 (A) Fire.
13 (B) Law enforcement.
14 (C) Emergency medical.
15 (D) Transportation.
16 (E) Communications.
17 (F) Public works and engineering.
18 (G) Building inspection.
19 (H) Planning and information assistance.
20 (I) Mass care.
21 (J) Resource support.
22 (K) Health and other medical services.
23 (L) Search and rescue.
- 24 (2) The amount and type of services, equipment, supplies,
25 materials, personnel, and other resources needed and a reasonable
26 estimate of the length of time they will be needed.
- 27 (3) The specific place and time for staging of the assisting
28 participating unit's provision of assistance and a point of contact
29 at that location.
- 30 (h) A participating unit that is requested to render assistance shall
31 take the necessary action to provide and make available the requested
32 services, equipment, supplies, materials, personnel, and other
33 resources.
- 34 (i) A participating unit's obligation to provide assistance is subject
35 to the following restrictions:
- 36 (1) A participating unit's request to receive assistance is effective
37 only:
- 38 (A) upon declaration of a local disaster emergency by the
39 executive officer of the unit under section 29 of this chapter;
40 or
41 (B) upon the commencement of the exercises, testing, or
42 training.
- 43 (2) The assistance shall continue as long as:
- 44 (A) the state of emergency remains in effect and the loaned
45 resources are required by the receiving participating unit or the
46 loaned resources remain in the receiving participating unit; or

- 1 (B) the exercises, testing, or training is in progress.
- 2 (3) The participating unit rendering the assistance may withhold
- 3 resources or recall loaned resources to the extent necessary to
- 4 provide for the participating unit's own reasonable protection.
- 5 (4) Emergency forces providing assistance shall continue under
- 6 the command and control of their regular leaders, but
- 7 operationally those forces shall be under the control of the
- 8 incident commander or unified commander designated by the
- 9 requesting participating unit."
- 10 Page 2, line 20, after "7." insert "(a)".
- 11 Page 2, line 28, after "located;" insert "and".
- 12 Page 2, line 31, delete "services; and" and insert "services."
- 13 Page 2, delete lines 32 through 35, begin a new paragraph and
- 14 insert:
- 15 **"(b) The board of trustees may choose not to participate in the**
- 16 **statewide mutual aid program by following the procedure set forth**
- 17 **in IC 10-14-3-10.6(c)."**
- 18 Renumber all SECTIONS consecutively.
- (Reference is to SB 336 as printed January 28, 2011.)

Senator ALTING