

# COMMITTEE REPORT

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## MADAM PRESIDENT:

The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill No. 345, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1           Page 18, line 33, strike "Subject to section 22 of".
- 2           Page 18, line 34, strike "this chapter,".
- 3           Page 18, line 34, delete "the" and insert "The".
- 4           Page 18, line 38, after "**IC 36-8-16.7-32.**" insert "**After March 14,**
- 5           **2012, the board shall increase the amount of the charge imposed**
- 6           **under this subsection so that the amount of the charge imposed**
- 7           **under this subsection equals the monthly statewide 911 fee assessed**
- 8           **under IC 36-8-16.7-32.**".
- 9           Page 18, line 39, after "approval," insert "**after the increase**
- 10          **described in subsection (a),**".
- 11          Page 19, delete lines 21 through 36, begin a new paragraph and
- 12          insert:
- 13          "SECTION 21. IC 36-8-16.6-22 IS REPEALED [EFFECTIVE
- 14          UPON PASSAGE]. Sec. 22: (a) Not later than January 1, 2011, the
- 15          department shall determine the total amount of fees collected and
- 16          remitted under IC 36-8-16.5-30.5 (b)(2) (as effective in the period
- 17          beginning July 1, 2008, and ending June 30, 2010) for the period
- 18          beginning July 1, 2008, and ending June 30, 2010. The board shall
- 19          provide all information necessary for the department to perform its
- 20          duties under this subsection.
- 21          (b) Not later than January 1, 2013, the department shall determine

1 the total amount of fees collected and remitted under this chapter for  
2 the period beginning July 1, 2010; and ending June 30, 2012.

3 (c) If the amount determined under subsection (b) is less than the  
4 amount determined under subsection (a) by more than five percent  
5 (5%), this chapter expires and sunsets July 1, 2013."

6 Page 21, line 9, delete "send automatic number identification and  
7 automatic" and insert "**send:**

8 **(1) automatic number identification or its functional**  
9 **equivalent or successor; and**

10 **(2) automatic location information or its functional equivalent**  
11 **or successor;**

12 **for reporting police, fire, medical, or other emergency situations."**

13 Page 21, delete lines 10 through 11.

14 Page 22, line 39, delete "send automatic number identification and"  
15 and insert "**send:**

16 **(1) automatic number identification or its functional**  
17 **equivalent or successor; and**

18 **(2) automatic location information or its functional equivalent**  
19 **or successor;**

20 **for reporting police, fire, medical, or other emergency situations."**

21 Page 22, delete lines 40 through 41.

22 Page 23, delete lines 1 through 5, begin a new line block indented  
23 and insert:

24 **"(1) A wireless 911 emergency telephone system funded under**  
25 **IC 36-8-16.5 (before its repeal on July 1, 2012).**

26 **(2) An emergency notification system.**

27 **(c) The term does not include a wireline enhanced emergency**  
28 **telephone system funded under IC 36-8-16 (before its repeal on**  
29 **July 1, 2012)."**

30 Page 23, line 21, delete "individuals." and insert "**individuals, at**  
31 **least one (1) of whom must have budget experience at the local**  
32 **level."**

33 Page 23, line 25, delete "individual." and insert "**individual who is**  
34 **a county commissioner in Indiana."**

35 Page 23, line 27, delete "individual." and insert "**individual who is**  
36 **a county sheriff in Indiana."**

37 Page 23, line 37, delete "individual." and insert "**individual**  
38 **representing a VOIP provider."**

39 Page 23, between lines 37 and 38, begin a new line block indented  
40 and insert:

41 **"(7) The Indiana Association of Cities and Towns shall**  
42 **recommend one (1) individual representing municipalities."**

- 1 Page 23, line 38, delete "eleven (11)" and insert "**thirteen (13)**".
- 2 Page 24, after line 42, begin a new line block indented and insert:
- 3 "**(9) One (1) member who represents municipalities and is**
- 4 **appointed by the governor after considering the**
- 5 **recommendation of the Indiana Association of Cities and**
- 6 **Towns submitted under subsection (b)(7).**
- 7 **(10) One (1) member who represents a department or agency**
- 8 **providing firefighting or fire prevention services in Indiana."**
- 9 Page 25, line 1, delete "(9)" and insert "**(11)**".
- 10 Page 25, line 4, delete "(c)(8)." and insert "**(c)(10)**".
- 11 Page 25, line 6, delete "four (4)" and insert "**five (5)**".
- 12 Page 25, line 13, delete "(c)(8)," and insert "**(c)(10)**".
- 13 Page 25, line 18, delete "(c)(8)." and insert "**(c)(10)**".
- 14 Page 26, between lines 19 and 20, begin a new line block indented
- 15 and insert:
- 16 "**(11) Administer statewide 911 grants in accordance with**
- 17 **state and federal guidelines.**
- 18 **(12) Obtain from each PSAP operating statistics and other**
- 19 **performance measurements, including call statistics by**
- 20 **category and emergency medical dispatching (EMD)**
- 21 **certifications."**
- 22 Page 26, line 20, delete "(11)" and insert "**(13)**".
- 23 Page 27, delete lines 36 through 37, begin a new paragraph and
- 24 insert:
- 25 "**(e) The fund is considered a trust fund for purposes of**
- 26 **IC 4-9.1-1-7. Money in the fund:**
- 27 **(1) does not revert at the end of any state fiscal year but**
- 28 **remains available for the purposes of the fund in subsequent**
- 29 **state fiscal years, notwithstanding IC 4-13-2-19 or any other**
- 30 **law; and**
- 31 **(2) is not subject to transfer to any other fund or to transfer,**
- 32 **assignment, or reassignment for any other use or purpose by:**
- 33 **(A) the state board of finance notwithstanding IC 4-9.1-1-7,**
- 34 **IC 4-13-2-23, or any other law; or**
- 35 **(B) the budget agency or any other state agency**
- 36 **notwithstanding IC 4-12-1-12 or any other law."**
- 37 Page 28, line 13, after "(e)," insert "**and subject to subsection (b)**".
- 38 Page 28, line 25, delete "Subject to legislative approval, the" and
- 39 insert "**The**".
- 40 Page 28, line 27, delete "chapter." and insert "**chapter, subject to**
- 41 **the following:**
- 42 **(1) The fee may not be raised or lowered more than one (1)**

1           **time in a calendar year.**

2           **(2) The fee may not be raised or lowered more than ten cents**  
 3           **(\$0.10) by an adjustment without legislative approval."**

4           Page 29, delete lines 19 through 24.

5           Page 29, line 38, delete "The" and insert "**(a) Subject to subsection**  
 6           **(b), the"**."

7           Page 29, line 40, delete "two percent (2%)" and insert "**fifteen**  
 8           **percent (15%)"**."

9           Page 29, line 42, delete "chapter." and insert "**chapter and to**  
 10           **develop, operate, and maintain a statewide 911 system."**

11           Page 30, line 5, delete "In" and insert "**However, in"**."

12           Page 30, line 6, delete "consider the following:" and insert "**ensure**  
 13           **that the distribution to a PSAP with respect to any state fiscal year**  
 14           **beginning after June 30, 2012, is at least equal to the average**  
 15           **annual amount distributed to the PSAP under IC 36-8-16 (before**  
 16           **its repeal on July 1, 2012) and under IC 36-8-16.5 (before its repeal**  
 17           **on July 1, 2012) during the three (3) state fiscal years ending:**

18                 **(1) June 30, 2009;**

19                 **(2) June 30, 2010; and**

20                 **(3) June 30, 2011;**

21           **increased by a percentage that does not exceed the percent of**  
 22           **increase in the United States Department of Labor Consumer Price**  
 23           **Index during the twelve (12) months preceding the state fiscal year**  
 24           **for which the distribution is made."**

25           Page 30, delete lines 7 through 14.

26           Page 30, line 15, begin a new paragraph and insert "**(b)"**."

27           Page 30, between lines 36 and 37, begin a new line block indented  
 28           and insert:

29                 **"(8) Rates associated with communications service providers'**  
 30                 **enhanced emergency communications system network**  
 31                 **services.**

32                 **(9) Mobile radio equipment used by first responders.**

33                 **(10) Up to fifty percent (50%) of the costs associated with the**  
 34                 **narrow banding or replacement of equipment as a result of**  
 35                 **the narrow banding requirements specified by the Federal**  
 36                 **Communications Commission."**

37           Page 30, line 37, delete "(8)" and insert "**(11)"**."

38           Page 31, delete lines 1 through 2.

39           Page 31, line 4, delete "all expenditures made during the" and insert  
 40           **"the following:**

41                 **(1) All expenditures made during the immediately preceding**  
 42                 **calendar year from distributions under section 37(2) of this**

1           **chapter.**  
 2           **(2) Call data and statistics for the immediately preceding**  
 3           **calendar year, as specified by the board and collected in**  
 4           **accordance with any reporting method established or**  
 5           **required by the board."**

6           Page 31, delete lines 5 through 6.

7           Page 31, line 14, after "(b)." insert "**The board shall review and**  
 8           **further audit any ineligible expenditure identified by the state**  
 9           **board of accounts under this subsection or through any other**  
 10          **report. If the board verifies that the expenditure did not comply**  
 11          **with this section, the board shall ensure that the fund is reimbursed**  
 12          **in the dollar amount of the noncomplying expenditure from any**  
 13          **source of funding, other than a fund described in subsection (e),**  
 14          **that is available to the PSAP or to a unit in which the PSAP is**  
 15          **located."**

16          Page 36, between lines 18 and 19, begin a new paragraph and insert:

17          "**(i) After December 31, 2014, if a county contains more than the**  
 18          **number of PSAPs authorized by subsection (c), the county may not**  
 19          **receive a distribution under IC 36-8-16.7-37 for any PSAP in the**  
 20          **county until the county complies with subsection (c)."**

(Reference is to SB 345 as introduced.)

**and when so amended that said bill do pass .**

Committee Vote: Yeas 7, Nays 2.

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**Senator Hershman, Chairperson**