

### **IC 10-19-3**

#### **Chapter 3. Executive Director**

### **IC 10-19-3-1**

#### **Appointment**

Sec. 1. The governor shall appoint an individual to be the executive director of the department.

*As added by P.L.22-2005, SEC.17.*

### **IC 10-19-3-2**

#### **Service; compensation**

Sec. 2. The executive director:

- (1) serves at the governor's pleasure; and
- (2) is entitled to receive compensation in an amount set by the governor.

*As added by P.L.22-2005, SEC.17.*

### **IC 10-19-3-3**

#### **Duties**

Sec. 3. The executive director shall do the following:

- (1) Serve as the chief executive and administrative officer of the department.
- (2) Serve as the director of the council.
- (3) Administer the application for, and disbursement of, federal and state homeland security money for all Indiana state and local governments.
- (4) Develop a single strategic plan for preparing and responding to homeland security emergencies in consultation with the council.
- (5) Serve as the state coordinating officer under federal law for all matters relating to emergency and disaster mitigation, preparedness, response, and recovery.
- (6) Use and allocate the services, facilities, equipment, personnel, and resources of any state agency, on the governor's behalf, as is reasonably necessary in the preparation for, response to, or recovery from an emergency or disaster situation that threatens or has occurred in Indiana.
- (7) Develop a plan to protect key state assets and public infrastructure from a disaster or terrorist attack.

*As added by P.L.22-2005, SEC.17. Amended by P.L.101-2006, SEC.18; P.L.27-2010, SEC.4.*

### **IC 10-19-3-4**

#### **Appointment of employees**

Sec. 4. The executive director may appoint employees in the manner provided by IC 4-15-2 and fix their compensation, subject to the approval of the budget agency under IC 4-12-1-13.

*As added by P.L.22-2005, SEC.17.*

### **IC 10-19-3-5**

**Delegation of authority**

Sec. 5. The executive director may delegate the executive director's authority to the appropriate department staff.

*As added by P.L.22-2005, SEC.17.*

**IC 10-19-3-6****Ultimate authority for administrative proceedings**

Sec. 6. For purposes of IC 4-21.5, the executive director, or the executive director's designee, is the ultimate authority for the department.

*As added by P.L.22-2005, SEC.17.*

**IC 10-19-3-7****Adoption of rules; exceptions**

Sec. 7. (a) Except as provided in this section, for purposes of IC 4-22-2, the executive director is the authority that adopts rules for the department.

(b) The Indiana emergency medical services commission is the authority that adopts rules under IC 16-31.

(c) Except as provided in subsection (e) or (f), the fire prevention and building safety commission is the authority that adopts rules under any of the following:

- (1) IC 22-11.
- (2) IC 22-12.
- (3) IC 22-13.
- (4) IC 22-14.
- (5) IC 22-15.

(d) The board of firefighting personnel standards and education is the authority that adopts rules under IC 22-14-2-7(c)(7) and IC 36-8-10.5.

(e) The boiler and pressure vessel rules board established by IC 22-12-4-1 is the authority that adopts:

- (1) emergency rules under IC 22-13-2-8(c); and
- (2) rules under IC 22-15-6.

(f) The regulated amusement device safety board established by IC 22-12-4.5-2 is the authority that adopts rules under IC 22-15-7.

*As added by P.L.22-2005, SEC.17.*