

Adopted	Rejected
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COMMITTEE REPORT

YES:	11
NO:	0

MR. SPEAKER:

Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1310, 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:

- 1 Page 1, between the enacting clause and line 1, begin a new paragraph
- 2 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.**

- 1 (c) A unit may choose not to participate in the statewide mutual aid
2 program if the unit:
- 3 (1) adopts an ordinance or a resolution declaring that the unit will
4 not participate in the statewide mutual aid program; and
 - 5 (2) provides a copy of the ordinance or resolution to:
 - 6 (A) the local emergency management organization that serves
7 the unit; and
 - 8 (B) the department.
 - 9 (d) Each participating unit shall establish an incident management
10 system and a unified command system to be used in a response to a
11 disaster or an emergency.
 - 12 (e) A participating unit may request the assistance of at least one (1)
13 other participating unit to:
 - 14 (1) manage disaster response or recovery; or
 - 15 (2) conduct disaster response or recovery related exercises,
16 testing, or training.
 - 17 (f) A request for assistance to a participating unit under subsection
18 (e) shall be made by and to the executive of the unit or the executive's
19 authorized representative. A request may be oral or in writing. A
20 written request shall be made on forms developed by the department.
21 An oral request shall be confirmed in writing not later than twenty-four
22 (24) hours after the oral request is made.
 - 23 (g) A request must include the following information:
 - 24 (1) A description of the disaster response and recovery functions
25 for which assistance is needed, including the following:
 - 26 (A) Fire.
 - 27 (B) Law enforcement.
 - 28 (C) Emergency medical.
 - 29 (D) Transportation.
 - 30 (E) Communications.
 - 31 (F) Public works and engineering.
 - 32 (G) Building inspection.
 - 33 (H) Planning and information assistance.
 - 34 (I) Mass care.
 - 35 (J) Resource support.
 - 36 (K) Health and other medical services.
 - 37 (L) Search and rescue.
 - 38 (2) The amount and type of services, equipment, supplies,

1 materials, personnel, and other resources needed and a reasonable
2 estimate of the length of time they will be needed.

3 (3) The specific place and time for staging of the assisting
4 participating unit's provision of assistance and a point of contact
5 at that location.

6 (h) A participating unit that is requested to render assistance shall
7 take the necessary action to provide and make available the requested
8 services, equipment, supplies, materials, personnel, and other
9 resources.

10 (i) A participating unit's obligation to provide assistance is subject
11 to the following restrictions:

12 (1) A participating unit's request to receive assistance is effective
13 only:

14 (A) upon declaration of a local disaster emergency by the
15 executive officer of the unit under section 29 of this chapter;

16 or

17 (B) upon the commencement of the exercises, testing, or
18 training.

19 (2) The assistance shall continue as long as:

20 (A) the state of emergency remains in effect and the loaned
21 resources are required by the receiving participating unit or the

22 loaned resources remain in the receiving participating unit; or

23 (B) the exercises, testing, or training is in progress.

24 (3) The participating unit rendering the assistance may withhold
25 resources or recall loaned resources to the extent necessary to
26 provide for the participating unit's own reasonable protection.

27 (4) Emergency forces providing assistance shall continue under
28 the command and control of their regular leaders, but
29 operationally those forces shall be under the control of the
30 incident commander or unified commander designated by the
31 requesting participating unit."

32 Page 2, line 20, after "7." insert "**(a)**".

33 Page 2, line 28, after "located;" insert "**and**".

34 Page 2, line 31, delete "services; and" and insert "**services.**".

35 Page 2, delete lines 32 through 35, begin a new paragraph and
36 insert:

37 "**(b) The board of trustees may choose not to participate in the**
38 **statewide mutual aid program by following the procedure set forth**

1 **in IC 10-14-3-10.6(c).**

2 SECTION 3. IC 36-8-17-5, AS AMENDED BY P.L.1-2006,
3 SECTION 577, IS AMENDED TO READ AS FOLLOWS
4 [EFFECTIVE JULY 1, 2011]: Sec. 5. (a) The fire chief and the
5 designees of the fire chief in every fire department are assistants to the
6 state fire marshal.

7 (b) A fire department shall comply with an order issued by the
8 division under IC 22-14-2-4 that directs the fire department to assist the
9 division.

10 **(c) This section also applies to a fire department established by**
11 **the board of trustees of Purdue University under IC 21-39-7."**

12 Renumber all SECTIONS consecutively.
 (Reference is to HB 1310 as introduced.)

and when so amended that said bill do pass.

Representative Borders