



Report to the
Indiana General
Assembly

Draft

Emergency Dispatch/911 Structure and Funding
Fire Districts and Fire Territories

Indiana Advisory Commission on Intergovernmental Relations
334 North Senate Avenue
Indianapolis, IN 46204-1708



Center for Urban Policy and the Environment
Indiana University School of Public and Environmental Affairs



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Indiana Advisory Commission on Intergovernmental Relations

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Introduction	1
Emergency Dispatch/911 Structure and Funding.....	1
Policy and Implementation Issues.....	1
Number of PSAPs.....	1
Statutory Responsibility	1
Local Management.....	1
Funding.....	2
Indiana Wireless Enhanced 911 Advisory Board.....	2
Fire Districts and Territories.....	2
Policy and Implementation Issues.....	3
Fire Districts	3
Fire Territories	3

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Introduction

In the fall of 2011, the Indiana Advisory Commission on Intergovernmental Relations (IACIR) conducted reviews of the structure and funding for emergency dispatch/911 services and for fire territories and districts. The IACIR identified these topics for study at its meeting on October 3, 2011, and received information and took testimony on these issues at meetings held on November 15, 2011, and December 7, 2011. Additional detail regarding the commission's deliberations is available within the IACIR meeting minutes at www.iacir.spea.iupui.edu.

Emergency Dispatch/911 Structure and Funding

The IACIR took testimony and conducted its deliberations on emergency dispatch structure and funding at meetings held on November 15, 2011, and December 7, 2011. The commission received formal presentations and/or testimony from the individuals listed below:

- Barry Ritter, Indiana Wireless E911 Advisory Board
- Deanna Durrett and Jim Capehart, Montgomery County
- David Bottorff, Association of Indiana Counties
- Ed Reuter, Bartholomew County Emergency Operations Center
- Beth Lock, Allen County
- Rhonda Cook, Indiana Association of Cities and Towns
- Rosalie Richardson, Hancock County Councilor

Policy and Implementation Issues

A number of potential policy and implementation adjustments were identified from the presentations and testimony. These issues have not been endorsed by the commission. Rather, they provide options for consideration by the Indiana General Assembly and local officials.

Number of PSAPs

- Encourage local government units to consolidate PSAPs to no more than one per county with consolidation across county lines for smaller counties.

Statutory Responsibility

- Clarify whether counties are responsible for the provision of emergency dispatch services. Counties, cities, and towns typically provide emergency dispatch services. Only counties receive landline and E911 funds.

Local Management

- Encourage local governments to establish management structures that allow consolidating entities and/or interested units/agencies to participate in setting management policies.
- Strongly encourage local governments to track costs across funding sources. Currently, it is difficult to identify all costs associated with emergency dispatch.

Funding

- Establish additional dedicated funding for emergency dispatch services by raising the statutory limits on surcharges for landline telephones in counties with second class cities, contract cell phones, and prepaid cell phones.
- Unify surcharges across land line telephones, VOIP, contract cell phones, and pre-paid cell phones
- Establish a mechanism to better capture VOIP revenues
- Consider the expansion of local option income taxes to fund emergency dispatch services. Emergency dispatch is an eligible expense under the current public safety LOIT.
- Reconsider whether there should be state or local mechanisms for the adoption, rate setting, and revenue collection mechanisms for the various surcharges. E911 funds are currently set and collected at the state level. Landline telephone surcharges are set and collected at the local level.
- Consider revenue sharing for all county and municipal PSAPs within counties.
- Consider allowing units to transfer levies in the event of consolidation or interlocal agreements. In some cases, unified rates are not possible because one or more participating units have reached their statutory levy limits.
- Consider allowing units to keep all savings accrued as the result of consolidation or interlocal agreement. Savings present a natural incentive for units to consolidate operations. Currently, units are allowed to keep only half of their projected savings.
- Unify the list of eligible expenses across telephone types.
- Include capital facility costs in the list of eligible expenses to allow units to cover these expenses, particularly in the event of service consolidation.

Indiana Wireless Enhanced 911 Advisory Board

- Consider restructuring the Indiana Wireless Enhanced 911 Advisory Board to include executive, legislative, and fiscal representation for local government.
- Consider call load as factor for distribution of contract and prepaid E911 surcharge funds.

Fire Districts and Territories

The IACIR took testimony and conducted its deliberations on fire districts and territories on December 7, 2011. The commission received formal presentations and/or testimony from the individuals listed below:

- Steve Buschmann, Thrasher, Buschmann, and Voelkel, PC
- Katrina Hall, Indiana Farm Bureau
- Rhonda Cook, Indiana Association of Cities and Towns
- Matt Norris, Corydon Group on behalf of the Indiana Township Association
- David Bottorff, Association of Indiana Counties
- Tom Hanify, Professional Firefighters Union of Indiana
- Mark Scherer, Indiana Fire Chiefs Association
- Chief James Roberts, Greenfield Fire Territory
- Mayor Jon Craig, City of Petersburg (IACIR member)

Policy and Implementation Issues

A number of potential policy and implementation adjustments were identified from the presentations and testimony. These issues have not been endorsed by the commission. Rather, they provide options for consideration by the Indiana General Assembly and local officials.

Fire Districts

- Clarify, in statute, the methods for creating and dissolving fire districts.
- Streamline the public notices required for fire district budgets and debt processes. Currently, these budget and debt actions must be published by the unit and by the county council that has final approval.
- Clarify the process for voluntarily transferring funds and equipment from a fire service unit to newly created fire districts.
- Clarify whether a fire district can join a fire territory.

Fire Territories

- Consider providing the ability to adjust township fire protection levies beyond current levy limits in the event that a transition from a volunteer fire department to a professional fire department is warranted.
- Clarify with the Department of Local Government Finance that individual units have levies that fund a fire territory. Currently, DLGF treats the provider unit as having the entire levy. This practice may create a constitutional issue if there are differential tax rates among participating units. Treatment as a single levy under one unit also creates problems when territories are dissolved. Participating non-provider units are not left with any levy for fire protection.
- Require a cost of services study for new fire territories.
- Require new territories to create a local advisory committee to oversee a cost of services study and make recommendations for service levels and levies for participating units.
- Require DLGF to conduct a review of service needs for new fire territories using fire service standards.
- Consider a grace period longer than one year to establish territory levies to prevent taxpayer “sticker shock.”
- Consider excluding increased fire territory levies from the distribution formulas for local option income and excise taxes.



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