

# SENATE BILL 338

E4

4r0155  
CF HB 308

---

By: **The President (By Request – Administration)**

Introduced and read first time: January 17, 2014

Assigned to: Education, Health, and Environmental Affairs

Reassigned: Finance, January 24, 2014

---

Committee Report: Favorable

Senate action: Adopted

Read second time: February 21, 2014

---

## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Public Safety – Statewide Interoperability Radio Control Board – Established**

3 FOR the purpose of establishing the Statewide Interoperability Radio Control Board  
4 in the Department of Information Technology; providing for the membership,  
5 appointment, terms, staggering of terms, chair, meetings, and staffing of the  
6 Board; establishing that members of the Board may not receive a certain  
7 compensation but are entitled to a certain reimbursement; establishing certain  
8 duties and responsibilities of the Board; defining certain terms; specifying the  
9 terms of the initial members of the Board; specifying the intent of the General  
10 Assembly; and generally relating to the Statewide Public Safety Interoperability  
11 Radio System and the Statewide Interoperability Radio Control Board.

12 BY adding to

13 Article – Public Safety

14 Section 1–501 through 1–503 to be under the new subtitle “Subtitle 5. Statewide  
15 Interoperability Radio Control Board”

16 Annotated Code of Maryland

17 (2011 Replacement Volume and 2013 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Public Safety**

---

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1           **SUBTITLE 5. STATEWIDE INTEROPERABILITY RADIO CONTROL BOARD.**

2           **1-501.**

3           **(A) IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS**  
4 **INDICATED.**

5           **(B) “BOARD” MEANS THE STATEWIDE INTEROPERABILITY RADIO**  
6 **CONTROL BOARD.**

7           **(C) “SYSTEM” MEANS THE STATEWIDE PUBLIC SAFETY**  
8 **INTEROPERABILITY RADIO SYSTEM, ALSO KNOWN AS MARYLAND FIRST (FIRST**  
9 **RESPONDER INTEROPERABLE RADIO SYSTEM TEAM), THAT PROVIDES**  
10 **INTEROPERABLE RADIO COMMUNICATIONS TO FIRST RESPONDERS IN THE**  
11 **STATE.**

12           **(D) “USER” MEANS A STATE, FEDERAL, COUNTY, OR MUNICIPAL**  
13 **AGENCY THAT HAS ESTABLISHED INTEROPERABILITY WITH THE SYSTEM AND**  
14 **OPERATES ON THE SYSTEM AS ITS PRIMARY MEANS OF DAILY RADIO**  
15 **COMMUNICATION.**

16           **1-502.**

17           **(A) THERE IS A STATEWIDE INTEROPERABILITY RADIO CONTROL**  
18 **BOARD IN THE DEPARTMENT OF INFORMATION TECHNOLOGY.**

19           **(B) THE BOARD CONSISTS OF THE FOLLOWING MEMBERS:**

20                   **(1) THE SECRETARY OF INFORMATION TECHNOLOGY, OR THE**  
21 **SECRETARY’S DESIGNEE;**

22                   **(2) THE SECRETARY OF STATE POLICE, OR THE SECRETARY’S**  
23 **DESIGNEE;**

24                   **(3) THE SECRETARY OF TRANSPORTATION, OR THE SECRETARY’S**  
25 **DESIGNEE;**

26                   **(4) THE DIRECTOR OF THE MARYLAND INSTITUTE FOR**  
27 **EMERGENCY MEDICAL SERVICES SYSTEMS, OR THE DIRECTOR’S DESIGNEE;**

28                   **(5) THE STATE INTEROPERABILITY DIRECTOR;**

1           **(6) THE DIRECTOR OF THE GOVERNOR'S OFFICE OF HOMELAND**  
2 **SECURITY, OR THE DIRECTOR'S DESIGNEE; AND**

3           **(7) FIVE MEMBERS APPOINTED BY THE GOVERNOR WHO**  
4 **REPRESENT LOCAL GOVERNMENTAL ENTITIES THAT ARE EITHER USERS OF OR**  
5 **CONTRIBUTORS TO THE SYSTEM.**

6           **(C) IN SELECTING REPRESENTATIVES OF LOCAL GOVERNMENTAL**  
7 **ENTITIES UNDER SUBSECTION (B)(7) OF THIS SECTION, THE GOVERNOR SHALL:**

8           **(1) APPOINT MEMBERS WHO REPRESENT THE INTEROPERABILITY**  
9 **REGIONS OF THE STATE WITH EXPERTISE IN PUBLIC SAFETY AND**  
10 **COMMUNICATIONS ISSUES RELEVANT TO VARIED LOCATIONS;**

11           **(2) CONSULT WITH THE MARYLAND ASSOCIATION OF COUNTIES,**  
12 **THE MARYLAND MUNICIPAL LEAGUE, AND APPROPRIATE LOCAL PUBLIC**  
13 **SAFETY ORGANIZATIONS AND PROFESSIONALS; AND**

14           **(3) GIVE PRIMARY CONSIDERATION TO STATE AGENCIES AND**  
15 **LOCAL GOVERNMENTS THAT HAVE ADOPTED THE SYSTEM AS A PRIMARY**  
16 **PLATFORM FOR THEIR PUBLIC SAFETY COMMUNICATIONS NEEDS.**

17           **(D) (1) THE TERM OF A MEMBER APPOINTED BY THE GOVERNOR IS 4**  
18 **YEARS AND SHALL BEGIN ON JUNE 1.**

19           **(2) THE TERMS OF THE APPOINTED MEMBERS ARE STAGGERED**  
20 **AS REQUIRED BY THE TERMS PROVIDED FOR MEMBERS OF THE BOARD ON JUNE**  
21 **1, 2014.**

22           **(3) AT THE END OF A TERM, AN APPOINTED MEMBER CONTINUES**  
23 **TO SERVE UNTIL A SUCCESSOR IS APPOINTED AND QUALIFIES.**

24           **(4) IF A VACANCY OCCURS AFTER A TERM HAS BEGUN, THE**  
25 **GOVERNOR SHALL APPOINT A SUCCESSOR TO REPRESENT THE ORGANIZATION**  
26 **OR GROUP IN WHICH THE VACANCY OCCURS.**

27           **(5) A MEMBER WHO IS APPOINTED AFTER A TERM HAS BEGUN**  
28 **SERVES ONLY FOR THE REST OF THE TERM AND UNTIL A SUCCESSOR IS**  
29 **APPOINTED AND QUALIFIES.**

30           **(6) A MEMBER MAY BE REAPPOINTED FOR A SECOND 4-YEAR**  
31 **TERM AT THE REQUEST OF THE GOVERNOR.**

1           **(E) THE SECRETARY OF INFORMATION TECHNOLOGY OR THE**  
2 **SECRETARY'S DESIGNEE SHALL SERVE AS THE CHAIR OF THE BOARD.**

3           **(F) THE BOARD SHALL MEET AS NECESSARY, BUT AT LEAST ONCE EACH**  
4 **QUARTER.**

5           **(G) A MEMBER OF THE BOARD:**

6                   **(1) MAY NOT RECEIVE COMPENSATION AS A MEMBER OF THE**  
7 **BOARD; BUT**

8                   **(2) IS ENTITLED TO REIMBURSEMENT FOR EXPENSES UNDER THE**  
9 **STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE**  
10 **BUDGET.**

11           **(H) THE DEPARTMENT OF INFORMATION TECHNOLOGY SHALL**  
12 **PROVIDE STAFF TO THE BOARD, INCLUDING:**

13                   **(1) A DIRECTOR OF THE BOARD WHO IS RESPONSIBLE FOR THE**  
14 **DAILY OPERATION OF THE BOARD; AND**

15                   **(2) STAFF TO HANDLE THE INCREASED DUTIES RELATED TO**  
16 **COMPLETION AND MAINTENANCE OF THE SYSTEM.**

17 **1-503.**

18           **(A) THE BOARD SHALL COORDINATE THE OPERATION AND**  
19 **MAINTENANCE OF A STATEWIDE PUBLIC SAFETY INTEROPERABILITY RADIO**  
20 **SYSTEM.**

21           **(B) THE BOARD'S RESPONSIBILITIES INCLUDE:**

22                   **(1) ESTABLISHING STANDARD OPERATING PROCEDURES,**  
23 **QUALITY OF SERVICE STANDARDS, AND MAINTENANCE GUIDELINES FOR THE**  
24 **SYSTEM;**

25                   **(2) ESTABLISHING WORKING GROUPS OF THE SYSTEM'S USERS,**  
26 **INCLUDING:**

27                   **(I) A SYSTEM MANAGERS COMMITTEE TO ADVISE ON**  
28 **TECHNICAL SYSTEM ISSUES, SUCH AS UPGRADES, SECURITY, AND**  
29 **ENHANCEMENTS; AND**

1                   **(II) A SYSTEM USERS COMMITTEE TO ADVISE ON**  
2 **OPERATIONAL ISSUES, SUCH AS STANDARD OPERATING PROCEDURES,**  
3 **PERFORMANCE, AND USAGE OF RESOURCES;**

4                   **(3) APPROVING THE ADDITION OF NEW SYSTEM USERS AND THE**  
5 **REMOVAL OF EXISTING USERS;**

6                   **(4) COORDINATING PARTICIPATORY, COLLABORATIVE, OR**  
7 **RECIPROCAL RELATIONSHIPS WITH LOCAL GOVERNMENTS, INCLUDING**  
8 **ESTABLISHING PROCEDURES FOR:**

9                   **(I) REQUESTS TO BECOME PART OF THE SYSTEM BY LOCAL**  
10 **GOVERNMENTAL ENTITIES;**

11                   **(II) COLLABORATION OR SHARING IN THE PURCHASE,**  
12 **OPERATION, OR USE OF EQUIPMENT OR BY THE SYSTEM INFRASTRUCTURE**  
13 **CURRENTLY USED BY LOCAL GOVERNMENTAL ENTITIES; AND**

14                   **(III) REVIEW AND APPROVAL OF ANY REQUESTS OR**  
15 **ARRANGEMENTS SOUGHT UNDER THIS ITEM;**

16                   **(5) RESOLVING ANY CONFLICTS AMONG SYSTEM USERS**  
17 **RELATING TO THE OPERATION, MAINTENANCE, OR IMPROVEMENT OF THE**  
18 **SYSTEM THAT CANNOT BE RESOLVED UNDER THE STANDARD OPERATING**  
19 **PROCEDURES;**

20                   **(6) REVIEWING THE ANNUAL COST ESTIMATION PROVIDED BY**  
21 **THE DIRECTOR OF THE BOARD;**

22                   **(7) RECOMMENDING TO THE GOVERNOR AND THE GENERAL**  
23 **ASSEMBLY FUNDING AND RESOURCE LEVELS FOR SYSTEM OPERATION AND**  
24 **MAINTENANCE;**

25                   **(8) ADVISING THE GOVERNOR AND GENERAL ASSEMBLY ON**  
26 **RESOURCES NEEDED FOR APPROPRIATE OPERATION AND EXPANSION TO MEET**  
27 **SERVICE NEEDS FOR PUBLIC SAFETY COMMUNICATIONS STATEWIDE; AND**

28                   **(9) NEGOTIATING AGREEMENTS WITH FEDERAL AGENCIES,**  
29 **SURROUNDING STATES, OR THE DISTRICT OF COLUMBIA FOR THE USE OF THE**  
30 **SYSTEM.**

31                   **(C) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE BOARD**  
32 **SHALL CONTINUE TO RECEIVE GUIDANCE AND INPUT FROM THE BODIES**

1 CURRENTLY CONSTITUTED UNDER EXECUTIVE ORDER 01.01.2008.07,  
2 INCLUDING THE STATEWIDE INTEROPERABILITY EXECUTIVE COMMITTEE  
3 (SIEC) FOR AS LONG AS THE EXECUTIVE ORDER IS IN EFFECT.

4 SECTION 2. AND BE IT FURTHER ENACTED, That the terms of the initial  
5 members of the Statewide Interoperability Radio Control Board who are subject to  
6 appointment shall expire as follows:

- 7 (1) two appointed members in 2016;  
8 (2) two appointed members in 2017; and  
9 (3) one appointed member in 2018.

10 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
11 June 1, 2014.

Approved:

---

Governor.

---

President of the Senate.

---

Speaker of the House of Delegates.