

SENATE BILL 818

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2000 Regular Session
0lr0135
CF 0lr0136

By: **The President (Administration)**
Introduced and read first time: February 16, 2000
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Public Safety - State Commission on Public Safety Technology - Information**
3 **Management**

4 FOR the purpose of establishing a State Commission on Public Safety Technology;
5 providing for the appointment of members to the Commission; establishing
6 certain responsibilities of the Commission; requiring a certain report; and
7 generally relating to the establishment of a State Commission on Public Safety
8 Technology.

9 BY adding to
10 Article 41 - Governor - Executive and Administrative Departments
11 Section 3-101 through 3-103, inclusive, to be under the new title "Title 3. State
12 Commission on Public Safety Technology"
13 Annotated Code of Maryland
14 (1997 Replacement Volume and 1999 Supplement)

15 Preamble

16 WHEREAS, The public safety of the people who live and work in the State of
17 Maryland is entrusted to an assortment of independent State, county, municipal, and
18 judicial government entities who work together to protect the life and property of the
19 people of Maryland; and

20 WHEREAS, In order to carry out this critical mission, the diverse public safety
21 entities must be able to rapidly and effectively share information with each other and
22 the public, using a variety of information and communications systems, and also be
23 able to access information contained in historical and other database systems
24 maintained by individual State, county, municipal, and judicial entities; and

25 WHEREAS, Historically, individual jurisdictions and individual public safety
26 agencies have established and maintained separate databases and other
27 communication and information management systems; and

1 WHEREAS, Currently, the responsibility for developing and managing critical
2 communication, information, and data systems is dispersed among dozens of agencies
3 statewide; and

4 WHEREAS, Communication and information sharing should be enhanced by
5 adopting common standards and protocols that will facilitate system compatibility
6 and interoperability among State, county, municipal, and judicial agencies; and

7 WHEREAS, No single entity currently has the responsibility to ensure that
8 communication and information systems utilized by State, county, municipal, and
9 judicial agencies are compatible and interoperable; now, therefore,

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

12 **Article 41 - Governor - Executive and Administrative Departments**

13 TITLE 3. STATE COMMISSION ON PUBLIC SAFETY TECHNOLOGY.

14 3-101.

15 (A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

16 (B) "COMMISSION" MEANS THE STATE COMMISSION ON PUBLIC SAFETY
17 TECHNOLOGY.

18 (C) "LOCAL" MEANS ANY COUNTY OR MUNICIPAL CORPORATION IN THE
19 STATE.

20 3-102.

21 (A) THERE IS A STATE COMMISSION ON PUBLIC SAFETY TECHNOLOGY.

22 (B) THE COMMISSION IS COMPOSED OF UP TO 23 MEMBERS AS FOLLOWS:

23 (1) ONE MEMBER OF THE SENATE OF MARYLAND, APPOINTED BY THE
24 PRESIDENT OF THE SENATE;

25 (2) ONE MEMBER OF THE HOUSE OF DELEGATES, APPOINTED BY THE
26 SPEAKER OF THE HOUSE;

27 (3) THE ATTORNEY GENERAL OR THE ATTORNEY GENERAL'S DESIGNEE;

28 (4) THE CHIEF JUDGE OF THE COURT OF APPEALS, OR THE CHIEF
29 JUDGE'S DESIGNEE;

30 (5) THE SECRETARY OF PUBLIC SAFETY AND CORRECTIONAL SERVICES,
31 OR THE SECRETARY'S DESIGNEE;

32 (6) THE SECRETARY OF STATE POLICE, OR THE SECRETARY'S DESIGNEE;

1 (7) THE SECRETARY OF JUVENILE JUSTICE, OR THE SECRETARY'S
2 DESIGNEE;

3 (8) THE PUBLIC DEFENDER OR THE PUBLIC DEFENDER'S DESIGNEE;

4 (9) THE SECRETARY OF BUDGET AND MANAGEMENT, OR THE
5 SECRETARY'S DESIGNEE;

6 (10) ONE REPRESENTATIVE OF THE MARYLAND EMERGENCY
7 MANAGEMENT AGENCY;

8 (11) ONE REPRESENTATIVE OF THE GOVERNOR'S OFFICE OF CRIME
9 CONTROL AND PREVENTION;

10 (12) ONE REPRESENTATIVE OF THE CRIMINAL JUSTICE INFORMATION
11 ADVISORY BOARD; AND

12 (13) THE FOLLOWING MEMBERS, APPOINTED BY THE GOVERNOR:

13 (I) ONE REPRESENTATIVE OF THE MARYLAND STATE'S
14 ATTORNEYS ASSOCIATION;

15 (II) ONE REPRESENTATIVE OF THE MARYLAND CHIEFS OF POLICE
16 ASSOCIATION;

17 (III) ONE REPRESENTATIVE OF THE MARYLAND MUNICIPAL POLICE
18 EXECUTIVES ASSOCIATION;

19 (IV) ONE REPRESENTATIVE OF THE MARYLAND SHERIFF'S
20 ASSOCIATION;

21 (V) ONE REPRESENTATIVE OF THE MARYLAND CORRECTIONAL
22 ADMINISTRATORS ASSOCIATION;

23 (VI) ONE REPRESENTATIVE OF THE FIRE-RESCUE COMMUNITY IN
24 THE STATE;

25 (VII) ONE REPRESENTATIVE OF COUNTY GOVERNMENT;

26 (VIII) ONE REPRESENTATIVE OF MUNICIPAL GOVERNMENT;

27 (IX) ONE REPRESENTATIVE OF A VICTIMS' ADVOCACY GROUP; AND

28 (X) UP TO TWO ADDITIONAL MEMBERS WITH RELEVANT
29 KNOWLEDGE AND EXPERTISE.

30 (C) (1) THE TERM OF AN APPOINTED MEMBER IS 3 YEARS.

31 (2) THE TERMS OF THE APPOINTED MEMBERS SHALL BE STAGGERED
32 FROM INITIAL APPOINTMENT.

1 (3) AT THE END OF A TERM, A MEMBER CONTINUES TO SERVE UNTIL A
2 SUCCESSOR IS APPOINTED AND QUALIFIES.

3 (D) THE GOVERNOR SHALL DESIGNATE A CHAIRMAN FROM AMONG THE
4 MEMBERS OF THE COMMISSION.

5 (E) A MAJORITY OF THE MEMBERS OF THE COMMISSION SHALL CONSTITUTE
6 A QUORUM FOR THE TRANSACTION OF ANY BUSINESS, THE PERFORMANCE OF ANY
7 DUTY, OR THE EXERCISE OF ANY OF ITS AUTHORITY.

8 (F) THE COMMISSION SHALL MEET AT SUCH TIMES AS DETERMINED BY THE
9 CHAIRMAN.

10 (G) A MEMBER OF THE COMMISSION MAY NOT RECEIVE COMPENSATION, BUT
11 IS ENTITLED TO REIMBURSEMENT FOR EXPENSES IN ACCORDANCE WITH THE
12 STANDARD STATE TRAVEL REGULATIONS, AS PROVIDED IN THE STATE BUDGET.

13 (H) (1) WITH THE APPROVAL OF THE GOVERNOR, THE CHAIRMAN SHALL
14 APPOINT AN EXECUTIVE DIRECTOR, WHO SHALL SERVE AT THE PLEASURE OF THE
15 COMMISSION.

16 (2) THE EXECUTIVE DIRECTOR SHALL:

17 (I) PERFORM SUCH ADMINISTRATIVE FUNCTIONS AS THE
18 COMMISSION SHALL DIRECT; AND

19 (II) RECEIVE A SALARY AS PROVIDED IN THE BUDGET.

20 (3) THE COMMISSION SHALL EMPLOY OTHER STAFF AS NECESSARY TO
21 CARRY OUT THE PROVISIONS OF THIS SECTION, AS PROVIDED IN THE STATE
22 BUDGET.

23 3-103.

24 (A) TO THE EXTENT PERMITTED BY LAW, THE COMMISSION:

25 (1) SHALL RECOMMEND APPROPRIATE GUIDELINES, PROCEDURES, AND
26 PROTOCOLS TO ENSURE THE COMPATIBILITY AND INTEROPERABILITY OF
27 COMMUNICATION AND INFORMATION MANAGEMENT SYSTEMS MAINTAINED BY THE
28 JUDICIARY;

29 (2) SHALL ADOPT BY APPROPRIATE REGULATIONS, STANDARDS,
30 PROCEDURES, AND PROTOCOLS NECESSARY TO ENSURE THE COMPATIBILITY AND
31 INTEROPERABILITY OF COMMUNICATION AND INFORMATION MANAGEMENT
32 SYSTEMS MAINTAINED BY STATE, COUNTY, MUNICIPAL, AND PUBLIC SAFETY
33 ENTITIES AND ENSURE ACCESSIBILITY BY OTHER APPROPRIATE ENTITIES TO
34 CRITICAL PUBLIC SAFETY AND CRIMINAL JUSTICE RELATED DATABASES;

35 (3) SHALL DEVELOP AND UPDATE ON AN ANNUAL BASIS A STATEWIDE
36 PUBLIC SAFETY TECHNOLOGY STRATEGY; AND

1 (4) MAY, TO THE EXTENT AUTHORIZED IN THE STATE BUDGET, PROVIDE
2 TECHNICAL ASSISTANCE TO AID JURISDICTIONS IN THEIR EFFORTS TO COMPLY
3 WITH THE APPROVED STANDARDS.

4 (B) THE COMMISSION SHALL CONSULT AND COORDINATE WITH OTHER STATE
5 AND NATIONAL ENTITIES PROMULGATING TECHNOLOGY STANDARDS TO PROVIDE
6 REASONABLE COMPATIBILITY BETWEEN THE STATE STANDARD AND ANY
7 NATIONALLY ESTABLISHED STANDARD.

8 (C) THE COMMISSION SHALL CONSULT AND COOPERATE WITH OTHER
9 DEPARTMENTS AND AGENCIES IN STATE AND LOCAL JURISDICTIONS CONCERNING
10 PUBLIC SAFETY TECHNOLOGY STANDARDS.

11 (D) (1) THE COMMISSION SHALL REPORT ANNUALLY TO THE GOVERNOR,
12 THE DEPARTMENT OF BUDGET AND MANAGEMENT, THE ADMINISTRATIVE OFFICE
13 OF THE COURTS, AND, IN ACCORDANCE WITH § 2-1246 OF THE STATE GOVERNMENT
14 ARTICLE, THE GENERAL ASSEMBLY ON OR BEFORE DECEMBER 1 OF EACH YEAR.

15 (2) THE COMMISSION SHALL REPORT ON AN ONGOING BASIS TO THE
16 DEPARTMENT OF BUDGET AND MANAGEMENT, THE BUDGET COMMITTEES OF THE
17 GENERAL ASSEMBLY, AND TO THE ADMINISTRATIVE OFFICE OF THE COURTS
18 WHETHER COMMUNICATION AND INFORMATION MANAGEMENT SYSTEMS
19 SUPPORTED BY STATE FUNDS ARE COMPLIANT WITH APPLICABLE STANDARDS.

20 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
21 July 1, 2000.