

1 **UTAH TECHNOLOGY GOVERNANCE ACT**

2 **AMENDMENTS**

3 2009 GENERAL SESSION

4 STATE OF UTAH

5 **Chief Sponsor: Stephen D. Clark**

6 Senate Sponsor: Jon J. Greiner

8 **LONG TITLE**

9 **General Description:**

10 This bill creates the Statewide Communications Interoperability Committee.

11 **Highlighted Provisions:**

12 This bill:

13 ▶ creates the Statewide Communications Interoperability Committee and provides its
14 membership, duties, and powers;

15 ▶ authorizes the committee to coordinate and resolve statewide communication
16 issues; and

17 ▶ requires the committee to report to the governor and Public Utilities and
18 Technology Interim Committee.

19 **Monies Appropriated in this Bill:**

20 None

21 **Other Special Clauses:**

22 None

23 **Utah Code Sections Affected:**

24 ENACTS:

25 **63F-1-801**, Utah Code Annotated 1953

26 **63F-1-802**, Utah Code Annotated 1953

28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **63F-1-801** is enacted to read:

30 **Part 8. Statewide Communications Interoperability Committee**

31 **63F-1-801. Statewide Communications Interoperability Committee --**

32 **Membership -- Chair -- Quorum.**

33 (1) As used in this part:

34 (a) "Committee" means the Statewide Communications Interoperability Committee.

35 (b) "Interoperability spectrum" means the radio signal transmission spectrum to
36 communicate between agencies as assigned by the Federal Communications Commission.

37 (2) There is created within the department the Statewide Communications
38 Interoperability Committee.

39 (3) (a) The governor shall appoint the following 25 committee members:

40 (i) except as provided in Subsection (4), five representatives from counties of the first
41 or second class who are in:

42 (A) law enforcement or fire service; and

43 (B) a leadership position with radio communication experience;

44 (ii) one representative each of six associations of government from rural Utah that
45 represent counties not represented in Subsection (3)(a)(i);

46 (iii) one representative of the Utah Communications Agency Network established
47 under Title 63C, Chapter 7, Utah Communications Agency Network Act;

48 (iv) one representative of the Native American tribes;

49 (v) one representative of the Utah National Guard;

50 (vi) one representative of an association that represents chiefs of police;

51 (vii) one representative of an association that represents sheriffs;

52 (viii) one representative of an association that represents fire chiefs; and

53 (ix) one representative of an association that represents urban security efforts.

54 (b) The following shall also be committee members:

55 (i) the chief information officer or the chief information officer's designee;

56 (ii) the commissioner of the Department of Public Safety or the commissioner's
57 designee;

58 (iii) the executive director of the Department of Transportation or the executive
59 director's designee;

60 (iv) the executive director of the Department of Corrections or the executive director's
61 designee;

62 (v) the executive director of the Department of Natural Resources or the executive
63 director's designee;

64 (vi) the director of the Department of Health or the director's designee; and

65 (vii) the executive director of the Department of Technology Services or the executive
66 director's designee.

67 (4) Subject to Subsection (3)(a)(i), if a member of law enforcement cannot be seated,
68 then a representative who has leadership experience in radio communications and public
69 safety shall be seated.

70 (5) (a) The term of office of each member described in Subsection (3)(a) is four years.

71 (b) Notwithstanding the requirements of Subsection (5)(a), the committee chair with
72 the approval of the governor shall, at the time of appointment or reappointment, adjust the
73 length of terms to stagger the terms of committee members so that approximately 1/2 of the
74 committee members are appointed every two years.

75 (c) A mid-term vacancy shall be filled for the unexpired term in the same manner as
76 an appointment under Subsection (3)(a).

77 (6) (a) The chief information officer shall serve as the committee chair.

78 (b) (i) The committee members shall elect a vice-chair from their number; and

79 (ii) the vice-chair shall rotate among representatives described in Subsection (3)(a)
80 every year.

81 (c) The committee shall establish bylaws for the organization and operation of the
82 committee.

83 (7) (a) A majority of the committee constitutes a quorum for voting purposes.

84 (b) All actions shall be by majority vote of the quorum in attendance.

85 (8) The committee:

86 (a) may meet as often as necessary to perform its duties; and

87 (b) shall meet at least monthly.

88 (9) The department shall provide staff services to the committee.

89 (10) (a) No member may receive compensation or benefits for the member's service on
90 the committee.

91 (b) A committee member is not required to give a bond for the performance of official
92 duties.

93 (11) (a) The committee may create an executive committee from its number to:

94 (i) plan agendas;

95 (ii) call committee meetings; and

96 (iii) meet as often as necessary, at the call of the chair.

97 (b) The committee may establish subcommittees and working groups to address
98 wireless technology coordination and communication issues among agencies providing vital
99 services to citizens.

100 (12) The committee does not have the authority to require expenditure of public funds.

101 Section 2. Section **63F-1-802** is enacted to read:

102 **63F-1-802. Duties and powers.**

103 (1) The Statewide Communications Interoperability Committee shall:

104 (a) promote wireless technology information and interoperability among local, state,
105 federal, and other agencies;

106 (b) provide a mechanism for coordinating and resolving wireless communication
107 issues among local, state, federal, and other agencies;

108 (c) coordinate statewide efforts for implementation of interoperable statewide voice
109 and data networks;

110 (d) improve data and information sharing and coordination of multi-jurisdictional
111 responses;

112 (e) leverage existing state resources and develop a network that will provide seamless,
113 coordinated, and integrated communication for local, state, federal, and other agencies;

- 114 (f) identify opportunities to consolidate infrastructures and technologies;
- 115 (g) evaluate current technologies and determine if they are meeting the needs of
- 116 agency personnel in respective service areas;
- 117 (h) develop and recommend short- and long-term proposals for future communication
- 118 needs;
- 119 (i) form memorandums of understanding between agencies in support of proactive
- 120 planning efforts;
- 121 (j) create and maintain procedures for requesting interoperability channels; and
- 122 (k) administer the interoperability spectrum.
- 123 (2) (a) The committee shall prepare and present, by November 30 of each year, a brief
- 124 annual report for the governor and the Public Utilities and Technology Interim Committee.
- 125 (b) The annual report described in Subsection (2)(a) shall include:
- 126 (i) the status of state radio communications infrastructure;
- 127 (ii) recommendations to facilitate radio communications in the future; and
- 128 (iii) an update on the committee's progress to meet the Federal Communications
- 129 Commission radio communication requirements.