

FEB 2 2 2006
PUBLIC SAFETY

HOUSE FILE 2467
BY KRESSIG, BERRY, and
SHOULTZ

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to public safety communications, providing for
2 utilization of the Iowa communications network for public
3 safety interoperability purposes, and establishing an Iowa
4 statewide interoperable radio system board.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2467

1 Section 1. Section 8D.2, subsection 5, paragraph a, Code
2 Supplement 2005, is amended to read as follows:

3 a. "Public agency" means a state agency, an institution
4 under the control of the board of regents, the judicial branch
5 as provided in section 8D.13, subsection 17, a school
6 corporation, a city library, a library service area as
7 provided in chapter 256, a county library as provided in
8 chapter 336, or a judicial district department of correctional
9 services established in section 905.2, to the extent provided
10 in section 8D.13, subsection 15, an agency of the federal
11 government, or a United States post office which receives a
12 federal grant for pilot and demonstration projects, or a city
13 or county on behalf of a law enforcement agency, professional
14 or volunteer fire department, or emergency medical care
15 provider as defined in section 147A.1, strictly for the
16 purpose of connecting disparate communications systems to
17 provide for a multiagency or multijurisdictional public safety
18 response and training for that response.

19 Sec. 2. Section 8D.9, Code Supplement 2005, is amended by
20 adding the following new subsection:

21 NEW SUBSECTION. 5. A city or county on behalf of a law
22 enforcement agency, professional or volunteer fire department,
23 or emergency medical care provider as defined in section
24 147A.1, shall be authorized to access the Iowa communications
25 network for connection of disparate communications systems
26 between public agencies to provide for a multiagency or
27 multijurisdictional public safety response and training for
28 that response.

29 Sec. 3. Section 8D.13, Code Supplement 2005, is amended by
30 adding the following new subsection:

31 NEW SUBSECTION. 20. A city or county accessing the
32 network on behalf of a law enforcement agency, professional or
33 volunteer fire department, or emergency medical care provider
34 for the purpose of connecting disparate communications systems
35 to provide for a multiagency or multijurisdictional public

1 safety response, and training for that response, pursuant to
2 section 8D.9, subsection 5, shall be responsible for all costs
3 associated with becoming a part of the network.

4 Sec. 4. NEW SECTION. 80.28 STATEWIDE INTEROPERABLE RADIO
5 SYSTEM BOARD -- ESTABLISHED -- MEMBERS.

6 1. BOARD ESTABLISHED. A statewide interoperable radio
7 system board is established, under the joint purview of the
8 department and the state department of transportation. The
9 board shall develop, implement, and oversee policy,
10 operations, and fiscal components of communications
11 interoperability efforts at the state and local level, and
12 coordinate with similar efforts at the federal level, with the
13 ultimate objective of developing and overseeing the operation
14 of a statewide integrated public safety communications
15 interoperability system. For the purposes of this section and
16 section 80.29, "interoperability" means the ability of public
17 safety and public services personnel to communicate and to
18 share data on an immediate basis, on demand, when needed, and
19 when authorized.

20 2. MEMBERS. The board shall consist of fifteen voting
21 members, as follows:

22 a. The following members representing state agencies:

23 (1) One member representing the department of public
24 safety, who shall serve as chairperson.

25 (2) One member representing the state department of
26 transportation, who shall serve as vice chairperson.

27 (3) One member representing the homeland security and
28 emergency management division.

29 (4) One member representing the department of corrections.

30 (5) One member representing the department of natural
31 resources.

32 (6) One member representing the Iowa department of public
33 health.

34 b. The following members, to be appointed by the governor:

35 (1) Two members who are chiefs of police.

- 1 (2) Two members who are sheriffs.
- 2 (3) Two members who are fire chiefs.
- 3 (4) Two law communication center managers employed by
- 4 state or local government agencies.
- 5 (5) One at-large member.

6 Board members shall be appointed in compliance with
7 sections 69.16 and 69.16A. The members appointed by the
8 governor shall be appointed to three-year staggered terms and
9 the terms shall commence and end as provided by section 69.19.
10 If a vacancy occurs, a successor shall be appointed to serve
11 the unexpired term. A successor shall be appointed in the
12 same manner and subject to the same qualifications as the
13 original appointment to serve the unexpired term. Members of
14 the board are entitled to receive reimbursement for actual
15 expenses incurred while engaged in the performance of official
16 duties from funds appropriated to the department of public
17 safety and the state department of transportation for that
18 purpose. The departments shall enter into an agreement to
19 provide administrative assistance and support to the board.

20 Sec. 5. NEW SECTION. 80.29 BOARD DUTIES.

21 The statewide interoperable radio system board established
22 in section 80.28 shall:

- 23 1. Implement and maintain organizational and operational
- 24 elements of the board, including staffing and program
- 25 activity.
- 26 2. Review and monitor communications interoperability
- 27 performance and service levels on behalf of agencies.
- 28 3. Establish, monitor, and maintain appropriate policies
- 29 and protocols to ensure that interoperable communications
- 30 systems function properly.
- 31 4. Allocate and oversee state appropriations or other
- 32 funding received for interoperable communications.
- 33 5. Identify sources for ongoing, sustainable, longer-term
- 34 funding for communications interoperability projects,
- 35 including available and future assets that will leverage

1 resources and provide incentives for communications
2 interoperability participation, and develop and obtain
3 adequate funding in accordance with a communications
4 interoperability sustainability plan.

5 6. Develop and evaluate potential legislative solutions to
6 address the funding and resource challenges of implementing
7 statewide communications interoperability initiatives.

8 7. Develop a statewide integrated public safety
9 communications interoperability system that allows for shared
10 communications systems and costs, takes into account
11 infrastructure needs and requirements, improves reliability,
12 and addresses liability concerns of the shared network.

13 8. Investigate data and video interoperability systems.

14 9. Expand, maintain, and fund consistent, periodic
15 training programs for current communications systems and for
16 the statewide integrated public safety communications
17 interoperability system as it is implemented.

18 10. Expand, maintain, and fund stakeholder education,
19 public education, and public official education programs to
20 demonstrate the value of short-term communications
21 interoperability solutions, and to emphasize the importance of
22 developing and funding long-term solutions, including
23 implementation of the statewide integrated public safety
24 communications interoperability system.

25 11. Identify, promote, and provide incentives for
26 appropriate collaborations and partnerships among government
27 entities, agencies, businesses, organizations, and
28 associations, both public and private, relating to
29 communications interoperability.

30 12. Provide incentives to support maintenance and
31 expansion of regional efforts to promote implementation of the
32 statewide integrated public safety communications
33 interoperability system.

34 13. Submit a report by January 1, annually, to the members
35 of the general assembly regarding communications

1 interoperability efforts, activities, and effectiveness at the
2 local and regional level, and shall include a status report
3 regarding the development of a statewide integrated public
4 safety communications interoperability system, and funding
5 requirements relating thereto.

6

EXPLANATION

7 This bill concerns public safety communications and
8 enhancement of statewide communications interoperability
9 efforts.

10 The bill provides that for purposes of accessing the Iowa
11 communications network, a city or county on behalf of a law
12 enforcement agency, professional or volunteer fire department,
13 or emergency medical care provider as defined in Code section
14 147A.1, shall be considered a public agency and be authorized
15 access strictly for the purpose of connecting disparate
16 communications systems to provide for a multiagency or
17 multijurisdictional public safety response and training for
18 that response. The bill states that the city or county shall
19 be responsible for all costs associated with becoming a part
20 of the network.

21 The bill establishes a statewide interoperable radio system
22 board, under the joint purview of the department of public
23 safety and the state department of transportation. The bill
24 specifies that the board shall develop, implement, and oversee
25 policy, operations, and fiscal components of communications
26 interoperability efforts at the state and local level,
27 coordinate with similar efforts at the federal level, and
28 ultimately develop and oversee the operation of a statewide
29 integrated public safety communications interoperability
30 system. The bill defines "interoperability" as the ability of
31 public safety and public services personnel to communicate and
32 to share data on an immediate basis, on demand, when needed,
33 and when authorized.

34 The bill identifies 15 members of the board, all voting
35 members, and states that members not affiliated with or

1 representing a state agency shall be appointed by the
2 governor.

3 The bill includes provisions relating to the appointment of
4 members, terms of service, and vacancies. The bill states
5 that members shall receive reimbursement for actual expenses
6 incurred while engaged in the performance of official duties
7 from funds appropriated to the departments for that purpose,
8 and that the departments shall enter into an agreement to
9 provide administrative assistance and support to the board.

10 Regarding the duties of the board, the bill provides that
11 the board shall implement and maintain organizational and
12 operational elements of the board; review and monitor
13 communications interoperability performance and service levels
14 on behalf of participating agencies; establish, monitor, and
15 maintain appropriate policies and protocols to ensure that
16 interoperable communications systems function properly;
17 allocate and oversee state appropriations or other funding
18 received; identify longer-term funding sources for
19 communications interoperability projects, including assets
20 that will leverage resources and provide incentives for
21 communications interoperability participation; and develop and
22 obtain adequate funding in accordance with a communications
23 interoperability sustainability plan. The board shall,
24 additionally, develop a statewide integrated public safety
25 communications interoperability system that allows for shared
26 communications systems and costs, takes into account
27 infrastructure needs and requirements, improves reliability,
28 and addresses liability concerns of the shared network;
29 identify legislative solutions which could provide assistance
30 to the enhancement of communications interoperability;
31 investigate data and video interoperability systems, and
32 expand, maintain, and fund training programs relating to
33 current and long-term communications interoperability efforts.
34 Further, the board is directed to identify, promote, and
35 provide incentives for appropriate collaborations and

1 partnerships relating to communications interoperability and
2 to provide incentives to support maintenance and expansion of
3 regional efforts to promote implementation of the integrated
4 statewide public safety communications interoperability
5 system.

6 The bill provides that the board shall submit a report by
7 January 1, annually, to the members of the general assembly
8 regarding communications interoperability efforts, activities,
9 and effectiveness at the local and regional level. The report
10 is to include the status of efforts to develop the statewide
11 integrated public safety communications interoperability
12 system and funding requirements.

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