

CHAPTER 176  
SB 46 – FINAL VERSION

02/19/2015 0321s  
6May2015... 1489h  
05/28/2015 1998EBA

2015 SESSION

15-0876  
05/10

SENATE BILL **46**

AN ACT relative to public safety radio interoperability.

SPONSORS: Sen. D'Allesandro, Dist 20; Sen. Stiles, Dist 24

COMMITTEE: Executive Departments and Administration

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ANALYSIS

This bill requires the advisory council on emergency preparedness and security to oversee statewide radio communications interoperability efforts. The bill establishes a statewide interoperability executive committee, comprised of an executive management group and various working groups, charged with development of a strategic statewide interoperable communications plan.

The bill is a request of the department of safety.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears [~~in brackets and struck through~~].  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Fifteen*

AN ACT                   relative to public safety radio interoperability.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1           176:1 Duties of the Commissioner of the Department of Safety; Reference Change. Amend RSA  
2 21-P:4, XV to read as follows:

3           XV. Adopt comprehensive and uniform standards, practices, procedures, instructions, and  
4 funding processes relative to statewide [~~telecommunications~~] **telephony** services applicable to all  
5 state agencies. The comprehensive and uniform requirements shall be in the form of a manual and  
6 shall be subject to the approval of the governor and council, but shall not be subject to the  
7 rulemaking requirements of RSA 541-A.

8           176:2 Administrative Procedure Act; Exemptions; Reference Change. Amend RSA 541-A:21,  
9 I(gg) to read as follows:

10                   (gg) RSA 21-P:4, XV, relative to the [~~telecommunications~~] **telephony** services manual  
11 developed by the department of safety.

12           176:3 Advisory Council on Emergency Preparedness and Security. Amend RSA 21-P:48, II to  
13 read as follows:

14           II.(a) The council shall advise the governor on issues involving the state's ability to respond  
15 to natural and human-caused disasters, and the preparation and maintenance of a state disaster  
16 plan in conformance with any federal regulation or law.

17                   (b) The director of homeland security and emergency management shall seek the advice  
18 of the council in matters pertaining to any of the state's emergency plans, including the allocation of  
19 state and federal resources to meet the objectives of such plan.

20                   (c) The council shall serve the functions of the state emergency response commission  
21 (SERC) and the Centers for Disease Control's state public health emergency preparedness  
22 committee, and may form subcommittees as necessary to perform these functions.

23                   (d) The council or an appropriate subcommittee of the council shall review state and  
24 federal legislative proposals and regulations, problems with hazardous material transportation,  
25 emergency response action team plans, and training and instructional materials on the  
26 transportation of hazardous materials, and make recommendations as necessary regarding the  
27 efficacy of controls relative to such transportation and the best means for applying such controls  
28 without duplication of responsibility or regulation.

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1           (e) The council shall make available upon request through the department of safety  
2 current regulations and reference materials relative to hazardous materials and address any  
3 regulations or ordinances that appear to be in conflict.

4           (f) *The council shall oversee statewide radio communications interoperability*  
5 *efforts through the statewide interoperability executive committee, established in*  
6 *paragraph IV, and approve the strategic statewide interoperable communications plan*  
7 *developed by the committee under paragraph VII.*

8           (g) The council shall periodically and otherwise as necessary report to the governor, the  
9 senate president, and the speaker of the house of representatives on any recommendations of the  
10 council that pertain to the state's preparedness and ability to respond to natural and human-caused  
11 disasters and acts of terrorism.

12           (h) The commissioner of safety or the commissioner's designee shall serve as the  
13 chairperson of the council.

14           176:4 New Paragraphs; Statewide Interoperability Executive Committee. Amend RSA 21-  
15 P:48 by inserting after paragraph III the following new paragraphs:

16           IV. There is established within the department of safety a radio interoperability governance  
17 group known as the statewide interoperability executive committee (SIEC). The SIEC shall report to  
18 the council and shall be comprised of the following members:

19           (a) The commissioner of the department of safety, or designee, who shall serve as  
20 chairperson of the committee.

21           (b) The statewide interoperability coordinator, who shall serve as an ex-officio member of  
22 the committee.

23           (c) The director of the division of homeland security and emergency management, or  
24 designee.

25           (d) Two representatives of the New Hampshire Association of Chiefs of Police, one of  
26 whom serves as chief of police for a city and one of whom serves as chief of police for a town.

27           (e) Two representatives of the New Hampshire Association of Fire Chiefs, one of whom  
28 serves as fire chief for a city and one of whom serves as fire chief for a town.

29           (f) A representative of a charitable organization that provides disaster relief, appointed  
30 by the commissioner.

31           (g) One member of the house of representatives, appointed by the speaker of the house of  
32 representatives.

33           (h) One member of the senate, appointed by the senate president.

34           (i) One member of the Professional Fire Fighters of New Hampshire, appointed by the  
35 association.

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1 (j) One representative of the New Hampshire Sheriff's Association, appointed by the  
2 association.

3 (k) The state fire marshal, or designee.

4 (l) One member of the New Hampshire Police Association, appointed by the association.

5 (m) A representative of the New Hampshire Hospital Association, appointed by the  
6 association.

7 (n) A local emergency medical services provider, appointed by the commissioner.

8 (o) A local public health official, appointed by the commissioner.

9 (p) A local public works official, appointed by the commissioner.

10 (q) A representative of the New Hampshire Emergency Dispatchers Association,  
11 appointed by the association.

12 (r) One representative of a major public safety dispatch center, appointed by the  
13 commissioner.

14 (s) The commissioner of the department of administrative services, or designee.

15 (t) The executive director of fish and game, or designee.

16 (u) The commissioner of transportation, or designee.

17 (v) The commissioner of resources and economic development, or designee.

18 (w) The commissioner of health and human services, or designee.

19 (x) The director of emergency services and communications, or designee.

20 (y) A representative of the university system of New Hampshire, appointed by the  
21 chancellor of the university system.

22 (z) The adjutant general, or designee.

23 (aa) Not more than 2 representatives of technology-related businesses in the private  
24 sector, appointed by the commissioner.

25 V. Public members of the committee shall serve 3-year terms. Representatives of state  
26 agencies and legislative members of the committee shall serve terms coterminous with their term in  
27 office. If in the course of a member's term, the member becomes ineligible because of a change of  
28 occupation or is no longer a member of the group that he or she represented, he or she shall continue  
29 to serve until a replacement is qualified and designated. Voting members of the committee shall  
30 elect by majority vote a vice-chairperson and a secretary, each of whom shall serve a term of 2 years.  
31 A voting member, or the member's designee, may submit a single alternate member, who may serve  
32 as a voting member in the absence of the voting member or designee by submitting the name and  
33 position in writing to the chair prior to the alternate making any vote. A quorum shall consist of 12  
34 voting members of the committee.

35 VI. The SIEC shall include an executive management group and 3 working groups.

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1           (a) The executive management group shall be responsible for aligning overarching  
2 interoperability strategies and plans, and maintaining fiduciary and fiscal compliance. The  
3 executive management group shall be comprised of 18 members, including the 14 designees from  
4 state, county, and local government entities, a chairperson designated by the commissioner, and the  
5 chairpersons of the 3 working groups established in subparagraph (b).

6           (b) The working groups shall be comprised of voting members of the SIEC selected by  
7 the commissioner and shall consist of a radio frequency communications working group, a data  
8 communications working group, and an operations working group.

9           (c) The chairperson of each working group shall serve on the executive management  
10 group of the SIEC representing the interest of his or her group.

11           (d) The SIEC and the working groups may invite subject matter experts to provide  
12 information and testimony relevant to the committee or group.

13           VII. The SIEC shall oversee statewide radio communications interoperability efforts and  
14 shall develop, with the approval of the council, a strategic statewide interoperable communications  
15 plan and any amendments thereto. The SIEC shall:

16           (a) Utilize the most contemporaneous statewide communications interoperability plan  
17 (SCIP), the National Emergency Communications Plan, and the SCIP action plan as a framework to  
18 better understand the current baselines of communications interoperability and to determine how to  
19 best implement each step toward interoperability in the state, with neighboring states, and with  
20 federal partners.

21           (b) Direct the working groups established in paragraph VI to identify and recommend  
22 technologies, operating procedures, network consolidation, and other resources that will enhance  
23 communications interoperability in New Hampshire.

24           (c) Create a statewide communications interoperability strategy and spending plan;  
25 attempt to bridge regional plans with the statewide strategy; and oversee implementation of the  
26 statewide communications interoperability plan and the national emergency communications plan.

27           (d) Recommend best practices, policies, procedures, and protocols for communications  
28 personnel, including dispatchers and dispatch center supervisors as well as technical  
29 communications support staff.

30           (e) Establish training baselines and recommend training for key communications  
31 personnel, and help to ensure that training opportunities supporting communications  
32 interoperability are available to all public safety first responders and public safety dispatchers.

33           176:5 Effective Date. This act shall take effect upon its passage.

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35 Approved: June 26, 2015

36 Effective Date: June 26, 2015