

42.738 Statewide public safety interoperability plan -- Annual report by chief information officer -- Duties of Kentucky Wireless Interoperability Executive Committee -- Membership -- Public Safety Working Group.

- (1) The executive director shall establish and implement a statewide public safety interoperability plan. This plan shall include the development of required architecture and standards that will insure that new or upgraded Commonwealth public safety communications systems will interoperate. The Kentucky Wireless Interoperability Executive Committee shall be responsible for the evaluation and recommendation of all wireless communications architecture, standards, and strategies. The executive director shall provide direction, stewardship, leadership, and general oversight of information technology and information resources. The executive director shall report by September 15 annually to the Interim Joint Committee on Seniors, Veterans, Military Affairs, and Public Protection and the Interim Joint Committee on State Government on progress and activity by agencies of the Commonwealth to comply with standards to achieve public safety communications interoperability.
- (2) The Kentucky Wireless Interoperability Executive Committee shall serve as the advisory body for all wireless communications strategies presented by agencies of the Commonwealth and local governments. All state agencies in the Commonwealth shall present all project plans for primary wireless public safety voice or data communications systems for review and recommendation by the committee, and the committee shall forward the plans to the executive director for final approval. Local government entities shall present project plans for primary wireless public safety voice or data communications systems for review and recommendation by the Kentucky Wireless Interoperability Executive Committee.
- (3) The committee shall develop funding and support plans that provide for the maintenance of and technological upgrades to the public safety shared infrastructure, and shall make recommendations to the executive director, the Governor's Office for Policy and Management, and the General Assembly.
- (4) The executive director shall examine the project plans for primary wireless public safety voice or data communications systems of state agencies as required by subsection (2) of this section, and shall determine whether they meet the required architecture and standards for primary wireless public safety voice or data communications systems.
- (5) The Kentucky Wireless Interoperability Executive Committee shall consist of twenty (20) members as follows:
 - (a) A person knowledgeable in the field of wireless communications appointed by the executive director who shall serve as chair;
 - (b) The executive director of the Office of Infrastructure Services, Commonwealth Office of Technology;
 - (c) The executive director of Kentucky Educational Television, or the executive director's designee;
 - (d) The chief information officer of the Transportation Cabinet;

- (e) The chief information officer of the Justice and Public Safety Cabinet;
 - (f) The chief information officer of the Department of Kentucky State Police;
 - (g) The commissioner of the Department of Fish and Wildlife Resources, or the commissioner's designee;
 - (h) The chief information officer of the Energy and Environment Cabinet;
 - (i) The director of the Division of Emergency Management, Department of Military Affairs;
 - (j) The executive director of the Kentucky Office of Homeland Security;
 - (k) The chief information officer, Department for Public Health, Cabinet for Health and Family Services;
 - (l) A representative from an institution of postsecondary education appointed by the Governor from a list of three (3) names submitted by the president of the Council on Postsecondary Education;
 - (m) The executive director of the Center for Rural Development, or the executive director's designee;
 - (n) A representative from a municipal government to be appointed by the Governor from a list of three (3) names submitted by the Kentucky League of Cities;
 - (o) A representative from a county government to be appointed by the Governor from a list of three (3) names submitted by the Kentucky Association of Counties;
 - (p) A representative from a municipal police department to be appointed by the Governor from a list of three (3) names submitted by the Kentucky Association of Chiefs of Police;
 - (q) A representative from a local fire department to be appointed by the Governor from a list of three (3) names submitted by the Kentucky Association of Fire Chiefs;
 - (r) A representative from a county sheriff's department to be appointed by the Governor from a list of three (3) names submitted by the Kentucky Sheriffs' Association;
 - (s) A representative from a local Emergency Medical Services agency to be appointed by the Governor from a list of three (3) names submitted by the Kentucky Board of Emergency Medical Services; and
 - (t) A representative from a local 911 dispatch center to be appointed by the Governor from a list of three (3) names submitted by the Kentucky Chapter of the National Emergency Number Association/Association of Public Safety Communications Officials.
- (6) Appointed members of the committee shall serve for a two (2) year term. Members who serve by virtue of an office shall serve on the committee while they hold that office.

- (7) The committee shall meet quarterly, or as often as necessary for the conduct of its business. A majority of the members shall constitute a quorum for the transaction of business. Members' designees shall have voting privileges at committee meetings.
- (8) The committee shall be attached to the Commonwealth Office of Technology for administrative purposes only. Members shall not be paid and shall not be reimbursed for travel expenses.
- (9) The Public Safety Working Group is hereby created for the primary purpose of fostering cooperation, planning, and development of the public safety frequency spectrum as regulated by the Federal Communications Commission, including the 700 MHz public safety band. The group shall endeavor to bring about a seamless, coordinated, and integrated public safety communications network for the safe, effective, and efficient protection of life and property. The Public Safety Working Group membership and other working group memberships deemed necessary shall be appointed by the chair of the Kentucky Wireless Interoperability Executive Committee.
- (10) The committee may establish additional working groups as determined by the committee.

Effective: July 15, 2010

History: Amended 2010 Ky. Acts ch. 24, sec. 34, effective July 15, 2010. -- Repealed, reenacted, and amended 2009 Ky. Acts ch. 12, sec. 12, effective June 25, 2009. -- Amended 2007 Ky. Acts ch. 85, sec. 6, effective June 26, 2007. -- Amended 2006 Ky. Acts ch. 193, sec. 8, effective July 12, 2006. -- Amended 2005 Ky. Acts ch. 85, sec. 35, effective June 20, 2005; ch. 95, sec. 6, effective June 20, 2005; and ch. 99, sec. 74, effective June 20, 2005. -- Amended 2004 Ky. Acts ch. 48, sec. 2, effective July 13, 2004. -- Created 2003 Ky. Acts ch. 164, sec. 3, effective June 24, 2003.

Legislative Research Commission Note (7/13/2004). In subsection (5)(i) of this statute, a reference to "the Department of Emergency Management" has been changed to read "the Division of Emergency Management" to reflect the correct structure of the Department of Military Affairs. The Reviser of Statutes has corrected this manifest clerical error under the authority of KRS 7.136(1)(h).

Formerly codified as KRS 11.5163.