

SENATE BILL NO. 788

BY SENATOR WALSWORTH AND REPRESENTATIVES HINES, LEGER, LORUSSO,
RICHMOND AND WHITE

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AN ACT

To enact R.S. 29:723(7), (8), (9), (10), (11) and (12) and 725.3 through 725.6, relative to the Governor's Office of Homeland Security and Emergency Preparedness; to provide for definitions; to provide for the creation of the office of interoperability; to provide for an assistant deputy director of interoperability; to establish the interoperability subcommittee, regional parish office of emergency preparedness directors committee, and first responders committee under the Unified Command Group to design, construct, administer, and maintain a statewide communications interoperability plan for first responders and to design, construct, administer, and maintain a statewide interoperability plan; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 29:723(7), (8), (9), (10), (11) and (12) and 725.3 through 725.6 are hereby enacted to read as follows:

§723. Definitions

As used in this Chapter:

* * *

(7) "First responders" means the first arriving organized responders with the capability and mission to contain, mitigate, and resolve the emergency at hand.

(8) "Interoperability" means the ability of two or more systems or their components to exchange information and to use the information exchanged.

(9) "Interoperability for public safety" means the ability for emergency services and public safety agencies to talk to one another via communications systems and share information with one another accurately, on demand, in real time, when needed, and when authorized, regardless of the device used.

1 The office of interoperability is established within the Governor's Office
2 of Homeland Security and Emergency Preparedness. The office shall have the
3 authority to oversee, direct, and manage interoperability programs and efforts
4 identified in the statewide interoperability plan and the statewide
5 communications interoperability plan for first responders in coordination with
6 local, state, and federal officials. The office shall address critical
7 interoperability issues relating to public safety and emergency response,
8 including communications, spectrum, networks, equipment, training, and other
9 areas as needs are identified.

10 §725.5. Assistant deputy director of interoperability

11 A. The office of interoperability shall be headed by an assistant deputy
12 director of interoperability who shall be in the unclassified service. The
13 assistant deputy director may delegate authority to such designees or to any
14 governmental body as the assistant deputy director may deem appropriate
15 within the limitations of state and federal laws, rules, and regulations. The
16 assistant deputy director of interoperability may promulgate rules and
17 regulations to carry out the provisions of R.S. 29:725.1 through 725.5.

18 B. The assistant deputy director of interoperability shall work in
19 conjunction with the state Unified Command Group and interoperability
20 subcommittee to develop, implement, and maintain a secure interagency
21 communication across jurisdictional and geographic boundaries to enable end
22 users to access authorized information when and how they need it as identified
23 in the statewide interoperability plan and statewide communications
24 interoperability plan for first responders.

25 C. The assistant deputy director of interoperability shall perform the
26 following functions:

27 (1) Serve as chairman of the interoperability subcommittee.

28 (2) Serve as the state liaison for interoperability.

29 (3) Administer the statewide interoperability plan and statewide
30 communications interoperability plan for first responders in coordination with

1 the chief information officer or his designee.

2 (4) Partner with local, state, and federal officials to achieve emergency
3 response interoperability in every parish throughout the state.

4 (5) Leverage existing local, state, and federal efforts, including assets and
5 resources, to ensure better coordination and accountability for activities
6 including but not limited to research and development, testing and evaluation,
7 standards, technical assistance, training, and funding for interoperability.

8 (6) Support the creation of interoperability standards.

9 (7) Submit recommendations to the legislature relative to any changes
10 in state law necessary to remove barriers to achieving communications
11 interoperability.

12 §725.6. State Unified Command Group

13 A. The state Unified Command Group, herein referred to as "UCG," is
14 hereby established and shall be composed of the members established by
15 executive order of the governor. The UCG is the strategic decision making body
16 for emergencies in the state with the governor serving as the unified
17 commander. The complex array of traditional and emerging threats and
18 hazards demands the application of a unified and coordinated approach to
19 emergency incident management not only during emergencies but during day-
20 to-day operations of state government.

21 B.(1) The UCG shall hold meetings quarterly other than during a state
22 declared emergency and at such times as the chairman deems necessary,
23 beginning September, 2008.

24 (2) To the extent permitted by and in accordance with R.S. 44:1 et seq.,
25 each officer, board, commission, council, department, or agency of state
26 government, and each political subdivision of the state shall make available all
27 facts, records, information, and data requested by the UCG and cooperate with
28 the UCG in carrying out the functions imposed by this Section.

29 (3) The roles, duties, and activities of the UCG shall include, but are not
30 limited to, the following:

1 (a) Submitting recommendations to the legislature relative to any
2 changes in state law necessary to remove barriers to achieving the goals of the
3 UCG.

4 (b) Establishing a comprehensive statewide interoperability plan for
5 short-term and long-term initiatives.

6 (c) Submitting a semi-annual report to the governor and entities
7 involved in the statewide plan by January first and July first of each year which
8 includes a copy of the current or revised statewide interoperability plan.

9 (d) Re-prioritizing initiatives in the statewide plan, as needed, to address
10 immediate communication needs in cases of emergencies or disasters.

11 (e) Centralizing coordination among multiple agencies, including local,
12 state, and federal.

13 (4) The UCG may adopt rules and procedures for its operation.

14 (5)(a) The UCG is authorized to apply for, contract for, receive, and
15 expend for its purposes any appropriation or grant from the state, its political
16 subdivisions, the federal government, or any other public or private source.

17 (b) The UCG shall allocate the funds according to the initiatives set forth
18 in the statewide communications interoperability plan for first responders and
19 statewide interoperability plan.

20 (c) The UCG shall have oversight in reviewing the spending of federal
21 funds and additional sources of funding earmarked for interoperability to
22 optimize the investment and resources needed in planning, implementing, and
23 maintaining a statewide interoperability plan.

24 (6) There shall be three permanent subcommittees of the UCG as
25 provided for in this Paragraph. In addition, the UCG may establish other
26 subcommittees as it deems advisable and feasible. Except as provided in
27 Subparagraph (a) of this Paragraph, only the UCG may take official action.

28 (a)(i) An "interoperability subcommittee" is hereby established and shall
29 be composed of the following members:

30 (1) Assistant deputy director of interoperability, or his designee.

1 (2) Commissioner of the Division of Administration, or his designee.

2 (3) Adjutant General of the Louisiana National Guard, or his designee.

3 (4) President of the Louisiana Sheriffs Association, Inc., or his designee.

4 (5) President of the Louisiana Association of Chiefs of Police, Inc., or his
5 designee.

6 (6) President of the Louisiana Fire Chiefs Association, or his designee.

7 (7) Chair of the regional parish homeland security and emergency
8 preparedness directors committee, or his designee.

9 (8) The deputy secretary of the Department of Public Safety and
10 Corrections, public safety services, or his designee.

11 (9) Executive director of the Governor's Office of Indian Affairs, or his
12 designee.

13 (10) A representative of the Association of Public-Safety
14 Communications Officials.

15 (11) A representative of the Louisiana Ambulance Alliance.

16 (12) One representative from each of the nine GOHSEP regions. The
17 initial representatives shall be designated by the executive order. Thereafter,
18 the representatives shall be designated pursuant to a selection procedure
19 determined by the interoperability subcommittee.

20 (ii) The roles, duties, and activities of the subcommittee shall include, but
21 are not limited to:

22 (1) Designing, constructing, and assisting in administering and
23 maintaining a statewide communications interoperability plan for first
24 responders with the ability to transport and receive voice, data, image and video
25 information during day-to-day operations, natural disasters, emergency
26 response situations, and terrorist attacks.

27 (2) Leveraging the technical expertise of the committee and third-party
28 resources to develop and approve procedural requirements and technical
29 requirements to implement the statewide communications interoperability plan
30 for first responders.

1 (3) Coordinating interoperability issues with emergency alert services,
2 911 services, 211 services, integrated criminal justice systems, as well as
3 identifying other systems which may need to be addressed by the committee.

4 (4) Establishing advisory subcommittees for specific issues.

5 (5) Submitting a semi-annual report to the governor and to the UCG by
6 January first and July first of each year which includes a copy of the current or
7 revised statewide communications interoperability plan for first responders.

8 (6) Recommending additions or deletions to the UCG on the statewide
9 interoperability plan, but shall have no authority to change the plan.

10 (iii) The chairman of the subcommittee shall be the assistant deputy
11 director of interoperability. All remaining officers shall be elected by and from
12 the membership of the subcommittee.

13 (iv) Members of the subcommittee shall be entitled to be reimbursed for
14 actual expenses for travel consistent with allowances for state classified
15 employees and approved by the chairman of the subcommittee, if funding is
16 available.

17 (v) The subcommittee shall meet at regular intervals at the direction of
18 the chairman.

19 (b)(i) A "first responders subcommittee" is hereby established and shall
20 be composed of the following members:

21 (1) President of the Louisiana Sheriffs Association, Inc., or his designee.

22 (2) President of the Louisiana Association of Chiefs of Police, Inc., or his
23 designee.

24 (3) President of the Louisiana Fire Chiefs Association, or his designee.

25 (4) Chair of the Regional Parish Homeland Security and Emergency
26 Preparedness Directors Committee, or his designee.

27 (5) State fire marshal, or his designee.

28 (6) The deputy secretary of the Department of Public Safety and
29 Corrections, public safety services, or his designee.

30 (7) The director of the Governor's Office of Homeland Security and

1 **Emergency Preparedness, or his designee.**

2 **(ii) The roles, duties, and activities of the subcommittee shall include, but**
3 **are not limited to:**

4 **(1) Planning and advising on issues identified by the Governor's Office**
5 **of Homeland Security and Emergency Preparedness and the UCG regarding**
6 **first responders.**

7 **(2) Establishing advisory subcommittees for specific issues.**

8 **(3) Submitting a semi-annual report to the governor and to the UCG by**
9 **January first and July first of each year.**

10 **(iii) The chairman of the subcommittee shall be appointed by the**
11 **director of the Governor's Office of Homeland Security and Emergency**
12 **Preparedness. All remaining officers shall be elected by and from the**
13 **membership of the subcommittee.**

14 **(iv) Members of the subcommittee shall be entitled to be reimbursed for**
15 **actual expenses for travel consistent with allowances for state classified**
16 **employees and approved by the chairman of the subcommittee, if funding is**
17 **available.**

18 **(v) The subcommittee shall meet at regular intervals at the direction of**
19 **the chairman.**

20 **(c)(i) A "regional parish OEP parish directors subcommittee" is hereby**
21 **established and shall be composed of the following members:**

22 **(1) Each regional parish office of emergency preparedness director, or**
23 **his designee.**

24 **(2) The director of the Governor's Office of Homeland Security and**
25 **Emergency Preparedness, or his designee.**

26 **(ii) The roles, duties, and activities of the subcommittee shall include, but**
27 **are not limited to:**

28 **(1) Planning and advising on strategic emergency management issues**
29 **from a regional perspective.**

30 **(2) Establishing advisory subcommittees for specific issues.**

1 **(3) Submitting a semi-annual report to the governor and to the UCG by**
2 **January first and July first of each year.**

3 **(iii) The chairman of the subcommittee and remaining officers shall be**
4 **elected by and from the membership of the subcommittee on a rotational basis**
5 **established by the subcommittee.**

6 **(iv) Members of the subcommittee shall be entitled to be reimbursed for**
7 **actual expenses for travel consistent with allowances for state classified**
8 **employees and approved by the chairman of the subcommittee, if funding is**
9 **available.**

10 **(v) The subcommittee shall meet at regular intervals at the direction of**
11 **the chairman.**

12 **(7) The UCG may recommend additions or deletions to the**
13 **interoperability subcommittee on the statewide communications**
14 **interoperability plan for first responders, but shall have no authority to change**
15 **the system.**

PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____