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SENATE BILL 5975

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State of Washington

58th Legislature

2003 Regular Session

By Senators Reardon, Esser, Poulsen, Finkbeiner and Schmidt

Read first time 02/26/2003. Referred to Committee on Technology & Communications.

1 AN ACT Relating to coordinating emergency communications systems by  
2 forming the strategic interoperability executive committee; amending  
3 RCW 43.105.041; reenacting and amending RCW 43.105.020; adding new  
4 sections to chapter 43.105 RCW; creating a new section; providing an  
5 effective date; and declaring an emergency.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

7 NEW SECTION. **Sec. 1.** It is the intent of the legislature to  
8 ensure that the state's considerable investment in radio communications  
9 facilities, and the radio spectrum that is licensed to government  
10 entities in the state, are managed in a way that promotes to the  
11 maximum extent the health and safety of the state's citizens and the  
12 economic efficiencies of coordinated planning, development, management,  
13 maintenance, accountability, and performance. The legislature finds  
14 that such coordination is essential for disaster preparedness,  
15 emergency management, and public safety, and that such coordination  
16 will result in more cost-effective use of state resources and improved  
17 government services.

1       **Sec. 2.** RCW 43.105.020 and 1999 c 285 s 1 and 1999 c 80 s 1 are  
2 each reenacted and amended to read as follows:

3       As used in this chapter, unless the context indicates otherwise,  
4 the following definitions shall apply:

5       (1) "Department" means the department of information services;

6       (2) "Board" means the information services board;

7       (3) "Local governments" includes all municipal and quasi municipal  
8 corporations and political subdivisions, and all agencies of such  
9 corporations and subdivisions authorized to contract separately;

10       (4) "Director" means the director of the department;

11       (5) "Purchased services" means services provided by a vendor to  
12 accomplish routine, continuing, and necessary functions. This term  
13 includes, but is not limited to, services acquired for equipment  
14 maintenance and repair, operation of a physical plant, security,  
15 computer hardware and software installation and maintenance,  
16 telecommunications installation and maintenance, data entry, keypunch  
17 services, programming services, and computer time-sharing;

18       (6) "Backbone network" means the shared high-density portions of  
19 the state's telecommunications transmission facilities. It includes  
20 specially conditioned high-speed communications carrier lines,  
21 multiplexors, switches associated with such communications lines, and  
22 any equipment and software components necessary for management and  
23 control of the backbone network;

24       (7) "Telecommunications" means the transmission of information by  
25 wire, radio, optical cable, electromagnetic, or other means. This  
26 information includes, but is not limited to, data, text, voice, and  
27 video;

28       (8) "Information processing" means the electronic capture,  
29 collection, storage, manipulation, transmission, retrieval, and  
30 presentation of information in the form of data, text, voice, or image  
31 and includes telecommunications and office automation functions;

32       (9) "Information services" means data processing,  
33 telecommunications, ~~((and))~~ office automation, and computerized  
34 information systems;

35       (10) "Equipment" means the machines, devices, and transmission  
36 facilities used in information processing, such as computers, word  
37 processors, terminals, telephones, ~~((and))~~ wireless communications

1 system facilities, cables, and any physical facility necessary for the  
2 operation of such equipment;

3 (11) "Information technology portfolio" or "portfolio" means a  
4 strategic management process documenting relationships between agency  
5 missions and information technology and telecommunications investments;

6 (12) "Oversight" means a process of comprehensive risk analysis and  
7 management designed to ensure optimum use of information technology and  
8 telecommunications resources;

9 (13) "Proprietary software" means that software offered for sale or  
10 license;

11 (14) "Video telecommunications" means the electronic  
12 interconnection of two or more sites for the purpose of transmitting  
13 and/or receiving visual and associated audio information. Video  
14 telecommunications shall not include existing public television  
15 broadcast stations as currently designated by the department of  
16 community, trade, and economic development under chapter 43.330 RCW;

17 (15) "K-20 educational network board" or "K-20 board" means the K-  
18 20 educational network board created in RCW 43.105.800;

19 (16) "K-20 network technical steering committee" or "committee"  
20 means the K-20 network technical steering committee created in RCW  
21 43.105.810;

22 (17) "K-20 network" means the network established in RCW  
23 43.105.820;

24 (18) "Educational sectors" means those institutions of higher  
25 education, school districts, and educational service districts that use  
26 the network for distance education, data transmission, and other uses  
27 permitted by the K-20 board; and

28 (19) "Committee" means the strategic interoperability executive  
29 committee.

30 **Sec. 3.** RCW 43.105.041 and 1999 c 285 s 5 are each amended to read  
31 as follows:

32 (1) The board shall have the following powers and duties related to  
33 information services:

34 (a) To develop standards governing the acquisition and disposition  
35 of equipment, proprietary software, and purchased services, licensing  
36 of the radio spectrum by or on behalf of state agencies, and  
37 confidentiality of computerized data;

1 (b) To purchase, lease, rent, or otherwise acquire, dispose of, and  
2 maintain equipment, proprietary software, and purchased services, or to  
3 delegate to other agencies and institutions of state government, under  
4 appropriate standards, the authority to purchase, lease, rent, or  
5 otherwise acquire, dispose of, and maintain equipment, proprietary  
6 software, and purchased services: PROVIDED, That, agencies and  
7 institutions of state government are expressly prohibited from  
8 acquiring or disposing of equipment, proprietary software, and  
9 purchased services without such delegation of authority. The  
10 acquisition and disposition of equipment, proprietary software, and  
11 purchased services is exempt from RCW 43.19.1919 and, as provided in  
12 RCW 43.19.1901, from the provisions of RCW 43.19.190 through 43.19.200.  
13 This subsection (1)(b) does not apply to the legislative branch;

14 (c) To develop statewide or interagency technical policies,  
15 standards, and procedures;

16 (d) To review and approve standards and common specifications for  
17 new or expanded telecommunications networks proposed by agencies,  
18 public postsecondary education institutions, educational service  
19 districts, or statewide or regional providers of K-12 information  
20 technology services, and to assure the cost-effective development and  
21 incremental implementation of a statewide video telecommunications  
22 system to serve: Public schools; educational service districts;  
23 vocational-technical institutes; community colleges; colleges and  
24 universities; state and local government; and the general public  
25 through public affairs programming;

26 (e) To provide direction concerning strategic planning goals and  
27 objectives for the state. The board shall seek input from the  
28 legislature and the judiciary;

29 (f) To develop and implement a process for the resolution of  
30 appeals by:

31 (i) Vendors concerning the conduct of an acquisition process by an  
32 agency or the department; or

33 (ii) A customer agency concerning the provision of services by the  
34 department or by other state agency providers;

35 (g) To establish policies for the periodic review by the department  
36 of agency performance which may include but are not limited to analysis  
37 of:

38 (i) Planning, management, control, and use of information services;

1 (ii) Training and education; and

2 (iii) Project management;

3 (h) To set its meeting schedules and convene at scheduled times, or  
4 meet at the request of a majority of its members, the chair, or the  
5 director; and

6 (i) To review and approve that portion of the department's budget  
7 requests that provides for support to the board.

8 (2) Statewide technical standards to promote and facilitate  
9 electronic information sharing and access are an essential component of  
10 acceptable and reliable public access service and complement content-  
11 related standards designed to meet those goals. The board shall:

12 (a) Establish technical standards to facilitate electronic access  
13 to government information and interoperability of information systems,  
14 including wireless communications systems. Local governments are  
15 strongly encouraged to follow the standards established by the board;  
16 and

17 (b) Require agencies to consider electronic public access needs  
18 when planning new information systems or major upgrades of systems.

19 In developing these standards, the board is encouraged to include  
20 the state library, state archives, and appropriate representatives of  
21 state and local government.

22 (3)(a) The board, in consultation with the K-20 board, has the duty  
23 to govern, operate, and oversee the technical design, implementation,  
24 and operation of the K-20 network including, but not limited to, the  
25 following duties: Establishment and implementation of K-20 network  
26 technical policy, including technical standards and conditions of use;  
27 review and approval of network design; procurement of shared network  
28 services and equipment; and resolving user/provider disputes concerning  
29 technical matters. The board shall delegate general operational and  
30 technical oversight to the K-20 network technical steering committee as  
31 appropriate.

32 (b) The board has the authority to adopt rules under chapter 34.05  
33 RCW to implement the provisions regarding the technical operations and  
34 conditions of use of the K-20 network.

35 NEW SECTION. **Sec. 4.** A new section is added to chapter 43.105 RCW  
36 to read as follows:

37 (1) The board shall appoint a strategic interoperability executive

1 committee, the membership of which shall include, but not be limited  
2 to, representatives of the military department, the Washington state  
3 patrol, the department of transportation, the department of information  
4 services, the department of natural resources, city and county  
5 governments, state and local fire chiefs, police chiefs and sheriffs,  
6 and state and local emergency management directors. The chair and  
7 legislative members of the board shall serve as nonvoting ex officio  
8 members of the committee. Voting membership shall not exceed fifteen  
9 members. The Washington state patrol shall provide staffing for the  
10 committee.

11 (2) The chair of the board shall appoint the chair of the committee  
12 from among the voting members of the committee.

13 (3) The strategic interoperability executive committee has the  
14 following responsibilities:

15 (a) Develop policies and make recommendations to the board for  
16 technical standards for state wireless radio communications systems,  
17 including emergency communications systems. Such standards shall  
18 address among other things the interoperability of systems, taking into  
19 account both existing and future systems and technologies;

20 (b) Coordinate and manage on behalf of the board the licensing and  
21 use of state-designated and state-licensed radio frequencies, including  
22 the spectrum used for public safety and emergency communications, and  
23 serve as the point of contact with the federal communications  
24 commission on matters relating to allocation, use, and licensing of the  
25 radio spectrum;

26 (c) Seek support, including possible federal or other funding, for  
27 state-sponsored wireless communications systems;

28 (d) Develop recommendations for legislation that may be required to  
29 promote interoperability of state wireless communications systems;

30 (e) Foster cooperation and coordination among public safety and  
31 emergency response organizations;

32 (f) Work with wireless communications groups and associations to  
33 ensure interoperability among all public safety and emergency response  
34 wireless communications systems; and

35 (g) Perform such other duties as may be assigned by the board to  
36 promote interoperability of wireless communications systems.

1        NEW SECTION.    **Sec. 5.**    A new section is added to chapter 43.105 RCW  
2 to read as follows:

3        (1) The strategic interoperability executive committee shall take  
4 inventory of and evaluate all state and local government-owned public  
5 safety communications systems, and prepare a statewide public safety  
6 communications plan. The plan shall set forth recommendations for  
7 executive and legislative action to insure that public safety  
8 communications systems can communicate with one another and conform to  
9 federal law and regulations governing emergency communications systems  
10 and spectrum allocation. The plan shall include specific goals for  
11 improving interoperability of public safety communications systems and  
12 identifiable benchmarks for achieving those goals.

13        (2) The strategic interoperability executive committee shall  
14 present the inventory and plan required in subsection (1) of this  
15 section to the board and appropriate legislative committees as follows:

16        (a) By December 31, 2003, an inventory of state government-operated  
17 public safety communications systems;

18        (b) By July 31, 2004, an inventory of all public safety  
19 communications systems in the state;

20        (c) By March 31, 2004, an interim statewide public safety  
21 communications plan; and

22        (d) By December 31, 2004, a final statewide public safety  
23 communications plan.

24        (3) The strategic interoperability executive committee shall  
25 consult regularly with the joint legislative audit and review committee  
26 and the legislative evaluation and accounting program committee while  
27 developing the inventory and plan under this section.

28        NEW SECTION.    **Sec. 6.**    This act is necessary for the immediate  
29 preservation of the public peace, health, or safety, or support of the  
30 state government and its existing public institutions, and takes effect  
31 July 1, 2003.

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