

52:17C-3.2

LEGISLATIVE HISTORY CHECKLIST

Compiled by the NJ State Law Library

LAWS OF: 2011 **CHAPTER:** 4

NJSA: 52:17C-3.2 (Establishes State Public Safety Interoperable Communications Coordinating Council)

BILL NO: S2315 (Substituted for A2934)

SPONSOR(S) Girgenti and others

DATE INTRODUCED: September 23, 2010

COMMITTEE: **ASSEMBLY:** ---

SENATE: Law and Public Safety

AMENDED DURING PASSAGE: Yes

DATE OF PASSAGE: **ASSEMBLY:** November 22, 2010

SENATE: December 13, 2010

DATE OF APPROVAL: January 25, 2011

FOLLOWING ARE ATTACHED IF AVAILABLE:

FINAL TEXT OF BILL (Second reprint enacted)

S2315

SPONSOR'S STATEMENT: (Begins on page 11 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** No

SENATE: Yes

(Audio archived recordings of the committee meetings, corresponding to the date of the committee statement, *may possibly* be found at www.njleg.state.nj.us)

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

A2934

SPONSOR'S STATEMENT: (Begins on page 11 of original bill) Yes

COMMITTEE STATEMENT: **ASSEMBLY:** Yes

SENATE: No

FLOOR AMENDMENT STATEMENT: Yes

LEGISLATIVE FISCAL ESTIMATE: No

(continued)

VETO MESSAGE: No

GOVERNOR'S PRESS RELEASE ON SIGNING: No

FOLLOWING WERE PRINTED:

To check for circulating copies, contact New Jersey State Government Publications at the State Library (609) 278-2640 ext.103 or <mailto:refdesk@njstatelib.org>

REPORTS: No

HEARINGS: No

NEWSPAPER ARTICLES: No

LAW/RWH

[Second Reprint]

SENATE, No. 2315

STATE OF NEW JERSEY
214th LEGISLATURE

INTRODUCED SEPTEMBER 23, 2010

Sponsored by:

Senator JOHN A. GIRGENTI

District 35 (Bergen and Passaic)

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Morris and Somerset)

Assemblyman FREDERICK SCALERA

District 36 (Bergen, Essex and Passaic)

Assemblyman JOHN J. BURZICHELLI

District 3 (Salem, Cumberland and Gloucester)

Co-Sponsored by:

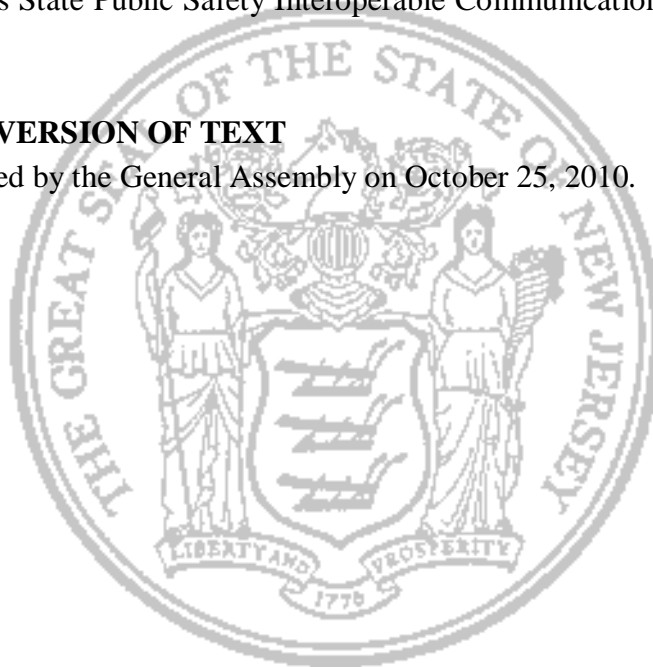
Senator Madden, Assemblyman Diegnan and Senator Stack

SYNOPSIS

Establishes State Public Safety Interoperable Communications Coordinating Council.

CURRENT VERSION OF TEXT

As amended by the General Assembly on October 25, 2010.



(Sponsorship Updated As Of: 12/14/2010)

1 AN ACT establishing the State Public Safety Interoperable
2 Communications Coordinating Council amending and
3 supplementing P.L.1989, c.3 and repealing various sections of
4 the statutory law.

5
6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

8
9 1. Section 1 of P.L.1989, c.3 (C.52:17C-1) is amended to read as
10 follows:

11 1. As used in this act:

12 a. "Automatic number identification (ANI)" means an
13 enhanced 9-1-1 service capability that enables the automatic display
14 of the callback number used to place a 9-1-1 call;

15 b. "Automatic location identification (ALI)" means an
16 enhanced 9-1-1 service capability that enables the automatic display
17 of information defining the geographical location of the telephone
18 used to place a 9-1-1 call;

19 c. "Commission" means the **[9-1-1 Commission]** the Statewide
20 Public Safety Communications Commission created pursuant to
21 section 5 of P.L. , c. (C.) (pending before the Legislature
22 as this bill);

23 d. "County 9-1-1 Coordinator" means the County 9-1-1
24 Coordinator appointed pursuant to section 5 of this act;

25 e. "Enhanced 9-1-1 network" means the switching equipment,
26 trunk system, database operation and connections to the public
27 safety answering point;

28 f. "Enhanced 9-1-1 network features" means those features of
29 selective routing which have the capability of automatic number
30 and location identification;

31 g. "Enhanced 9-1-1 service" means a service consisting of
32 telephone network features and public safety answering points
33 provided for users of the public telephone system enabling the users
34 to reach a public service answering point by dialing the digits "9-1-
35 1." The service directs 9-1-1 calls to appropriate public safety
36 answering points by selective routing based on the location from
37 which the call originated and provides for automatic number
38 identification and automatic location identification features;

39 h. "Enhanced 9-1-1 termination equipment" means the
40 equipment located at the public safety answering point which is
41 needed to receive or record voice and data communications from
42 the enhanced 9-1-1 network;

43 i. "Office" means the Office of Emergency
44 Telecommunications Services established by section 3 of this act;

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Senate SLP committee amendments adopted October 7, 2010.

²Assembly floor amendments adopted October 25, 2010.

- 1 j. "Public safety agency" means a functional division of a
2 municipality, a county, or the State which dispatches or provides
3 law enforcement, fire fighting, emergency medical services, or
4 other emergency services;
- 5 k. "Private safety agency" means any entity, except a
6 municipality or a public safety agency, providing emergency
7 medical services, fire fighting, or other emergency services;
- 8 l. "Public safety answering point (PSAP)" means a facility,
9 operated on a 24-hour basis, assigned the responsibility of receiving
10 9-1-1 calls and, as appropriate, directly dispatching emergency
11 response services or transferring or relaying emergency 9-1-1 calls
12 to other public safety agencies. A public safety answering point is
13 the first point of reception by a public safety agency of 9-1-1 calls
14 and serves the jurisdictions in which it is located or other
15 participating jurisdictions;
- 16 m. "Selective routing" means the method employed to direct
17 9-1-1 calls to the appropriate public safety answering point based
18 on the location from which the call originated;
- 19 n. "Emergency enhanced 9-1-1 system" or "system" means the
20 emergency enhanced 9-1-1 telephone system to be established
21 pursuant to this act, including wireless enhanced 9-1-1 service;
- 22 o. "Telephone company" means the organization that provides
23 switched local telephone exchange access service;
- 24 p. "Wireless telephone company" means any person providing
25 commercial mobile radio service as defined in 47 U.S.C.s.332 (d);
- 26 q. "FCC wireless E9-1-1 requirements" means the order
27 adopted in the Federal Communications Commission proceeding
28 entitled "Revision of the Commission's Rules to Ensure
29 Comparability with Enhanced 9-1-1 Emergency Calling Systems,"
30 (CC Docket No. 94-102: RM-8143), or any successor proceeding,
31 and the rules adopted by the Federal Communications Commission
32 in any such proceeding, as these rules may be amended from time to
33 time;
- 34 r. "Wireless 9-1-1 service" means the service which enables
35 wireless telephone company customers to dial the digits 9-1-1 and
36 be connected to a public safety agency;
- 37 s. "Wireless enhanced 9-1-1 service" means the service
38 required to be provided by a wireless telephone company pursuant
39 to FCC wireless E9-1-1 requirements;
- 40 t. "Chief Technology Officer" means the person appointed by
41 and serving at the pleasure of the Governor who is responsible for
42 the day-to-day operations of the Office of Information Technology;
- 43 u. ["Governing Board" means the board established pursuant to
44 section 10 of P.L.2007, c.56 (C.52:18A-228), to oversee the Office
45 of Information Technology; and] (Deleted by amendment, P.L. ____,
46 c. __) (now before the Legislature as this bill).

- 1 v. "Office of Information Technology" means the Office of
2 Information Technology in but not of the Department of the
3 Treasury [.] ;
- 4 w. "Council" means the Statewide Public Safety
5 Communications Advisory Council created pursuant to section '1[5]
6 6' of P.L. , c. (C.) (pending before the Legislature as this
7 bill);
- 8 x. "Delaware River Homeland Security Region
9 Communications Working Group" means the group of individuals
10 from agencies assigned to that region by the Office of Homeland
11 Security and Preparedness that collaborate on common
12 communications issues;
- 13 y. "Interoperability" means the ability of diverse information
14 and communication technology systems and the processes they
15 support to effectively work together through compatible
16 communication paths to directly and satisfactorily exchange,
17 correlate, and integrate data , information, and knowledge across
18 jurisdictional boundaries and to use the data, information, and
19 knowledge that has been exchanged;
- 20 z. "Northeast/UASI Homeland Security Region
21 Communications Working Group" means the group of individuals
22 from agencies assigned to that region by the Office of Homeland
23 Security and Preparedness that collaborate on common
24 communications issues;
- 25 aa. "Northwest Homeland Security Region Communications
26 Working Group" means the group of individuals from agencies
27 assigned to that region by the Office of Homeland Security and
28 Preparedness that collaborate on common communications issues;
- 29 bb. "Shore Homeland Security Region Communications
30 Working Group" means the group 'of' individuals from agencies
31 assigned to that region by the Office of Homeland Security and
32 Preparedness that collaborate on common communications issues;
33 and
- 34 cc. "State Agency Communications Working Group" means the
35 group of individuals made up of State and quasi-state agencies as
36 defined in the State Preparedness Report that collaborate on
37 common communications issues.
38 (cf: P.L.2007, c.56, s.18)
- 39
- 40 2. Section 3 of P.L.1989, c.3 (C.52:17C-3) is amended to read
41 as follows:
- 42 3. a. There is established in the Office of Information
43 Technology an Office of Emergency Telecommunications Services.
- 44 b. The office shall be under the immediate supervision of a
45 director, who shall be a person qualified by training and experience
46 to direct the work of the office. The director shall administer the
47 provisions of this act subject to review by the Chief Technology
48 Officer and shall perform other duties as may be provided by law.

1 The director shall be appointed by the Chief Technology Officer,
2 but the commission shall advise the Chief Technology Officer on
3 the qualifications of the director. The Chief Technology Officer is
4 authorized to appoint, in accordance with Title 11A of the New
5 Jersey Statutes, clerical, technical, and professional assistants, and
6 also may designate any available personnel as shall be necessary to
7 effectuate the purposes of this act.

8 The office shall designate a staff member from within 'the' Office
9 of Information Technology to be designated as a professional spectrum
10 manager. The professional spectrum manager shall be responsible for
11 approving all applications for public safety spectrum allocations in the
12 State to ensure that the State fully complies with Federal
13 Communications Commission rules that impact frequency allocation
14 for public safety use. The spectrum manager may be chosen from
15 among the current employees of the office and the chosen employee
16 may continue the duties and responsibilities of their current position in
17 addition to the duties and responsibilities of spectrum manager as
18 provided in this section.

19 The office shall designate a staff member from within 'the' Office
20 of Information Technology to be designated the Statewide
21 Interoperability Coordinator to coordinate interoperable
22 communications grants and projects consistent with the National
23 Communications Plan. The coordinator may be chosen from among
24 the current employees of the office and the chosen employee may
25 continue the duties and responsibilities of '[their] his' current
26 position in addition to the duties and responsibilities of coordinator as
27 provided in this section.

28 The office shall, subject to review by the commission and the
29 Chief Technology Officer, **[only as provided in subsection c. of this**
30 **section,]** and in consultation with the council, the telephone
31 companies, the Board of Public Utilities and the wireless telephone
32 companies, and with the assistance of the Office of Information
33 Technology in but not of the Department of the Treasury, continue
34 to plan, design, implement, and coordinate the Statewide emergency
35 enhanced 9-1-1 telephone system to be established pursuant to this
36 act as well as any changes to that system needed to provide wireless
37 enhanced 9-1-1 service.

38 To this end the office shall establish, after review and approval
39 by the commission, in consultation with the council, a State plan for
40 the emergency enhanced 9-1-1 system in this State, which plan shall
41 include:

42 (1) The configuration of, and requirements for, the enhanced 9-1-
43 1 network. The office with the approval of the commission and the
44 Chief Technology Officer, in consultation with the council, only as
45 provided herein, and assistance and advice of the Office of
46 Information Technology in but not of the Department of the
47 Treasury is empowered to enter into contracts **[with the telephone**

1 companies and the wireless telephone companies] for the provision
2 of this network.

3 (2) The role and responsibilities of the counties and
4 municipalities of the State in the implementation of the system,
5 consistent with the provisions of this act, including a timetable for
6 implementation.

7 (3) Technical and operational standards for the establishment of
8 public safety answering points (PSAPs) which utilize enhanced 9-1-
9 1 network features in accordance with the provisions of this act and
10 in alignment with the Next Generation 9-1-1 Planning by the
11 National 9-1-1 Office within the United States Department of
12 Transportation, National Highway Traffic Safety Administration.
13 Those entities having responsibility for the creation and
14 management of PSAPs shall conform to these standards in the
15 design, implementation and operation of the PSAPs. These
16 standards shall include provision for the training and certification of
17 call-takers and public safety dispatchers or for the adoption of such
18 a program.

19 [The State plan shall be established within 270 days of the
20 operative date of this act except that the technical and operational
21 standards specified in paragraph (3) of this subsection shall be
22 established within 180 days of the operative date of this act.]

23 The office, after review and approval by the commission and the
24 Chief Technology Officer, in consultation with the council, only as
25 provided herein, may update and revise the State plan from time to
26 time.

27 The office may inspect each PSAP to determine if it meets the
28 requirements of this act and the technical and operational standards
29 established pursuant to this section. The office shall explore ways
30 to maximize the reliability of the system.

31 The plan or any portion of it may be implemented by the
32 adoption of regulations pursuant to subsection b. of section 15 of
33 this act.

34 The State plan shall require the consolidation of PSAPs as
35 appropriate, consistent with revisions in the plan to upgrade the
36 enhanced 9-1-1 system and shall condition the allocation of moneys
37 dedicated for the operation of PSAPs on the merging and sharing of
38 PSAP functions by municipalities, counties and the State Police,
39 consistent with the revised plan. The Treasurer may establish, by
40 regulation, a 9-1-1 call volume minimum that may be utilized as a
41 factor in determining which PSAP functions are to be consolidated
42 under the State plan.

43 The State plan shall limit the use of sworn law enforcement
44 officers to provide dispatch services and the office shall condition
45 the receipt of moneys dedicated for the operation of PSAPs on the
46 limited use of sworn law enforcement officers, except for officers
47 returning to active duty from an injury or other physical disability.

1 The office shall plan, implement and coordinate a Statewide
2 public education program designed to generate public awareness at
3 all levels of the emergency enhanced 9-1-1 system. Advertising
4 and display of 9-1-1 shall be in accordance with standards
5 established by the office. Advertising expenses may be defrayed
6 from the moneys appropriated to the office.

7 **【The office, after review and approval by the commission and
8 the Chief Technology Officer, only as provided herein, shall submit
9 a report to the Senate Revenue, Finance and Appropriations
10 Committee and the Assembly Appropriations Committee, or their
11 successors, not later than February 15 of each year, concerning its
12 progress in carrying out this act and the expenditure of moneys
13 appropriated thereto and appropriated for the purposes of
14 installation of the Statewide enhanced 9-1-1 network.】**

15 c. (Deleted by amendment, P.L.1999, c.125).

16 d. To this end, the office shall, subject to review and approval
17 by the commission and the Chief Technology Officer, and in
18 consultation with the council, develop a Statewide Communications
19 Interoperability Plan, which shall include:

20 (1) the strategy to most effectively provide interoperability and
21 coordinate public safety communications between and among State,
22 county and municipal public safety agencies. The office shall
23 submit recommendations and proposals, as appropriate, to the
24 Regional Planning Committees to which the State is assigned by the
25 Federal Communications Commission; and

26 (2) the role and responsibilities of the counties and
27 municipalities of the State in the implementation of the New Jersey
28 Interoperable Communications System, consistent with the National
29 Communications Plan and the provisions of this act, including a
30 timetable for implementation.

31 e. The office, after review and approval by the commission and
32 the Chief Technology Officer, in consultation with the council, only
33 as provided herein, may update and revise the State plan as needed.
34 The plan or any portion of it may be implemented by the adoption
35 of regulations pursuant the “Administrative Procedure Act,”
36 P.L.1968, c.410 (C.52:14B-1 et seq.).

37 f. The office, after review and approval by the commission and
38 the Chief Technology Officer, only as provided herein, shall submit
39 a report to the Senate Revenue, Finance and Appropriations
40 Committee and the Assembly Appropriations Committee, or their
41 successors, not later than February 15 of each year, concerning its
42 progress in carrying out ‘the provisions of’ this act and the
43 expenditure of moneys appropriated thereto and appropriated for the
44 purposes of installation of the Statewide enhanced 9-1-1 network
45 and the New Jersey Interoperable Communications System.

46 (cf: P.L.2007, c.56, s.20)

1 3. Section 4 of P.L.1989, c.3 (C.52:17C-4) is amended to read
2 as follows:

3 4. Each telephone company providing service within the State
4 shall provide **【within three years of the operative date of this act】**
5 enhanced 9-1-1 service to include selective routing, automatic
6 number identification and automatic location identification features
7 as a tariffed service package in compliance with a timetable issued
8 by the office with the approval of the commission. **【The office with**
9 **the approval of the commission may extend the three-year limit if**
10 **necessary】**.

11 Each wireless telephone company providing service within the
12 State shall provide wireless enhanced 9-1-1 service pursuant to FCC
13 wireless E9-1-1 requirements and P.L.1999, c.125 (C.52:17C-3.1 et
14 al.).

15 (cf: P.L.1999, c.125, s.4)

16

17 4. Section 11 of P.L.1989, c.3 (C.52:17C-11) is amended to
18 read as follows:

19 11. **【As enhanced 9-1-1 service becomes available, all】** All coin
20 and credit card telephones whether public or private within areas
21 served by enhanced 9-1-1 service shall be converted to dial tone
22 first capability, which shall allow a caller to dial 9-1-1 without first
23 inserting a coin or any other device. On each converted telephone,
24 instructions on how to access the emergency enhanced 9-1-1 system
25 shall be prominently displayed.

26 (cf: P.L.1989, c.3 s.11)

27

28 5. (New section) a. There is established in the Office of
29 Information Technology a Statewide Public Safety Communications
30 Commission which shall oversee the office in the planning, design,
31 and implementation of the Statewide emergency enhanced 9-1-1
32 telephone system and the New Jersey Interoperable
33 Communications System.

34 b. The commission shall consist of 16 members as follows: two
35 members of the Senate appointed by the President of the Senate,
36 who shall not be both of the same political party; two members of
37 the General Assembly appointed by the Speaker of the General
38 Assembly, who shall not be both of the same political party; the
39 following members ex officio: Chief Technology Officer of the
40 Office of Information Technology or his designee; Director of the
41 Office of Homeland Security and Preparedness or his designee;
42 Superintendent of State Police or his designee; Commissioner of
43 Department of Health and Senior Services or his designee; the State
44 Treasurer or his designee; the New Jersey State Fire Marshal or his
45 designee; the following public members appointed by the Governor
46 with the advice and consent of the Senate: a representative of the
47 Northeast/UASI Homeland Security Region; a representative of the
48 Delaware River Homeland Security Region; a representative of the

1 Shore Homeland Security Region; a representative of the Northwest
2 Homeland Security Region; a representative from the State Agency
3 Communications Working Group; 'and' a representative from the
4 Statewide Public Safety Advisory Council.

5 c. The members of the Senate and General Assembly appointed
6 to the commission shall serve for the term for which they were
7 elected. The members of the Senate and General Assembly
8 appointed to the commission shall be non-voting, advisory
9 members, appointed solely for the purpose of developing and
10 facilitating legislation to assist the commission in fulfilling its
11 statutory mission, and may not exercise any of the executive powers
12 delegated to the commission by law.

13 d. Of the public members first appointed to the commission by
14 the Governor with the advice and consent of the Senate, two shall
15 be appointed for terms of three years, two shall be appointed for
16 terms of two years, and one shall be appointed for '[terms] a term'
17 of one year. Thereafter, the public members of the commission shall
18 be appointed for terms of three years. Vacancies on the commission
19 shall be filled in the same manner as the original appointment but
20 for the unexpired term. Members may be removed by the appointing
21 authority for cause. The initial members shall be appointed within
22 30 days of the effective date of this act. The commission shall have
23 the authority to establish subcommittees as it deems appropriate to
24 carry out the purposes of this act.

25 e. The commission shall be co-chaired by the Chief
26 Technology Officer within the Office of Information Technology
27 and the Director of the Office of Homeland Security and
28 Preparedness, or their designees.

29 f. The commission shall be constituted upon the appointment
30 of the majority of its authorized membership and shall have no
31 expiration date.

32 g. The commission shall meet bi-annually or at more frequent
33 intervals at the discretion of the co-chairs. The meetings of the
34 '[Commission] commission' shall be held at the times and in the
35 places necessary and appropriate to fulfill its duties and
36 responsibilities.

37 h. The Office of Information Technology shall provide such
38 administrative and professional assistance as the commission
39 requires to carry out its work.

40 i. The commission shall be authorized to call to its assistance
41 and avail itself of the services of the employees of any State,
42 county, or local law enforcement entity, any fire department, paid
43 or volunteer, rescue squad or any other department or agency as it
44 may require. State, county, and municipal agencies shall cooperate
45 with the commission by providing information and data as needed.

46 j. For security concerns, meetings of the commission shall be
47 exempt from the provisions set forth in the "Open Public Meeting
48 Act," P.L.1975, c.231 (C.10:4-6 et seq.). Records made or

1 maintained by the commission shall not be considered public or
2 government records under P.L.1963, c.73 (C.47:1A-1 et seq.). The
3 commission may call upon staff members and the expertise of non-
4 council members to participate in commission activities to provide
5 information and advice.

6 k. The commission shall adopt a charter to effectuate this act
7 within 180 days after the first meeting date.

8
9 6. (New section) a. There is established in the Office of
10 Information Technology the Statewide Public Safety
11 Communications Advisory Council which shall provide advice and
12 assistance to the commission and the office in the planning, design,
13 and implementation of the Statewide emergency enhanced 9-1-1
14 telephone system and the New Jersey Interoperable
15 Communications System.

16 b. The council shall consist of ²[21] 22² members, the
17 following members ex-officio; the Chief Technology Officer within
18 ¹[OIT] the Office of Information Technology¹ who shall serve as
19 the council chairperson; the Deputy Director, Office of Homeland
20 Security and Preparedness, Preparedness Division; the Bureau
21 Chief, New Jersey State Police Communications within ¹the¹ Office
22 of Emergency Management; the Director of the ¹[department]
23 Department¹ of Health and Senior Services, Health Infrastructure
24 Preparedness and Emergency Response; the President of the New
25 Jersey Board of Public Utilities; the New Jersey State Fire Marshal;
26 the following public members: ²a representative from the Federal
27 Emergency Management Agency, Region II;² a representative from
28 the Northeast/USAI Homeland Security Region Communications
29 Working Group; a representative from the Northwest Homeland
30 Security Region Communications Working Group; a representative
31 from the Shore Homeland Security Region Communications
32 Working Group; a representative from the Delaware River
33 Homeland Security Region Communications Working Group; a
34 representative from the State Agency Communications Working
35 Group; a representative from ²[NENA] the National Emergency
36 Number Association², New Jersey Chapter; a representative from
37 the Association of Public-Safety Communications Professionals
38 ²[APCO]²; a representative from the New Jersey Chiefs of Police
39 Association; a representative from the New Jersey Fire Chiefs
40 Association; a representative from the New Jersey State First Aid
41 Council; a representative from the Sheriffs Association of New
42 Jersey; a representative from the Department of Health and Senior
43 services, Office of Emergency Medical Services, ²[EMS]
44 Emergency Medical Services² Council; the ²[APCO] Association
45 of Public-Safety Communications Professionals² Public Safety
46 Frequency Coordinator; a representative from ²the² New Jersey

1 ²**[EMS]** Emergency Medical Services² Task Force,
2 communications branch; ¹and¹ a representative from the New Jersey
3 Urban Search and Rescue ²**[(USAR)]**² Team, communications
4 branch.

5 c. Public members of council shall be recommended by the
6 appointing authority and subject to confirmation by the commission
7 and shall serve as a member of the council until replaced or
8 removed for cause by the commission or appointing authority. The
9 council shall have the authority to establish subcommittees as it
10 deems appropriate to carry out the purposes of this act.

11 d. Members of the council shall serve without compensation.

12 e. Each ex-officio member may designate an employee of the
13 member's department or agency to represent the member at
14 meetings or hearings of the council. All designees may lawfully
15 vote and otherwise act on behalf of the members for whom they
16 constitute the designees.

17 f. The council shall be constituted upon the appointment of the
18 majority of its authorized membership and shall have no expiration
19 date.

20 g. The council shall be governed by the charter established by
21 the commission.

22

23 7. The following sections are repealed:
24 Section 1 through 8 of P.L.2003, c.235 (C.52:17E-1 et seq.);
25 Section 2 of P.L.1989, c.3 (C.52:17C-2); and
26 Section 8 of P.L.1999, c.125 (C.52:17C-3.1).

27

28 8. This act shall take effect immediately.

SENATE, No. 2315

STATE OF NEW JERSEY
214th LEGISLATURE

INTRODUCED SEPTEMBER 23, 2010

Sponsored by:

Senator JOHN A. GIRGENTI

District 35 (Bergen and Passaic)

Senator CHRISTOPHER "KIP" BATEMAN

District 16 (Morris and Somerset)

SYNOPSIS

Establishes State Public Safety Interoperable Communications Coordinating Council.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT establishing the State Public Safety Interoperable
2 Communications Coordinating Council amending and
3 supplementing P.L.1989, c.3 and repealing various sections of
4 the statutory law.

5
6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

8
9 1. Section 1 of P.L.1989, c.3 (C.52:17C-1) is amended to read
10 as follows:

11 1. As used in this act:

12 a. "Automatic number identification (ANI)" means an
13 enhanced 9-1-1 service capability that enables the automatic display
14 of the callback number used to place a 9-1-1 call;

15 b. "Automatic location identification (ALI)" means an
16 enhanced 9-1-1 service capability that enables the automatic display
17 of information defining the geographical location of the telephone
18 used to place a 9-1-1 call;

19 c. "Commission" means the **[9-1-1 Commission]** the Statewide
20 Public Safety Communications Commission created pursuant to
21 section 5 of P.L. , c. (C.) (pending before the Legislature as
22 this bill);

23 d. "County 9-1-1 Coordinator" means the County 9-1-1
24 Coordinator appointed pursuant to section 5 of this act;

25 e. "Enhanced 9-1-1 network" means the switching equipment,
26 trunk system, database operation and connections to the public
27 safety answering point;

28 f. "Enhanced 9-1-1 network features" means those features of
29 selective routing which have the capability of automatic number
30 and location identification;

31 g. "Enhanced 9-1-1 service" means a service consisting of
32 telephone network features and public safety answering points
33 provided for users of the public telephone system enabling the users
34 to reach a public service answering point by dialing the digits "9-1-
35 1." The service directs 9-1-1 calls to appropriate public safety
36 answering points by selective routing based on the location from
37 which the call originated and provides for automatic number
38 identification and automatic location identification features;

39 h. "Enhanced 9-1-1 termination equipment" means the
40 equipment located at the public safety answering point which is
41 needed to receive or record voice and data communications from
42 the enhanced 9-1-1 network;

43 i. "Office" means the Office of Emergency
44 Telecommunications Services established by section 3 of this act;

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

- 1 j. "Public safety agency" means a functional division of a
2 municipality, a county, or the State which dispatches or provides
3 law enforcement, fire fighting, emergency medical services, or
4 other emergency services;
- 5 k. "Private safety agency" means any entity, except a
6 municipality or a public safety agency, providing emergency
7 medical services, fire fighting, or other emergency services;
- 8 l. "Public safety answering point (PSAP)" means a facility,
9 operated on a 24-hour basis, assigned the responsibility of receiving
10 9-1-1 calls and, as appropriate, directly dispatching emergency
11 response services or transferring or relaying emergency 9-1-1 calls
12 to other public safety agencies. A public safety answering point is
13 the first point of reception by a public safety agency of 9-1-1 calls
14 and serves the jurisdictions in which it is located or other
15 participating jurisdictions;
- 16 m. "Selective routing" means the method employed to direct
17 9-1-1 calls to the appropriate public safety answering point based
18 on the location from which the call originated;
- 19 n. "Emergency enhanced 9-1-1 system" or "system" means the
20 emergency enhanced 9-1-1 telephone system to be established
21 pursuant to this act, including wireless enhanced 9-1-1 service;
- 22 o. "Telephone company" means the organization that provides
23 switched local telephone exchange access service;
- 24 p. "Wireless telephone company" means any person providing
25 commercial mobile radio service as defined in 47 U.S.C.s.332 (d);
- 26 q. "FCC wireless E9-1-1 requirements" means the order
27 adopted in the Federal Communications Commission proceeding
28 entitled "Revision of the Commission's Rules to Ensure
29 Comparability with Enhanced 9-1-1 Emergency Calling Systems,"
30 (CC Docket No. 94-102: RM-8143), or any successor proceeding,
31 and the rules adopted by the Federal Communications Commission
32 in any such proceeding, as these rules may be amended from time to
33 time;
- 34 r. "Wireless 9-1-1 service" means the service which enables
35 wireless telephone company customers to dial the digits 9-1-1 and
36 be connected to a public safety agency;
- 37 s. "Wireless enhanced 9-1-1 service" means the service
38 required to be provided by a wireless telephone company pursuant
39 to FCC wireless E9-1-1 requirements;
- 40 t. "Chief Technology Officer" means the person appointed by
41 and serving at the pleasure of the Governor who is responsible for
42 the day-to-day operations of the Office of Information Technology;
- 43 u. ["Governing Board" means the board established pursuant to
44 section 10 of P.L.2007, c.56 (C.52:18A-228), to oversee the Office
45 of Information Technology; and] (Deleted by amendment, P.L. , c.)
46 (now before the Legislature as this bill).

1 v. "Office of Information Technology" means the Office of
2 Information Technology in but not of the Department of the
3 Treasury [.] ;

4 w. "Council" means the Statewide Public Safety
5 Communications Advisory Council created pursuant to section 5 of
6 P.L. , c. (C.) (pending before the Legislature as this bill);

7 x. "Delaware River Homeland Security Region
8 Communications Working Group" means the group of individuals
9 from agencies assigned to that region by the Office of Homeland
10 Security and Preparedness that collaborate on common
11 communications issues;

12 y. "Interoperability" means the ability of diverse information
13 and communication technology systems and the processes they
14 support to effectively work together through compatible
15 communication paths to directly and satisfactorily exchange,
16 correlate, and integrate data , information, and knowledge across
17 jurisdictional boundaries and to use the data, information, and
18 knowledge that has been exchanged;

19 z. "Northeast/UASI Homeland Security Region
20 Communications Working Group" means the group of individuals
21 from agencies assigned to that region by the Office of Homeland
22 Security and Preparedness that collaborate on common
23 communications issues;

24 aa. "Northwest Homeland Security Region Communications
25 Working Group" means the group of individuals from agencies
26 assigned to that region by the Office of Homeland Security and
27 Preparedness that collaborate on common communications issues;

28 bb. "Shore Homeland Security Region Communications
29 Working Group" means the group individuals from agencies
30 assigned to that region by the Office of Homeland Security and
31 Preparedness that collaborate on common communications issues;
32 and

33 cc. "State Agency Communications Working Group" means the
34 group of individuals made up of State and quasi-state agencies as
35 defined in the State Preparedness Report that collaborate on
36 common communications issues.

37 (cf: P.L.2007, c.56, s.18)

38

39 2. Section 3 of P.L.1989, c.3 (C.52:17C-3) is amended to read
40 as follows:

41 3. a. There is established in the Office of Information
42 Technology an Office of Emergency Telecommunications Services.

43 b. The office shall be under the immediate supervision of a
44 director, who shall be a person qualified by training and experience
45 to direct the work of the office. The director shall administer the
46 provisions of this act subject to review by the Chief Technology
47 Officer and shall perform other duties as may be provided by law.
48 The director shall be appointed by the Chief Technology Officer,

1 but the commission shall advise the Chief Technology Officer on
2 the qualifications of the director. The Chief Technology Officer is
3 authorized to appoint, in accordance with Title 11A of the New
4 Jersey Statutes, clerical, technical, and professional assistants, and
5 also may designate any available personnel as shall be necessary to
6 effectuate the purposes of this act.

7 The office shall designate a staff member from within Office of
8 Information Technology to be designated as a professional spectrum
9 manager. The professional spectrum manager shall be responsible
10 for approving all applications for public safety spectrum allocations
11 in the State to ensure that the State fully complies with Federal
12 Communications Commission rules that impact frequency
13 allocation for public safety use. The spectrum manager may be
14 chosen from among the current employees of the office and the
15 chosen employee may continue the duties and responsibilities of
16 their current position in addition to the duties and responsibilities of
17 spectrum manager as provided in this section.

18 The office shall designate a staff member from within Office of
19 Information Technology to be designated the Statewide
20 Interoperability Coordinator to coordinate interoperable
21 communications grants and projects consistent with the National
22 Communications Plan. The coordinator may be chosen from among
23 the current employees of the office and the chosen employee may
24 continue the duties and responsibilities of their current position in
25 addition to the duties and responsibilities of coordinator as provided
26 in this section.

27 The office shall, subject to review by the commission and the
28 Chief Technology Officer, **[only as provided in subsection c. of this**
29 **section,]** and in consultation with the council, the telephone
30 companies, the Board of Public Utilities and the wireless telephone
31 companies, and with the assistance of the Office of Information
32 Technology in but not of the Department of the Treasury, continue
33 to plan, design, implement, and coordinate the Statewide emergency
34 enhanced 9-1-1 telephone system to be established pursuant to this
35 act as well as any changes to that system needed to provide wireless
36 enhanced 9-1-1 service.

37 To this end the office shall establish, after review and approval
38 by the commission, in consultation with the council, a State plan for
39 the emergency enhanced 9-1-1 system in this State, which plan shall
40 include:

41 (1) The configuration of, and requirements for, the enhanced 9-
42 1-1 network. The office with the approval of the commission and
43 the Chief Technology Officer, in consultation with the council, only
44 as provided herein, and assistance and advice of the Office of
45 Information Technology in but not of the Department of the
46 Treasury is empowered to enter into contracts **[with the telephone**
47 **companies and the wireless telephone companies]** for the provision
48 of this network.

1 (2) The role and responsibilities of the counties and
2 municipalities of the State in the implementation of the system,
3 consistent with the provisions of this act, including a timetable for
4 implementation.

5 (3) Technical and operational standards for the establishment of
6 public safety answering points (PSAPs) which utilize enhanced 9-1-
7 1 network features in accordance with the provisions of this act and
8 in alignment with the Next Generation 9-1-1 Planning by the
9 National 9-1-1 Office within the United States Department of
10 Transportation, National Highway Traffic Safety Administration.
11 Those entities having responsibility for the creation and
12 management of PSAPs shall conform to these standards in the
13 design, implementation and operation of the PSAPs. These
14 standards shall include provision for the training and certification of
15 call-takers and public safety dispatchers or for the adoption of such
16 a program.

17 **【The State plan shall be established within 270 days of the**
18 **operative date of this act except that the technical and operational**
19 **standards specified in paragraph (3) of this subsection shall be**
20 **established within 180 days of the operative date of this act.】**

21 The office, after review and approval by the commission and the
22 Chief Technology Officer, in consultation with the council, only as
23 provided herein, may update and revise the State plan from time to
24 time.

25 The office may inspect each PSAP to determine if it meets the
26 requirements of this act and the technical and operational standards
27 established pursuant to this section. The office shall explore ways
28 to maximize the reliability of the system.

29 The plan or any portion of it may be implemented by the
30 adoption of regulations pursuant to subsection b. of section 15 of
31 this act.

32 The State plan shall require the consolidation of PSAPs as
33 appropriate, consistent with revisions in the plan to upgrade the
34 enhanced 9-1-1 system and shall condition the allocation of moneys
35 dedicated for the operation of PSAPs on the merging and sharing of
36 PSAP functions by municipalities, counties and the State Police,
37 consistent with the revised plan. The Treasurer may establish, by
38 regulation, a 9-1-1 call volume minimum that may be utilized as a
39 factor in determining which PSAP functions are to be consolidated
40 under the State plan.

41 The State plan shall limit the use of sworn law enforcement
42 officers to provide dispatch services and the office shall condition
43 the receipt of moneys dedicated for the operation of PSAPs on the
44 limited use of sworn law enforcement officers, except for officers
45 returning to active duty from an injury or other physical disability.

46 The office shall plan, implement and coordinate a Statewide
47 public education program designed to generate public awareness at
48 all levels of the emergency enhanced 9-1-1 system. Advertising

1 and display of 9-1-1 shall be in accordance with standards
2 established by the office. Advertising expenses may be defrayed
3 from the moneys appropriated to the office.

4 **【**The office, after review and approval by the commission and
5 the Chief Technology Officer, only as provided herein, shall submit
6 a report to the Senate Revenue, Finance and Appropriations
7 Committee and the Assembly Appropriations Committee, or their
8 successors, not later than February 15 of each year, concerning its
9 progress in carrying out this act and the expenditure of moneys
10 appropriated thereto and appropriated for the purposes of
11 installation of the Statewide enhanced 9-1-1 network.**】**

12 c. (Deleted by amendment, P.L.1999, c.125).

13 d. To this end, the office shall, subject to review and approval
14 by the commission and the Chief Technology Officer, and in
15 consultation with the council, develop a Statewide Communications
16 Interoperability Plan, which shall include:

17 (1) the strategy to most effectively provide interoperability and
18 coordinate public safety communications between and among State,
19 county and municipal public safety agencies. The office shall
20 submit recommendations and proposals, as appropriate, to the
21 Regional Planning Committees to which the State is assigned by the
22 Federal Communications Commission; and

23 (2) the role and responsibilities of the counties and
24 municipalities of the State in the implementation of the New Jersey
25 Interoperable Communications System, consistent with the National
26 Communications Plan and the provisions of this act, including a
27 timetable for implementation.

28 e. The office, after review and approval by the commission and
29 the Chief Technology Officer, in consultation with the council, only
30 as provided herein, may update and revise the State plan as needed.
31 The plan or any portion of it may be implemented by the adoption
32 of regulations pursuant the "Administrative Procedure Act,"
33 P.L.1968, c.410 (C.52:14B-1 et seq.).

34 f. The office, after review and approval by the commission and
35 the Chief Technology Officer, only as provided herein, shall submit
36 a report to the Senate Revenue, Finance and Appropriations
37 Committee and the Assembly Appropriations Committee, or their
38 successors, not later than February 15 of each year, concerning its
39 progress in carrying out this act and the expenditure of moneys
40 appropriated thereto and appropriated for the purposes of
41 installation of the Statewide enhanced 9-1-1 network and the New
42 Jersey Interoperable Communications System.

43 (cf: P.L.2007, c.56, s.20)

44
45 3. Section 4 of P.L.1989, c.3 (C.52:17C-4) is amended to read
46 as follows:

47 4. Each telephone company providing service within the State
48 shall provide **【**within three years of the operative date of this act**】**

1 enhanced 9-1-1 service to include selective routing, automatic
2 number identification and automatic location identification features
3 as a tariffed service package in compliance with a timetable issued
4 by the office with the approval of the commission. **【The office with**
5 **the approval of the commission may extend the three-year limit if**
6 **necessary】.**

7 Each wireless telephone company providing service within the
8 State shall provide wireless enhanced 9-1-1 service pursuant to FCC
9 wireless E9-1-1 requirements and P.L.1999, c.125 (C.52:17C-3.1 et
10 al.).

11 (cf: P.L.1999, c.125, s.4)

12

13 4. Section 11 of P.L.1989, c.3 (C.52:17C-11) is amended to
14 read as follows:

15 11. **【As enhanced 9-1-1 service becomes available, all】** All coin
16 and credit card telephones whether public or private within areas
17 served by enhanced 9-1-1 service shall be converted to dial tone
18 first capability, which shall allow a caller to dial 9-1-1 without first
19 inserting a coin or any other device. On each converted telephone,
20 instructions on how to access the emergency enhanced 9-1-1 system
21 shall be prominently displayed.

22 (cf: P.L.1989, c.3 s.11)

23

24 5. (New section) a. There is established in the Office of
25 Information Technology a Statewide Public Safety Communications
26 Commission which shall oversee the office in the planning, design,
27 and implementation of the Statewide emergency enhanced 9-1-1
28 telephone system and the New Jersey Interoperable
29 Communications System.

30 b. The commission shall consist of 16 members as follows: two
31 members of the Senate appointed by the President of the Senate,
32 who shall not be both of the same political party; two members of
33 the General Assembly appointed by the Speaker of the General
34 Assembly, who shall not be both of the same political party; the
35 following members ex officio: Chief Technology Officer of the
36 Office of Information Technology or his designee; Director of the
37 Office of Homeland Security and Preparedness or his designee;
38 Superintendent of State Police or his designee; Commissioner of
39 Department of Health and Senior Services or his designee; the State
40 Treasurer or his designee; the New Jersey State Fire Marshal or his
41 designee; the following public members appointed by the Governor
42 with the advice and consent of the Senate: a representative of the
43 Northeast/UASI Homeland Security Region; a representative of the
44 Delaware River Homeland Security Region; a representative of the
45 Shore Homeland Security Region; a representative of the Northwest
46 Homeland Security Region; a representative from the State Agency
47 Communications Working Group; a representative from the
48 Statewide Public Safety Advisory Council.

- 1 c. The members of the Senate and General Assembly appointed
2 to the commission shall serve for the term for which they were
3 elected. The members of the Senate and General Assembly
4 appointed to the commission shall be non-voting, advisory
5 members, appointed solely for the purpose of developing and
6 facilitating legislation to assist the commission in fulfilling its
7 statutory mission, and may not exercise any of the executive powers
8 delegated to the commission by law.
- 9 d. Of the public members first appointed to the commission by
10 the Governor with the advice and consent of the Senate, two shall
11 be appointed for terms of three years, two shall be appointed for
12 terms of two years, and one shall be appointed for terms of one
13 year. Thereafter, the public members of the commission shall be
14 appointed for terms of three years. Vacancies on the commission
15 shall be filled in the same manner as the original appointment but
16 for the unexpired term. Members may be removed by the appointing
17 authority for cause. The initial members shall be appointed within
18 30 days of the effective date of this act. The commission shall have
19 the authority to establish subcommittees as it deems appropriate to
20 carry out the purposes of this act.
- 21 e. The commission shall be co-chaired by the Chief
22 Technology Officer within the Office of Information Technology
23 and the Director of the Office of Homeland Security and
24 Preparedness, or their designees.
- 25 f. The commission shall be constituted upon the appointment
26 of the majority of its authorized membership and shall have no
27 expiration date.
- 28 g. The commission shall meet bi-annually or at more frequent
29 intervals at the discretion of the co-chairs. The meetings of the
30 Commission shall be held at the times and in the places necessary
31 and appropriate to fulfill its duties and responsibilities.
- 32 h. The Office of Information Technology shall provide such
33 administrative and professional assistance as the commission
34 requires to carry out its work.
- 35 i. The commission shall be authorized to call to its assistance
36 and avail itself of the services of the employees of any State,
37 county, or local law enforcement entity, any fire department, paid
38 or volunteer, rescue squad or any other department or agency as it
39 may require. State, county, and municipal agencies shall cooperate
40 with the commission by providing information and data as needed.
- 41 j. For security concerns, meetings of the commission shall be
42 exempt from the provisions set forth in the "Open Public Meeting
43 Act," P.L.1975, c.231 (C.10:4-6 et seq.). Records made or
44 maintained by the commission shall not be considered public or
45 government records under P.L.1963, c.73 (C.47:1A-1 et seq.). The
46 commission may call upon staff members and the expertise of non-
47 council members to participate in commission activities to provide
48 information and advice.

1 k. The commission shall adopt a charter to effectuate this act
2 within 180 days after the first meeting date.

3
4 6. (New section) a. There is established in the Office of
5 Information Technology the Statewide Public Safety
6 Communications Advisory Council which shall provide advice and
7 assistance to the commission and the office in the planning, design,
8 and implementation of the Statewide emergency enhanced 9-1-1
9 telephone system and the New Jersey Interoperable
10 Communications System.

11 b. The council shall consist of 21 members, the following
12 members ex-officio; the Chief Technology Officer within OIT who
13 shall serve as the council chairperson; the Deputy Director, Office
14 of Homeland Security and Preparedness, Preparedness Division; the
15 Bureau Chief, New Jersey State Police Communications within
16 Office of Emergency Management; the Director of the department
17 of Health and Senior Services, Health Infrastructure Preparedness
18 and Emergency Response; the President of the New Jersey Board of
19 Public Utilities; the New Jersey State Fire Marshal; the following
20 public members: a representative from the Northeast/USAI
21 Homeland Security Region Communications Working Group; a
22 representative from the Northwest Homeland Security Region
23 Communications Working Group; a representative from the Shore
24 Homeland Security Region Communications Working Group; a
25 representative from the Delaware River Homeland Security Region
26 Communications Working Group; a representative from the State
27 Agency Communications Working Group; a representative from
28 NENA, New Jersey Chapter; a representative from the Association
29 of Public-Safety Communications Professionals (APCO); a
30 representative from the New Jersey Chiefs of Police Association; a
31 representative from the New Jersey Fire Chiefs Association; a
32 representative from the New Jersey State First Aid Council; a
33 representative from the Sheriffs Association of New Jersey; a
34 representative from the Department of Health and Senior services,
35 Office of Emergency Medical Services, EMS Council; the APCO
36 Public Safety Frequency Coordinator; a representative from New
37 Jersey EMS Task Force, communications branch; a representative
38 from the New Jersey Urban Search and Rescue (USAR) Team,
39 communications branch.

40 c. Public members of council shall be recommended by the
41 appointing authority and subject to confirmation by the commission
42 and shall serve as a member of the council until replaced or
43 removed for cause by the commission or appointing authority. The
44 council shall have the authority to establish subcommittees as it
45 deems appropriate to carry out the purposes of this act.

46 d. Members of the council shall serve without compensation.

47 e. Each ex-officio member may designate an employee of the
48 member's department or agency to represent the member at

1 meetings or hearings of the council. All designees may lawfully
2 vote and otherwise act on behalf of the members for whom they
3 constitute the designees.

4 f. The council shall be constituted upon the appointment of the
5 majority of its authorized membership and shall have no expiration
6 date.

7 g. The council shall be governed by the charter established by
8 the commission.

9
10 7. The following sections are repealed:
11 Section 1 through 8 of P.L.2003, c.235 (C.52:17E-1 et seq.);
12 Section 2 of P.L.1989, c.3 (C.52:17C-2); and
13 Section 8 of P.L.1999, c.125 (C.52:17C-3.1).

14
15 8. This act shall take effect immediately.

16

17

18

STATEMENT

19

20 This bill would establish a Statewide Public Safety
21 Communications Commission in the Office of Information
22 Technology. This commission would replace the Public Safety
23 Interoperable Communications Coordinating Council, which would
24 be repealed under the provisions of this bill.

25 Governor Corzine, under Reorganization Plan No. 001-2009
26 transferred the Statewide Public Safety Interoperability
27 Communications Coordinating Council to the Office of Information
28 Technology. In the interest of increasing the State's ability to
29 coordinate, improve and integrate public safety communications,
30 the coordinating council was merged with the 9-1-1 Commission.
31 The merged entity was renamed the Public Safety Communications
32 Commission. This bill would codify the new commission and
33 update the membership.

34 The newly established Statewide Public Safety Communications
35 Commission would oversee the Office of Information Technology
36 in the planning, design, and implementation of the Statewide
37 emergency enhanced 9-1-1 telephone system and the New Jersey
38 Interoperable Communications System.

39 The commission would be made up of 16 members: two
40 members of the General Assembly; the Chief Technology Officer of
41 the Office of Information Technology; the Director of the Office of
42 Homeland Security and Preparedness; the Superintendent of State
43 Police; the Commissioner of the Department of Health and Senior
44 Services; the State Treasurer; the New Jersey State Fire Marshal; a
45 representative of the Northeast/UASI Homeland Security Region; a
46 representative of the Delaware River Homeland Security Region; a
47 representative of the Shore Homeland Security Region; a
48 representative of the Northwest Homeland Security Region; a

1 representative from the State Agency Communications Working
2 Group.

3 Due to the security reasons, commission meetings would be
4 exempt from the Open Public Meetings Act. Work products of the
5 commission would not be subject to the Open Public Records Act.

6 The bill would establish a Statewide Public Safety
7 Communication Council which would be responsible for providing
8 advice and assistance to the commission and the Office of
9 Information Technology on matters pertaining to the planning,
10 design, and implementation of the Statewide emergency enhanced
11 9-1-1 telephone system and the New Jersey Interoperable
12 Communications System.

13 The council would be made up of the following 21 members: the
14 Chief Technology Officer within the Office of Information
15 Technology who shall serve as the council chairperson; the Deputy
16 Director of the Office of Homeland Security and Preparedness,
17 Preparedness Division; the Bureau Chief of New Jersey State Police
18 Communications within Office of Emergency Management; the
19 Director of the department of Health and Senior Services, Health
20 Infrastructure Preparedness and Emergency Response; the President
21 of the New Jersey Board of Public Utilities; the New Jersey State
22 Fire Marshal; a representative from the Northeast/USAI Homeland
23 Security Region Communications Working Group; a representative
24 from the Northwest Homeland Security Region Communications
25 Working Group; a representative from the Shore Homeland
26 Security Region Communications Working Group; a representative
27 from the Delaware River Homeland Security Region
28 Communications Working Group; a representative from the State
29 Agency Communications Working Group; a representative from
30 NENA, New Jersey Chapter; a representative from Association of
31 Public-Safety Communications Officials; a representative from the
32 New Jersey Chiefs of Police Association; a representative from the
33 New Jersey Fire Chiefs Association; a representative from the New
34 Jersey State First Aid Council; a representative from the Sheriffs
35 Association of New Jersey; a representative from the Department of
36 Health and Senior services, Office of Emergency Medical Services,
37 EMS Council; the APCO Public Safety Frequency Coordinator; a
38 representative from New Jersey EMS Task Force, communications
39 branch; a representative from the New Jersey Urban Search and
40 Rescue Team, communications branch.

SENATE LAW AND PUBLIC SAFETY COMMITTEE

STATEMENT TO

SENATE, No. 2315

with committee amendments

STATE OF NEW JERSEY

DATED: OCTOBER 7, 2010

The Senate Law and Public Safety Committee reports favorably and with committee amendments Senate Bill No. 2315.

This bill would establish a Statewide Public Safety Communications Commission in the Office of Information Technology. This commission would replace the Public Safety Interoperable Communications Coordinating Council, which would be repealed under the provisions of this bill.

Governor Corzine, under Reorganization Plan No. 001-2009 transferred the Statewide Public Safety Interoperability Communications Coordinating Council to the Office of Information Technology. In the interest of increasing the State's ability to coordinate, improve and integrate public safety communications, the coordinating council was merged with the 9-1-1 Commission. The merged entity was renamed the Public Safety Communications Commission. This bill would codify the new commission and update the membership.

The newly established Statewide Public Safety Communications Commission would oversee the Office of Information Technology in the planning, design, and implementation of the Statewide emergency enhanced 9-1-1 telephone system and the New Jersey Interoperable Communications System.

The commission would be made up of 16 members: two members of the Senate, two members of the General Assembly; the Chief Technology Officer of the Office of Information Technology; the Director of the Office of Homeland Security and Preparedness; the Superintendent of State Police; the Commissioner of the Department of Health and Senior Services; the State Treasurer; the New Jersey State Fire Marshal; a representative of the Northeast/UASI Homeland Security Region; a representative of the Delaware River Homeland Security Region; a representative of the Shore Homeland Security Region; a representative of the Northwest Homeland Security Region; and a representative from the State Agency Communications Working Group.

For security reasons, commission meetings would be exempt from the Open Public Meetings Act. Work products of the commission would not be subject to the Open Public Records Act.

The bill would establish a Statewide Public Safety Communication Council which would be responsible for providing advice and assistance to the commission and the Office of Information Technology on matters pertaining to the planning, design, and implementation of the Statewide emergency enhanced 9-1-1 telephone system and the New Jersey Interoperable Communications System.

The council would be made up of the following 21 members: the Chief Technology Officer within the Office of Information Technology who shall serve as the council chairperson; the Deputy Director of the Office of Homeland Security and Preparedness, Preparedness Division; the Bureau Chief of New Jersey State Police Communications within Office of Emergency Management; the Director of the department of Health and Senior Services, Health Infrastructure Preparedness and Emergency Response; the President of the New Jersey Board of Public Utilities; the New Jersey State Fire Marshal; a representative from the Northeast/USAI Homeland Security Region Communications Working Group; a representative from the Northwest Homeland Security Region Communications Working Group; a representative from the Shore Homeland Security Region Communications Working Group; a representative from the Delaware River Homeland Security Region Communications Working Group; a representative from the State Agency Communications Working Group; a representative from NENA, New Jersey Chapter; a representative from Association of Public-Safety Communications Officials; a representative from the New Jersey Chiefs of Police Association; a representative from the New Jersey Fire Chiefs Association; a representative from the New Jersey State First Aid Council; a representative from the Sheriffs Association of New Jersey; a representative from the Department of Health and Senior services, Office of Emergency Medical Services, EMS Council; the APCO Public Safety Frequency Coordinator; a representative from New Jersey EMS Task Force, communications branch; a representative from the New Jersey Urban Search and Rescue Team, communications branch.

The committee amendments are technical in nature.

STATEMENT TO
[First Reprint]
SENATE, No. 2315

with Assembly Floor Amendments
(Proposed by Assemblyman SCALERA)

ADOPTED: OCTOBER 25, 2010

Senate Bill No. 2315 (1R) establishes a Statewide Public Safety Communications Commission in the Office of Information Technology. This commission would replace the Public Safety Interoperable Communications Coordinating Council, which would be repealed under the provisions of this bill.

The bill also establishes a Statewide Public Safety Communication Council, which would be responsible for providing advice and assistance to the commission and the Office of Information Technology on matters pertaining to the planning, design, and implementation of the Statewide emergency enhanced 9-1-1 telephone system and the New Jersey Interoperable Communications System. This senate amendment adds a representative of the Federal Emergency Management Agency, Region II, to the council.

The other committee amendments are technical in nature.

ASSEMBLY, No. 2934

STATE OF NEW JERSEY 214th LEGISLATURE

INTRODUCED JUNE 17, 2010

Sponsored by:

Assemblyman FREDERICK SCALERA

District 36 (Bergen, Essex and Passaic)

Assemblyman JOHN J. BURZICHELLI

District 3 (Salem, Cumberland and Gloucester)

SYNOPSIS

Establishes State Public Safety Interoperable Communications Coordinating Council.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 9/17/2010)

1 AN ACT establishing the State Public Safety Interoperable
2 Communications Coordinating Council amending and
3 supplementing P.L.1989, c.3 and repealing various sections of
4 the statutory law.

5
6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

8
9 1. Section 1 of P.L.1989, c.3 (C.52:17C-1) is amended to read
10 as follows:

11 1. As used in this act:

12 a. "Automatic number identification (ANI)" means an
13 enhanced 9-1-1 service capability that enables the automatic display
14 of the callback number used to place a 9-1-1 call;

15 b. "Automatic location identification (ALI)" means an
16 enhanced 9-1-1 service capability that enables the automatic display
17 of information defining the geographical location of the telephone
18 used to place a 9-1-1 call;

19 c. "Commission" means the **[9-1-1 Commission]** the Statewide
20 Public Safety Communications Commission created pursuant to
21 section 5 of P.L. , c. (C.) (pending before the Legislature as
22 this bill);

23 d. "County 9-1-1 Coordinator" means the County 9-1-1
24 Coordinator appointed pursuant to section 5 of this act;

25 e. "Enhanced 9-1-1 network" means the switching equipment,
26 trunk system, database operation and connections to the public
27 safety answering point;

28 f. "Enhanced 9-1-1 network features" means those features of
29 selective routing which have the capability of automatic number
30 and location identification;

31 g. "Enhanced 9-1-1 service" means a service consisting of
32 telephone network features and public safety answering points
33 provided for users of the public telephone system enabling the users
34 to reach a public service answering point by dialing the digits
35 "9-1-1." The service directs 9-1-1 calls to appropriate public safety
36 answering points by selective routing based on the location from
37 which the call originated and provides for automatic number
38 identification and automatic location identification features;

39 h. "Enhanced 9-1-1 termination equipment" means the
40 equipment located at the public safety answering point which is
41 needed to receive or record voice and data communications from
42 the enhanced 9-1-1 network;

43 i. "Office" means the Office of Emergency
44 Telecommunications Services established by section 3 of this act;

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

- 1 j. "Public safety agency" means a functional division of a
2 municipality, a county, or the State which dispatches or provides
3 law enforcement, fire fighting, emergency medical services, or
4 other emergency services;
- 5 k. "Private safety agency" means any entity, except a
6 municipality or a public safety agency, providing emergency
7 medical services, fire fighting, or other emergency services;
- 8 l. "Public safety answering point (PSAP)" means a facility,
9 operated on a 24-hour basis, assigned the responsibility of receiving
10 9-1-1 calls and, as appropriate, directly dispatching emergency
11 response services or transferring or relaying emergency 9-1-1 calls
12 to other public safety agencies. A public safety answering point is
13 the first point of reception by a public safety agency of 9-1-1 calls
14 and serves the jurisdictions in which it is located or other
15 participating jurisdictions;
- 16 m. "Selective routing" means the method employed to direct
17 9-1-1 calls to the appropriate public safety answering point based
18 on the location from which the call originated;
- 19 n. "Emergency enhanced 9-1-1 system" or "system" means the
20 emergency enhanced 9-1-1 telephone system to be established
21 pursuant to this act, including wireless enhanced 9-1-1 service;
- 22 o. "Telephone company" means the organization that provides
23 switched local telephone exchange access service;
- 24 p. "Wireless telephone company" means any person providing
25 commercial mobile radio service as defined in 47 U.S.C.s.332 (d);
- 26 q. "FCC wireless E9-1-1 requirements" means the order
27 adopted in the Federal Communications Commission proceeding
28 entitled "Revision of the Commission's Rules to Ensure
29 Comparability with Enhanced 9-1-1 Emergency Calling Systems,"
30 (CC Docket No. 94-102: RM-8143), or any successor proceeding,
31 and the rules adopted by the Federal Communications Commission
32 in any such proceeding, as these rules may be amended from time to
33 time;
- 34 r. "Wireless 9-1-1 service" means the service which enables
35 wireless telephone company customers to dial the digits 9-1-1 and
36 be connected to a public safety agency;
- 37 s. "Wireless enhanced 9-1-1 service" means the service
38 required to be provided by a wireless telephone company pursuant
39 to FCC wireless E9-1-1 requirements;
- 40 t. "Chief Technology Officer" means the person appointed by
41 and serving at the pleasure of the Governor who is responsible for
42 the day-to-day operations of the Office of Information Technology;
- 43 u. **["Governing Board" means the board established pursuant to**
44 **section 10 of P.L.2007, c.56 (C.52:18A-228), to oversee the Office**
45 **of Information Technology; and]** (Deleted by amendment, P.L. , c.)
46 (now before the Legislature as this bill).

1 v. "Office of Information Technology" means the Office of
2 Information Technology in but not of the Department of the
3 Treasury **[.]**;

4 w. "Council" means the Statewide Public Safety
5 Communications Advisory Council created pursuant to section 5 of
6 P.L. , c. (C.) (pending before the Legislature as this bill);

7 x. "Delaware River Homeland Security Region Communications
8 Working Group" means the group of individuals from agencies
9 assigned to that region by the Office of Homeland Security and
10 Preparedness that collaborate on common communications issues;

11 y. "Interoperability" means the ability of diverse information and
12 communication technology systems and the processes they support
13 to effectively work together through compatible communication
14 paths to directly and satisfactorily exchange, correlate, and integrate
15 data , information, and knowledge across jurisdictional boundaries
16 and to use the data, information, and knowledge that has been
17 exchanged;

18 z. "Northeast/UASI Homeland Security Region Communications
19 Working Group" means the group of individuals from agencies
20 assigned to that region by the Office of Homeland Security and
21 Preparedness that collaborate on common communications issues;

22 aa. "Northwest Homeland Security Region Communications
23 Working Group" means the group of individuals from agencies
24 assigned to that region by the Office of Homeland Security and
25 Preparedness that collaborate on common communications issues;

26 bb. "Shore Homeland Security Region Communications Working
27 Group" means the group individuals from agencies assigned to that
28 region by the Office of Homeland Security and Preparedness that
29 collaborate on common communications issues; and

30 cc. "State Agency Communications Working Group" means the
31 group of individuals made up of State and quasi-state agencies as
32 defined in the State Preparedness Report that collaborate on
33 common communications issues.

34 (cf: P.L.2007, c.56, s.18)

35
36 2. Section 3 of P.L.1989, c.3 (C.52:17C-3) is amended to read
37 as follows:

38 3. a. There is established in the Office of Information
39 Technology an Office of Emergency Telecommunications Services.

40 b. The office shall be under the immediate supervision of a
41 director, who shall be a person qualified by training and experience
42 to direct the work of the office. The director shall administer the
43 provisions of this act subject to review by the Chief Technology
44 Officer and shall perform other duties as may be provided by law.
45 The director shall be appointed by the Chief Technology Officer,
46 but the commission shall advise the Chief Technology Officer on
47 the qualifications of the director. The Chief Technology Officer is
48 authorized to appoint, in accordance with Title 11A of the New

1 Jersey Statutes, clerical, technical, and professional assistants, and
2 also may designate any available personnel as shall be necessary to
3 effectuate the purposes of this act.

4 The office shall designate a staff member from within Office of
5 Information Technology to be designated as a professional spectrum
6 manager. The professional spectrum manager shall be responsible
7 for approving all applications for public safety spectrum allocations
8 in the State to ensure that the State fully complies with Federal
9 Communications Commission rules that impact frequency
10 allocation for public safety use. The spectrum manager may be
11 chosen from among the current employees of the office and the
12 chosen employee may continue the duties and responsibilities of
13 their current position in addition to the duties and responsibilities of
14 spectrum manager as provided in this section.

15 The office shall designate a staff member from within Office of
16 Information Technology to be designated the Statewide
17 Interoperability Coordinator to coordinate interoperable
18 communications grants and projects consistent with the National
19 Communications Plan. The coordinator may be chosen from among
20 the current employees of the office and the chosen employee may
21 continue the duties and responsibilities of their current position in
22 addition to the duties and responsibilities of coordinator as provided
23 in this section.

24 The office shall, subject to review by the commission and the
25 Chief Technology Officer, **【**only as provided in subsection c. of this
26 section,**】** and in consultation with the council, the telephone
27 companies, the Board of Public Utilities and the wireless telephone
28 companies, and with the assistance of the Office of Information
29 Technology in but not of the Department of the Treasury, continue
30 to plan, design, implement, and coordinate the Statewide emergency
31 enhanced 9-1-1 telephone system to be established pursuant to this
32 act as well as any changes to that system needed to provide wireless
33 enhanced 9-1-1 service.

34 To this end the office shall establish, after review and approval
35 by the commission, in consultation with the council, a State plan for
36 the emergency enhanced 9-1-1 system in this State, which plan shall
37 include:

38 (1) The configuration of, and requirements for, the enhanced
39 9-1-1 network. The office with the approval of the commission and
40 the Chief Technology Officer, in consultation with the council, only
41 as provided herein, and assistance and advice of the Office of
42 Information Technology in but not of the Department of the
43 Treasury is empowered to enter into contracts **【**with the telephone
44 companies and the wireless telephone companies**】** for the provision
45 of this network.

46 (2) The role and responsibilities of the counties and
47 municipalities of the State in the implementation of the system,

1 consistent with the provisions of this act, including a timetable for
2 implementation.

3 (3) Technical and operational standards for the establishment of
4 public safety answering points (PSAPs) which utilize enhanced
5 9-1-1 network features in accordance with the provisions of this act
6 and in alignment with the Next Generation 9-1-1 Planning by the
7 National 9-1-1 Office within the United States Department of
8 Transportation, National Highway Traffic Safety Administration.
9 Those entities having responsibility for the creation and
10 management of PSAPs shall conform to these standards in the
11 design, implementation and operation of the PSAPs. These
12 standards shall include provision for the training and certification of
13 call-takers and public safety dispatchers or for the adoption of such
14 a program.

15 **【The State plan shall be established within 270 days of the**
16 **operative date of this act except that the technical and operational**
17 **standards specified in paragraph (3) of this subsection shall be**
18 **established within 180 days of the operative date of this act.】**

19 The office, after review and approval by the commission and the
20 Chief Technology Officer, in consultation with the council, only as
21 provided herein, may update and revise the State plan from time to
22 time.

23 The office may inspect each PSAP to determine if it meets the
24 requirements of this act and the technical and operational standards
25 established pursuant to this section. The office shall explore ways
26 to maximize the reliability of the system.

27 The plan or any portion of it may be implemented by the
28 adoption of regulations pursuant to subsection b. of section 15 of
29 this act.

30 The State plan shall require the consolidation of PSAPs as
31 appropriate, consistent with revisions in the plan to upgrade the
32 enhanced 9-1-1 system and shall condition the allocation of moneys
33 dedicated for the operation of PSAPs on the merging and sharing of
34 PSAP functions by municipalities, counties and the State Police,
35 consistent with the revised plan. The Treasurer may establish, by
36 regulation, a 9-1-1 call volume minimum that may be utilized as a
37 factor in determining which PSAP functions are to be consolidated
38 under the State plan.

39 The State plan shall limit the use of sworn law enforcement
40 officers to provide dispatch services and the office shall condition
41 the receipt of moneys dedicated for the operation of PSAPs on the
42 limited use of sworn law enforcement officers, except for officers
43 returning to active duty from an injury or other physical disability.

44 The office shall plan, implement and coordinate a Statewide
45 public education program designed to generate public awareness at
46 all levels of the emergency enhanced 9-1-1 system. Advertising
47 and display of 9-1-1 shall be in accordance with standards

1 established by the office. Advertising expenses may be defrayed
2 from the moneys appropriated to the office.

3 **【**The office, after review and approval by the commission and
4 the Chief Technology Officer, only as provided herein, shall submit
5 a report to the Senate Revenue, Finance and Appropriations
6 Committee and the Assembly Appropriations Committee, or their
7 successors, not later than February 15 of each year, concerning its
8 progress in carrying out this act and the expenditure of moneys
9 appropriated thereto and appropriated for the purposes of
10 installation of the Statewide enhanced 9-1-1 network.**】**

11 c. (Deleted by amendment, P.L.1999, c.125).

12 d. To this end, the office shall, subject to review and approval
13 by the commission and the Chief Technology Officer, and in
14 consultation with the council, develop a Statewide Communications
15 Interoperability Plan, which shall include:

16 (1) the strategy to most effectively provide interoperability and
17 coordinate public safety communications between and among State,
18 county and municipal public safety agencies. The office shall
19 submit recommendations and proposals, as appropriate, to the
20 Regional Planning Committees to which the State is assigned by the
21 Federal Communications Commission; and

22 (2) the role and responsibilities of the counties and
23 municipalities of the State in the implementation of the New Jersey
24 Interoperable Communications System, consistent with the National
25 Communications Plan and the provisions of this act, including a
26 timetable for implementation.

27 e The office, after review and approval by the commission and
28 the Chief Technology Officer, in consultation with the council, only
29 as provided herein, may update and revise the State plan as needed.
30 The plan or any portion of it may be implemented by the adoption
31 of regulations pursuant the "Administrative Procedure Act,"
32 P.L.1968, c.410 (C.52:14B-1 et seq.).

33 f. The office, after review and approval by the commission and
34 the Chief Technology Officer, only as provided herein, shall submit
35 a report to the Senate Revenue, Finance and Appropriations
36 Committee and the Assembly Appropriations Committee, or their
37 successors, not later than February 15 of each year, concerning its
38 progress in carrying out this act and the expenditure of moneys
39 appropriated thereto and appropriated for the purposes of
40 installation of the Statewide enhanced 9-1-1 network and the New
41 Jersey Interoperable Communications System.

42 (cf: P.L.2007, c.56, s.20)

43

44 3. Section 4 of P.L.1989, c.3 (C.52:17C-4) is amended to read
45 as follows:

46 4. Each telephone company providing service within the State
47 shall provide **【**within three years of the operative date of this act**】**
48 enhanced 9-1-1 service to include selective routing, automatic

1 number identification and automatic location identification features
2 as a tariffed service package in compliance with a timetable issued
3 by the office with the approval of the commission. **【The office with**
4 **the approval of the commission may extend the three-year limit if**
5 **necessary】.**

6 Each wireless telephone company providing service within the
7 State shall provide wireless enhanced 9-1-1 service pursuant to FCC
8 wireless E9-1-1 requirements and P.L.1999, c.125 (C.52:17C-3.1 et
9 al.).
10 (cf: P.L.1999, c.125, s.4)

11
12 4. Section 11 of P.L.1989, c.3 (C.52:17C-11) is amended to
13 read as follows:

14 11. **【As enhanced 9-1-1 service becomes available, all】** All coin
15 and credit card telephones whether public or private within areas
16 served by enhanced 9-1-1 service shall be converted to dial tone
17 first capability, which shall allow a caller to dial 9-1-1 without first
18 inserting a coin or any other device. On each converted telephone,
19 instructions on how to access the emergency enhanced 9-1-1 system
20 shall be prominently displayed.

21 (cf: P.L.1989, c.3 s.11)

22
23 5. (New section) a. There is established in the Office of
24 Information Technology a Statewide Public Safety Communications
25 Commission which shall oversee the office in the planning, design,
26 and implementation of the Statewide emergency enhanced 9-1-1
27 telephone system and the New Jersey Interoperable
28 Communications System.

29 b. The commission shall consist of 16 members as follows: two
30 members of the Senate appointed by the President of the Senate,
31 who shall not be both of the same political party; two members of
32 the General Assembly appointed by the Speaker of the General
33 Assembly, who shall not be both of the same political party; the
34 following members ex officio: Chief Technology Officer of the
35 Office of Information Technology or his designee; Director of the
36 Office of Homeland Security and Preparedness or his designee;
37 Superintendent of State Police or his designee; Commissioner of
38 Department of Health and Senior Services or his designee; the State
39 Treasurer or his designee; the New Jersey State Fire Marshal or his
40 designee; the following public members appointed by the Governor
41 with the advice and consent of the Senate: a representative of the
42 Northeast/UASI Homeland Security Region; a representative of the
43 Delaware River Homeland Security Region; a representative of the
44 Shore Homeland Security Region; a representative of the Northwest
45 Homeland Security Region; a representative from the State Agency
46 Communications Working Group; a representative from the
47 Statewide Public Safety Advisory Council.

1 c. The members of the Senate and General Assembly appointed
2 to the commission shall serve for the term for which they were
3 elected. The members of the Senate and General Assembly
4 appointed to the commission shall be non-voting, advisory
5 members, appointed solely for the purpose of developing and
6 facilitating legislation to assist the commission in fulfilling its
7 statutory mission, and may not exercise any of the executive powers
8 delegated to the commission by law.

9 d. Of the public members first appointed to the commission by
10 the Governor with the advice and consent of the Senate, two shall
11 be appointed for terms of three years, two shall be appointed for
12 terms of two years, and one shall be appointed for terms of one
13 year. Thereafter, the public members of the commission shall be
14 appointed for terms of three years. Vacancies on the commission
15 shall be filled in the same manner as the original appointment but
16 for the unexpired term. Members may be removed by the appointing
17 authority for cause. The initial members shall be appointed within
18 30 days of the effective date of this Act. The commission shall have
19 the authority to establish subcommittees as it deems appropriate to
20 carry out the purposes of this act.

21 e. The commission shall be co-chaired by the Chief
22 Technology Officer within the Office of Information Technology
23 and the Director of the Office of Homeland Security and
24 Preparedness, or their designees.

25 f. The commission shall be constituted upon the appointment
26 of the majority of its authorized membership and shall have no
27 expiration date.

28 g. The commission shall meet bi-annually or at more frequent
29 intervals at the discretion of the co-chairs. The meetings of the
30 Commission shall be held at the times and in the places necessary
31 and appropriate to fulfill its duties and responsibilities.

32 h. The Office of Information Technology shall provide such
33 administrative and professional assistance as the commission
34 requires to carry out its work.

35 i. The commission shall be authorized to call to its assistance
36 and avail itself of the services of the employees of any State,
37 county, or local law enforcement entity, any fire department, paid
38 or volunteer, rescue squad or any other department or agency as it
39 may require. State, county, and municipal agencies shall cooperate
40 with the commission by providing information and data as needed.

41 j. For security concerns, meetings of the commission shall be
42 exempt from the provisions set forth in the "Open Public Meeting
43 Act," P.L.1975, c.231 (C.10:4-6 et seq.). Records made or
44 maintained by the commission shall not be considered public or
45 government records under P.L.1963, c.73 (C.47:1A-1 et seq.). The
46 commission may call upon staff members and the expertise of non-
47 council members to participate in commission activities to provide
48 information and advice.

1 k. The commission shall adopt a charter to effectuate this act
2 within 180 days after the first meeting date.

3
4 6. (New section) a. There is established in the Office of
5 Information Technology the Statewide Public Safety
6 Communications Advisory Council which shall provide advice and
7 assistance to the commission and the office in the planning, design,
8 and implementation of the Statewide emergency enhanced 9-1-1
9 telephone system and the New Jersey Interoperable
10 Communications System.

11 b. The council shall consist of 21 members, the following
12 members ex-officio; the Chief Technology Officer within OIT who
13 shall serve as the council chairperson; the Deputy Director, Office
14 of Homeland Security and Preparedness, Preparedness Division; the
15 Bureau Chief, New Jersey State Police Communications within
16 Office of Emergency Management; the Director of the department
17 of Health and Senior Services, Health Infrastructure Preparedness
18 and Emergency Response; the President of the New Jersey Board of
19 Public Utilities; the New Jersey State Fire Marshal; the following
20 public members: a representative from the Northeast/USAI
21 Homeland Security Region Communications Working Group; a
22 representative from the Northwest Homeland Security Region
23 Communications Working Group; a representative from the Shore
24 Homeland Security Region Communications Working Group; a
25 representative from the Delaware River Homeland Security Region
26 Communications Working Group; a representative from the State
27 Agency Communications Working Group; a representative from
28 NENA, New Jersey Chapter; a representative from the Association
29 of Public-Safety Communications Professionals (APCO); a
30 representative from the New Jersey Chiefs of Police Association; a
31 representative from the New Jersey Fire Chiefs Association; a
32 representative from the New Jersey State First Aid Council; a
33 representative from the Sheriffs Association of New Jersey; a
34 representative from the Department of Health and Senior services,
35 Office of Emergency Medical Services, EMS Council; the APCO
36 Public Safety Frequency Coordinator; a representative from New
37 Jersey EMS Task Force, communications branch; a representative
38 from the New Jersey Urban Search and Rescue (USAR) Team,
39 communications branch.

40 c. Public members of council shall be recommended by the
41 appointing authority and subject to confirmation by the commission
42 and shall serve as a member of the council until replaced or
43 removed for cause by the commission or appointing authority. The
44 council shall have the authority to establish subcommittees as it
45 deems appropriate to carry out the purposes of this act.

46 d. Members of the council shall serve without compensation.

47 e. Each ex-officio member may designate an employee of the
48 member's department or agency to represent the member at

1 meetings or hearings of the council. All designees may lawfully
2 vote and otherwise act on behalf of the members for whom they
3 constitute the designees.

4 f. The council shall be constituted upon the appointment of the
5 majority of its authorized membership and shall have no expiration
6 date.

7 g. The council shall be governed by the charter established by
8 the commission.

9

10 7. The following sections are repealed:

11 Section 1 through 8 of P.L.2003, c.235 (C.52:17E-1 et seq.);

12 Section 2 of P.L.1989, c.3 (C.52:17C-2); and

13 Section 8 of P.L.1999, c.125 (C.52:17C-3.1).

14

15 8. This act shall take effect immediately.

16

17

18

STATEMENT

19

20 This bill would establish a Statewide Public Safety
21 Communications Commission in the Office of Information
22 Technology. This commission would replace the Public Safety
23 Interoperable Communications Coordinating Council, which would
24 be repealed under the provisions of this bill.

25 Governor Corzine, under Reorganization Plan No. 001-2009
26 transferred the Statewide Public Safety Interoperability
27 Communications Coordinating Council to the Office of Information
28 Technology. In the interest of increasing the State's ability to
29 coordinate, improve and integrate public safety communications,
30 the coordinating council was merged with the 9-1-1 Commission.
31 The merged entity was renamed the Public Safety Communications
32 Commission. This bill would codify the new commission and
33 update the membership.

34 The newly established Statewide Public Safety Communications
35 Commission would oversee the Office of Information Technology
36 in the planning, design, and implementation of the Statewide
37 emergency enhanced 9-1-1 telephone system and the New Jersey
38 Interoperable Communications System.

39 The commission would be made up of 16 members: two
40 members of the General Assembly; the Chief Technology Officer of
41 the Office of Information Technology; the Director of the Office of
42 Homeland Security and Preparedness; the Superintendent of State
43 Police; the Commissioner of the Department of Health and Senior
44 Services; the State Treasurer; the New Jersey State Fire Marshal; a
45 representative of the Northeast/UASI Homeland Security Region; a
46 representative of the Delaware River Homeland Security Region; a
47 representative of the Shore Homeland Security Region; a
48 representative of the Northwest Homeland Security Region; a

1 representative from the State Agency Communications Working
2 Group.

3 Due to the security reasons, commission meetings would be
4 exempt from the Open Public Meetings Act. Work products of the
5 commission would not be subject to the Open Public Records Act.

6 The bill would establish a Statewide Public Safety
7 Communication Council which would be responsible for providing
8 advice and assistance to the commission and the Office of
9 Information Technology on matters pertaining to the planning,
10 design, and implementation of the Statewide emergency enhanced
11 9-1-1 telephone system and the New Jersey Interoperable
12 Communications System.

13 The council would be made up of the following 21 members: the
14 Chief Technology Officer within the Office of Information
15 Technology who shall serve as the council chairperson; the Deputy
16 Director of the Office of Homeland Security and Preparedness,
17 Preparedness Division; the Bureau Chief of New Jersey State Police
18 Communications within Office of Emergency Management; the
19 Director of the department of Health and Senior Services, Health
20 Infrastructure Preparedness and Emergency Response; the President
21 of the New Jersey Board of Public Utilities; the New Jersey State
22 Fire Marshal; a representative from the Northeast/USAI Homeland
23 Security Region Communications Working Group; a representative
24 from the Northwest Homeland Security Region Communications
25 Working Group; a representative from the Shore Homeland
26 Security Region Communications Working Group; a representative
27 from the Delaware River Homeland Security Region
28 Communications Working Group; a representative from the State
29 Agency Communications Working Group; a representative from
30 NENA, New Jersey Chapter; a representative from Association of
31 Public-Safety Communications Officials; a representative from the
32 New Jersey Chiefs of Police Association; a representative from the
33 New Jersey Fire Chiefs Association; a representative from the New
34 Jersey State First Aid Council; a representative from the Sheriffs
35 Association of New Jersey; a representative from the Department of
36 Health and Senior services, Office of Emergency Medical Services,
37 EMS Council; the APCO Public Safety Frequency Coordinator; a
38 representative from New Jersey EMS Task Force, communications
39 branch; a representative from the New Jersey Urban Search and
40 Rescue Team, communications branch.

ASSEMBLY HOMELAND SECURITY AND STATE
PREPAREDNESS COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2934

with committee amendments

STATE OF NEW JERSEY

DATED: SEPTEMBER 16, 2010

The Assembly Homeland Security and State Preparedness Committee reports favorably and with committee amendments Assembly Bill No. 2934.

Assembly Bill No. 2934 would establish a Statewide Public Safety Communications Commission in the Office of Information Technology. This commission would replace the Public Safety Interoperable Communications Coordinating Council, which would be repealed under the provisions of this bill.

Governor Corzine, under Reorganization Plan No. 001-2009 transferred the Statewide Public Safety Interoperability Communications Coordinating Council to the Office of Information Technology. In the interest of increasing the State's ability to coordinate, improve and integrate public safety communications, the coordinating council was merged with the 9-1-1 Commission. The merged entity was renamed the Public Safety Communications Commission. This bill would codify the new commission and update the membership.

The newly established Statewide Public Safety Communications Commission would oversee the Office of Information Technology in the planning, design, and implementation of the Statewide emergency enhanced 9-1-1 telephone system and the New Jersey Interoperable Communications System.

The commission would be made up of 16 members: two members of the General Assembly; the Chief Technology Officer of the Office of Information Technology; the Director of the Office of Homeland Security and Preparedness; the Superintendent of State Police; the Commissioner of the Department of Health and Senior Services; the State Treasurer; the New Jersey State Fire Marshal; a representative of the Northeast/UASI Homeland Security Region; a representative of the Delaware River Homeland Security Region; a representative of the Shore Homeland Security Region; a representative of the Northwest Homeland Security Region; and a representative from the State Agency Communications Working Group.

For security reasons, commission meetings would be exempt from the Open Public Meetings Act and the work products of the commission would not be subject to the Open Public Records Act.

The bill would establish a Statewide Public Safety Communication Council which would be responsible for providing advice and assistance to the commission and the Office of Information Technology on matters pertaining to the planning, design, and implementation of the Statewide emergency enhanced 9-1-1 telephone system and the New Jersey Interoperable Communications System.

The council would be made up of the following 21 members: the Chief Technology Officer within the Office of Information Technology who shall serve as the council chairperson; the Deputy Director of the Office of Homeland Security and Preparedness, Preparedness Division; the Bureau Chief of New Jersey State Police Communications within Office of Emergency Management; the Director of the department of Health and Senior Services, Health Infrastructure Preparedness and Emergency Response; the President of the New Jersey Board of Public Utilities; the New Jersey State Fire Marshal; a representative from the Northeast/USAI Homeland Security Region Communications Working Group; a representative from the Northwest Homeland Security Region Communications Working Group; a representative from the Shore Homeland Security Region Communications Working Group; a representative from the Delaware River Homeland Security Region Communications Working Group; a representative from the State Agency Communications Working Group; a representative from NENA, New Jersey Chapter; a representative from Association of Public-Safety Communications Officials; a representative from the New Jersey Chiefs of Police Association; a representative from the New Jersey Fire Chiefs Association; a representative from the New Jersey State First Aid Council; a representative from the Sheriffs Association of New Jersey; a representative from the Department of Health and Senior services, Office of Emergency Medical Services, EMS Council; the APCO Public Safety Frequency Coordinator; a representative from New Jersey EMS Task Force, communications branch; a representative from the New Jersey Urban Search and Rescue Team, communications branch.

COMMITTEE AMENDMENTS

The committee made technical corrections to the bill.

STATEMENT TO
[First Reprint]
ASSEMBLY, No. 2934

with Assembly Floor Amendments
(Proposed by Assemblyman SCALERA)

ADOPTED: OCTOBER 25, 2010

Assembly Bill No. 2934 (1R) establishes a Statewide Public Safety Communications Commission in the Office of Information Technology. This commission would replace the Public Safety Interoperable Communications Coordinating Council, which would be repealed under the provisions of this bill.

The bill also establishes a Statewide Public Safety Communication Council, which would be responsible for providing advice and assistance to the commission and the Office of Information Technology on matters pertaining to the planning, design, and implementation of the Statewide emergency enhanced 9-1-1 telephone system and the New Jersey Interoperable Communications System. This senate amendment adds a representative of the Federal Emergency Management Agency, Region II, to the council.

The other committee amendments are technical in nature.