

Vermont Communications Board (superseded by 04-08)

November 14, 2007

WHEREAS, the September 11 terror attacks and the Hurricane Katrina natural disaster underscored the need for coherent and effective radio communication among the various local, state and federal emergency response agencies; and

WHEREAS, our local, state and national leaders have consistently resolved to provide effective emergency response to deliberately or accidentally caused natural or man-made events; and

WHEREAS, it is the intent of local, state and federal government to react quickly to all hazards and threats to safety and security with coherent plans leveraging available resources; and

WHEREAS, notwithstanding these efforts, the challenge of providing effective radio communication within the State of Vermont remains acute across law enforcement, fire, emergency medical services, emergency management, public health, national guard, and various homeland security agencies of local, state and federal government; and

WHEREAS, a radio-based communication system that is truly interoperable, accessible to the various agencies, capable of providing voice and/or data transmission, and that provides coverage throughout the State, should be available among the various agencies to enable more effective coordination of response in time of emergency, contributing to greater public safety; and

WHEREAS, it is the policy of this State, as set forth in 20 V.S.A. §1, that the Governor coordinate, to the maximum extent, the protection of the public health and safety, as the possibility of natural or man-made disasters remains compelling; and

WHEREAS, the State's Homeland Security Unit has conducted extensive studies through its Communications Study Group and concludes that it is imperative that there be common radio frequency communication among local, state and federal government agencies, and international and emergency responders in Canada; and

WHEREAS, the United States Department of Homeland Security requires, as a condition of federal funding, that each state have an approved statewide communications interoperability plan by the end of December, 2007; and

WHEREAS, the Federal Communications Commission is requiring Public Safety Radio Pool licensees to achieve narrow banding in order to create more frequencies for first responders by January 1, 2013; and WHEREAS, these key groups should coalesce under a common entity to

provide the State with a truly interoperable radio-based communication and dispatch capability as soon as possible to strengthen and improve our emergency preparedness.

NOW, THEREFORE, I, James H. Douglas, by virtue of the power vested in me as Governor of the State of Vermont, do hereby create and establish the Vermont Communications Board (hereinafter VCOMM). VCOMM shall include members appointed by the Governor who represent Volunteer Firefighters, the Professional Fire Fighters of Vermont, the Vermont State Firefighters Association, the Vermont Career Fire Chiefs' Association, the Vermont Department of Health Emergency Medical Services (EMS), the Vermont Ambulance Association, the E-911 Board, the Vermont State Police, the Vermont Sheriffs' Association, the Vermont Association of Chiefs of Police, the Vermont Department of Fish & Wildlife/Law Enforcement Division, the Vermont Agency of Transportation, Vermont Emergency Management, the Vermont Division of Fire Safety, Vermont Criminal Justice Services, the Vermont Department of Forests, Parks & Recreation, the Vermont Agency of Agriculture, Food & Markets, the Vermont Department of Motor Vehicles, the Vermont League of Cities & Towns, the Vermont Agency of Commerce and Community Development, the Vermont Department of Information and Innovation, the Vermont National Guard, a federal law enforcement agency, the American Red Cross, and appropriate private community organizations.

The Governor shall appoint the Chair. VCOMM shall meet at the call of the Chair and shall brief the Commissioner of Public Safety as needed on the State's overall interoperable communications policies and capability. The Chair may request participation of other public or private persons, including agency or department heads. The Chair shall have authority to appoint Committees, as needed, to provide oversight for the VCOMM Project. The Chair will report findings to the Governor.

VCOMM shall have the following functions and duties: 1. to assess the State's overall interoperable communications capability, policies and needs; 2. to enhance communication, coordination and cooperation, establishing guidelines and principles to reduce jurisdictional conflicts;

3. to improve the policies, processes and procedures on interoperability projects;

4. to develop strategies to establish a statewide VCALL/UCALL interoperable, accessible radio system for police, fire and emergency service responders that links local, state and federal agencies in Vermont as well as international and regional agencies in Canada and our neighboring states;

5. to recommend the use of any funds appropriated by the General Assembly for statewide interoperability to the Commissioner of Public Safety;

6. to insure that the State has a statewide interoperability plan by December 31, 2007; and

7. to insure that all Vermont Public Safety Radio Pool licensees operating Private Land Mobile Radio (PLMR) services in the same bands are prepared to comply with the Federal

Communications Commission deadline for migration to 12.5 KHz technology or an equivalent by January 1, 2013.

VCOMM shall report the State's progress on achieving a statewide interoperability plan and the status and use of federal homeland security grant funds for this purpose to the Governor on or before September 1 of each year.

This Executive Order supersedes and replaces Executive Order No. 02-06 (codified as No. 20-33), which sunsets on January 31, 2008. The board created by this order, however, shall be a continuation of and successor to the board established by Executive Order No. 02-06. Members of VComm on the effective date of this order shall continue to serve until the expiration of their terms and may be re-appointed.

This order shall take effect upon signing and shall expire on January 31, 2010.

Witness my name hereunto subscribed and the Great Seal of the State of Vermont hereunto affixed at Montpelier this 14th day of November, 2007, A.D.

James H. Douglas, Governor

By the Governor:

Dennise R. Casey, Secretary of Civil and Military Affairs

EXECUTIVE ORDER NO. 08-07