

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: S4/1/05
A Bill

SENATE BILL 1102

5 By: Senator Trusty
6 By: Representative Dobbins
7
8

9 **For An Act To Be Entitled**

10 AN ACT TO ESTABLISH AN INTEGRATED, SHARED-USE
11 WIRELESS COMMUNICATIONS SYSTEM FOR ALL STATE,
12 COUNTY, AND MUNICIPAL AGENCIES; AND FOR OTHER
13 PURPOSES.
14

15 **Subtitle**

16 TO ESTABLISH AN INTEGRATED, SHARED-USE
17 WIRELESS COMMUNICATIONS SYSTEM FOR ALL
18 STATE, COUNTY, AND MUNICIPAL AGENCIES.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. Arkansas Code Title 25, Chapter 4 is amended to add an
24 additional subchapter to read as follows:

25 25-4-201. Integrated, shared-use wireless communications system.

26 (a)(1) The Department of Information Systems shall create, operate,
27 and maintain an integrated, shared-use wireless communications system for the
28 use of all state, county, and municipal entities.

29 (2) The Director of the Department of Arkansas State Police
30 shall designate the key personnel to oversee and manage the integrated,
31 shared-use wireless communications system.

32 (3) The constitutional offices of the State of Arkansas may
33 elect to participate in the integrated, shared-use wireless communications
34 system.

35 (4) The integrated shared-use wireless communications system
36 shall not be used:



1 (A) For the provision of commercial services to the
2 general public; or

3 (B)(i) In place of a private communication service
4 provider for commercial services.

5 (ii) However, subdivision (a)(4)(B)(i) of this
6 section does not apply to an entity or responder using a noncommercial
7 wireless radio network.

8 (5) To avoid the duplication of services and facilities, the
9 department shall make a reasonable effort to use commercial communication
10 service providers to achieve the purpose of subdivision (a)(1) of this
11 section.

12 (b) For the purposes described in subsection (a) of this section:

13 (1) The department's powers include:

14 (A) Acquiring the components needed for the wireless
15 communications system infrastructure, such as:

16 (i) Base stations, mobile devices, portables,
17 antennas, and towers;

18 (ii) Real property; and

19 (iii) Any other equipment, right-of-way, or license
20 needed to ensure the proper functioning of the system;

21 (B) Entering into partnerships with other governmental
22 entities and private entities;

23 (C) Granting funds for the purposes allowed by the
24 Arkansas Wireless Information Network Fund; and

25 (D) Doing whatever may be reasonably necessary and
26 expedient in the exercise of its duties to comply with the charge set out in
27 subsection (a) of this section; and

28 (2) The department's powers do not include the authority to
29 assess a local command and control first responder agency:

30 (A) For the use of the integrated, shared-use wireless
31 communications system; or

32 (B) For user equipment maintenance costs after the initial
33 deployment of user equipment.

34 (c) As used in this section, "nongovernmental first responder" means
35 state and local law enforcement personnel, fire department personnel, and
36 emergency medical personnel deployed to emergency sites.

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2 25-4-202. Arkansas Wireless Information Network Fund.

3 (a)(1) The Arkansas Wireless Information Network Fund is created and
4 established on the books of the Treasurer of State, the Auditor of State, and
5 the Department of Finance and Administration.

6 (2) The fund shall consist of:

7 (A) Funds appropriated by the General Assembly;

8 (B) Grants, gifts, and donations received by the State of
9 Arkansas to assist and support the integrated, shared-use wireless
10 communications system;

11 (C) Agency investments in the integrated, shared-use
12 wireless communications system;

13 (D) Federal funds;

14 (E) Receipts derived from Department of Information
15 Systems' services provided to various agencies of the federal, state, city,
16 and county governments and other entities in connection with the integrated,
17 shared-use wireless communications system; and

18 (F) Any other funds which may be provided by law for
19 credit to the fund.

20 (3) By July 15 each year, the Department of Information Systems
21 shall file a financial report concerning the fund's use with the Chief Fiscal
22 Officer of the State and the Legislative Council.

23 (b) The fund shall be used to carry out the duties, responsibilities,
24 and authority of the Department of Information Systems for creating,
25 operating, and maintaining the integrated, shared-use wireless communications
26 system.

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28 25-4-203. Advisory committee.

29 (a) The Arkansas Wireless Information Network Advisory Committee is
30 established to provide the Director of the Department of Information Systems
31 with advice about the establishment, operation, and management of the
32 integrated, shared-use wireless communications system, including:

33 (1) The coordination of communications between systems in the
34 state;

35 (2) Priorities for the state's investment in communications
36 systems;

- 1 (3) The development of policies and procedures;
- 2 (4) The development and implementation of any state strategic
- 3 communications plan; and
- 4 (5) The concerns and views of state and local agencies
- 5 responsible for emergency response and the provision of basic governmental
- 6 services.

7 (b) The membership of the advisory committee shall be the:

- 8 (1) Director of the Department of Arkansas State Police;
- 9 (2) Director of the Arkansas Department of Emergency Management;
- 10 (3) Director of the Department of Finance and Administration;
- 11 (4) Executive Chief Information Officer;
- 12 (5) Senate Cochair of the Joint Committee on Advanced
- 13 Communications and Information Technology or his or her designee;
- 14 (6) House Cochair of the Joint Committee on Advanced
- 15 Communications and Information Technology or his or her designee;
- 16 (7) Governor's designee; and
- 17 (8) Chair and Cochair of the Local Leadership Council.

18 (c) The advisory committee's duties include:

- 19 (1) Meeting regularly; and
- 20 (2) Presenting a quarterly report to the Joint Committee on
- 21 Advanced Communications and Information Technology.

22 (d) The chair and cochair of the committee shall be elected by the

23 members of the committee at their first meeting which shall be called by the

24 Director of the Department of Information Systems.

25 (e) The Department of Information Systems shall provide staff and

26 facilities for the committee.

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28 25-4-204. Arkansas Wireless Information Network Local Leadership

29 Council

30 (a) The Arkansas Wireless Information Network Local Leadership Council

31 is established to provide the advisory committee with advice from local

32 public safety and public service interests about the establishment,

33 operation, maintenance, and management of the wireless communications system.

34 (b) The membership of the council shall be composed of one appointee

35 from each of the following:

- 36 (1) County Judges' Association of Arkansas;

