New York State

State Interoperable and Emergency Communication Board

BYLAWS

Article I – Authority, Name and Purpose

Section 1. Authority of the Board.

The New York State Interoperable and Emergency Communications Board (hereinafter "SIECB" or "Board") is an entity established under the jurisdiction of the New York State Division of Homeland Security and Emergency Services pursuant to statute.

Section 2. Name of the Board.

The official name of this body shall be the New York State Interoperable and Emergency Communication Board.

Section 3. Purpose of the Board.

The SIECB is empowered by statute under New York County Law with the following select powers and duties:

1. Make recommendations to the Commissioner of the Division of Homeland Security and Emergency Services on the expenditure of grants and other funding programs related to interoperable and emergency communications;
2. Make recommendations related to the development, coordination and implementation of policies, plans, standards, programs and services related to interoperable and emergency communications, including but not limited to ensuring compliance with federal mandates for interoperable communications and compatibility with the national incident management system;
3. Establish structures and guidelines to maintain interoperable communications planning and coordination at the statewide level;
4. Establish, promulgate and revise standards for the operation of public safety answering points; and
5. Establish guidelines regarding the creation of regionally based radio communications systems compatible with the structures and guidelines consistent with federal mandates and best practices.

Section 4. Annual Report.

The Board shall issue an annual report to the governor, the temporary president of the senate, the minority leader of the senate, the speaker of the assembly, and the minority leader of the assembly on or before March 1st of each year, regarding the board's activities in the previous calendar year.

Section 5. Severability.

If any provision of these Bylaws is determined to be invalid or unenforceable, the remaining provisions of these Bylaws shall still be deemed valid.

Article II – Board Composition

Section 1. (a) Membership.

The Board will consist of 25 selected and appointed members comprised as follows:

One shall be the statewide interoperable and emergency communication coordinator, or his or her designee, who shall be the chairperson of the board; **one** shall be the commissioner of criminal justice services, or his or her designee; **one** shall be the superintendent of the state police, or his or her designee; **one** shall be the adjutant general of the division of military and naval affairs, or his or her designee; **one** shall be the commissioner of the division of homeland security and emergency services, or his or her designee; **one** shall be the commissioner of the department of transportation, or his or her designee; **one** shall be the commissioner of the department of health, or his or her designee; **one** shall be the director of the office of information technology services, or his or her designee; **seven** shall be appointed by the governor; provided, however, that no more than two such appointments made pursuant to this paragraph shall be from the same category of member as provided for in subsection (b) of this section; **five** shall be appointed by the governor upon the recommendation of the temporary president of the senate; provided, however, that no more than one such appointment made pursuant to this paragraph shall be from the same category of members as

provided for in subsection (b) of this section; and **five** shall be appointed by the governor upon the recommendation of the speaker of the assembly; provided, however, that no more than one such appointment made pursuant to this paragraph shall be from the same category of members as provided for in subsection (b) of this section.

(b) The members appointed upon the recommendation of the temporary president of the senate and the speaker of the assembly, and the members appointed by the governor shall have experience with interoperable and emergency communication issues, and shall be representative of chiefs of police, sheriffs, fire chiefs and departments, ambulance service providers, including proprietary or volunteer ambulance services, county 911 coordinators, emergency managers, local elected officials, non-governmental organizations specializing in disaster relief, tribal nation representation, and statewide first responder associations, or representatives of consumer interests. Those appointed members will not be afforded the opportunity to have a designee.

Section 2. Chair of the Board.

The Chair of the Board shall be the Director of the Office of Interoperable and Emergency Communication, or his or her designee, and shall be responsible to preside over all meetings of the Board.

Section 3. Duties of the Chair.

The Chair or his or her designee shall: a) represent the Board in meetings and communications with other organizations and individuals; b) serve as an ex-officio member of all committees; c) act as the spokesperson for the Board on matters relating to policies and positions; and, d) perform such other related duties as necessary and appropriate.

Section 4. Terms and Vacancies.

Each board member shall be appointed for a term of four years and shall expire commensurate with the appointment date. A member may be reappointed for more than one term.

Section 5. Resignation.

A member may resign at any time by written notice delivered in person or sent by mail to the Chair of the Board. Any such resignation shall take effect immediately upon receipt.

Section 6. Compensation.

Members shall only receive reimbursement for actual and necessary expenses incurred by them in the performance of their duties.

Section 7. Administrative Support.

The Office of Interoperable and Emergency Communications shall be responsible for providing administrative and staff support, including but not limited to; 1) maintenance of the SIEC Board roster; 2) Development and distribution of meeting agendas and materials; 3) Facilitating meetings; 4) recording and distribution of meeting minutes; and 5) any other support necessary to carry out the duties of the SIEC Board.

Article III – Meetings

Section 1. Regular Meetings.

Regular meetings shall be held a minimum of four times per calendar year on dates suggested by the Chair, by December of the previous year, and agreed upon by the Board and may be held at such time and place as the Board decides. Notice to include the time, location, and agenda of the meetings shall be given pursuant to the New York State Open Meetings Law.

Section 2. Special and Emergency Meetings.

There may be special and emergency meetings for which the agenda for such meetings shall be limited to the specific issues for which the meeting is called.

Section 3. Quorum.

A majority of the members of the board, then in office, and present, shall constitute a quorum for the transaction of any business by the board.

Section 4. Attendance.

Board members may participate in a meeting, no more than ½ of the meetings held in one year, by videoconference. Participation by videoconference shall constitute presence at such meeting for all purposes including quorum. If participating by videoconference, the participant must make notice of their location pursuant to open meetings law. If participating by audio conference only, the board member will not count as present for quorum nor will they be permitted to vote. A list of all Board members in attendance shall be recorded and maintained by the Board. Guests or persons having relevant knowledge or information may attend and speak as part of the meeting agenda upon acceptance of the meeting agenda by Board or otherwise recognized by the Chair.

Section 5. Proxy Voting.

If a Board member is unable to attend in person, or by videoconference, his or her designee may attend the meeting and vote on behalf of the member, unless they are an appointee not representing a State Agency.

Section 6. Rules of Order.

The meetings and activities of the Board shall be conducted according to Robert's Rules of Order, except as otherwise provided by these bylaws.

ARTICLE IV – Adoption, Review and Amendments

Section 1. Adoption.

The Bylaws of the Board may be adopted or amended at any regular meeting by quorum vote of the total voting membership present.

Section 2. Review and Amendment.

After periodic review or proposal, these Bylaws may be amended or repealed when initiated by a Board member and presented to the SIECB in writing. Copies of the proposed changes will be mailed, either by ordinary mail or electronic mail, to all members in advance of any meeting at which its adoption will be considered. New Bylaws can be adopted, by the vote of the SIEC Board at any meeting of the Board

provided that the agenda of the meeting states that purpose, and is passed by a quorum vote.

ARTICLE V – Committees of the Board

Section 1. Committees, Ad Hoc Committees and Work Groups.

The Board may, by a vote of the majority of the members present, create a permanent committee or temporary workgroup that shall be responsible for conducting business on behalf of the SIECB and shall be responsible to report to the Board. Such committees or workgroups shall have no authority to take formal action on behalf of the Board, except that it may make recommendations to the Board for action. The Board shall have the following standing committees and Working Groups:

a) 911 Advisory Committee
b) Communications and Interoperability Working Group (CIWG)
c) Channel Naming and Use Working Group
d) Public Safety Broadband Working Group

Section 2. Appointment.

The Board shall appoint members of each committee or workgroup, though such appointment shall not require official action of the Board. Members of the committees or workgroups may consist of non-board members invited to participate by the Board.

ARTICLE VI – Resolutions and Actions of the Board

Section 1. Resolutions.

While not all actions of the Board shall require a resolution, in instances of a formal and significant action of the Board is proposed by a committee or work group of the Board and approved or deemed appropriate by the Chair, a draft resolution shall be placed on the agenda for consideration and voting by the full Board. All approved resolutions authorizing an action shall be signed by the Chair and filed with the minutes of the meeting.

Section 2. Adoption or Amendment of Standards.

Any proposed standards of the Board shall not be subject to Article two of the State Administrative Procedure Act, provided, however, that the Board shall publicly post the proposed standards no later than forty-five days prior to their adoption. Such standards shall be posted in appropriate publications, the State Register and on the Division of Homeland Security and Emergency Services' website. During such forty-five day period, the Board, through the Office of Interoperable and Emergency Communications, shall receive and consider public comment on the proposed standards before adopting final standards. Upon final adoption, those standards adopted pursuant to section 328 of the New York State County Law shall be posted in appropriate publications, the State Register and on the Division of Homeland Security and Emergency Services' website.