

**STATE OF WEST VIRGINIA
EXECUTIVE DEPARTMENT**

At Charleston

EXECUTIVE ORDER NO. 2-11

By the Governor

WHEREAS, one of the most important and profound duties of the State of West Virginia is to provide for the safety and security of her citizens; and

WHEREAS, the State must constantly be prepared to immediately respond to any Homeland Security threat or event and all disasters, natural or man-made; and

WHEREAS, with any Homeland Security threat or event and all disasters, natural or man-made, the State must be able to instantly and effectively communicate in order to collaborate with various entities which are geographically dispersed, including other State agencies, local and regional governments, firefighters, those in the medical field, law enforcement officials, the private sector, military services and other related agencies to ensure the immediate and efficient response to the needs and public safety of our citizens and visitors; and

WHEREAS, in an effort to ensure the most effective communication in the provision of emergency services and to assure an immediate and coordinated response to disasters and emergencies, Executive Order No. 13-07 created the West Virginia Interoperable Communications Project for the purpose of implementing a plan to help assure the safety of all citizens in the event of a disaster or emergency; and

WHEREAS, the revised statewide interoperability plan (the "Revised Plan") was completed and published, as contained and set forth in the November 11, 2008 West Virginia Interoperability Working Group Committee Final Report (the "Final Report"); and

WHEREAS, communication protocols and systems among Homeland Security, public safety, first responders and other public service agencies across the State and nation must be further developed and enhanced to ensure an immediate, efficient and continued response to routine emergencies, as well as Homeland Security threats and events, and all disasters, natural or man-made.

NOW, THEREFORE, I, EARL RAY TOMBLIN, pursuant to the authority vested in me as the Governor of West Virginia, do hereby **ORDER** that:

1. Executive Order No. 13-07 is hereby rescinded.
2. The West Virginia Statewide Interoperable Radio Network (the "SIRN") is hereby created for the purpose of implementing an interoperable communications network for first responders to help assure the safety of all citizens in the event of a disaster or emergency.
3. The West Virginia Interoperability Steering Committee and the West Virginia Interoperability Working Group are hereby abolished and replaced by the Statewide Interoperability Executive Committee (the "SIEC"), which is hereby established to monitor the implementation and operation of the SIRN and to establish goals and guidance for the betterment of the SIRN.
4. Regional Interoperability Committees ("RIC" or "RICs") are hereby established to assist with governing and monitoring the implementation and operation of the SIRN and to assist in establishing goals for the betterment of the SIRN.
5. The Statewide Interoperability Coordinator (the "SWIC") shall provide recommendations to the West Virginia State Homeland Security Advisor, which shall in turn be presented to the Governor to determine statewide priorities related to interoperable communications. The SIEC

shall be the primary advisory group for the SWIC in the West Virginia Division of Homeland Security and Emergency Management.

6. The SIEC shall provide day-to-day governing functions relating to communications interoperability and shall serve as the mechanism for updating policies, procedures and guidelines, identifying new and developing technologies and standards, and enhancing the coordination of all available resources for public safety communications interoperability. No later than thirty days after the effective date of this Order, the SWIC shall convene a meeting of the SIEC. At this meeting, the SIEC shall develop a charter and adopt by-laws. Officers of the SIEC shall be elected at this meeting.

7. Pursuant to West Virginia Code § 15-5-21, the Director of Homeland Security and Emergency Management, working in conjunction with the SWIC and SIEC, shall develop a comprehensive plan for the long-term organization, maintenance and sustainability of the Statewide Interoperable Radio Network to be presented to the Governor through the State Homeland Security Advisor no later than December 31, 2011. The report at a minimum shall include organizational strategy, funding requirements, recommended legislation for implementing the plan and all other requirements pursuant to this Order.

8. The SIEC shall consist of the following members or their designees: the Statewide Interoperability Coordinator; the President of the State Senate; the Speaker of the House of Delegates; the West Virginia Chief Technology Officer; the President of the West Virginia County Commissioners' Association; the President of the West Virginia Municipal League; the Superintendent of the West Virginia State Police; the Adjutant General of the West Virginia National Guard; the Director of the West Virginia Division of Homeland Security and Emergency Management; the Commissioner of the West Virginia Division of Highways; the General Manager of the West Virginia Parkways Authority; the President of the West Virginia Enhanced 911 Council; the President of the West Virginia Sheriffs' Association; the West Virginia State Fire Marshal; one representative of the West Virginia Chapter of the Association

of Public-Safety Communications Officials; the President of the West Virginia Emergency Management Council; the Director for the West Virginia Department of Health and Human Resources Office of Emergency Medical Services; the Chief, Law Enforcement Section, West Virginia Division of Natural Resources; one representative from each of the homeland security, emergency management and first responder communities, as elected by the SIEC; one representative from each of the agencies which own one of the SIRN's zoned master site switches not otherwise represented; and the chairman of each of the Regional Interoperability Committees.

9. RICs shall be established in each of the defined state homeland security regions. Each RIC shall consist of no more than one representative from each identified discipline within each region, and should include, but not be limited to, the following agencies, as well as those deemed necessary by the SWIC, RIC or SIEC to ensure public safety: municipal/county/regional hospitals; municipal/county/state law enforcement; municipal/county transit; Civil Air Patrol; Enhanced 911; emergency medical services ("EMS"); federal law enforcement; federal government (non-law enforcement); fire service; health department; higher education/campus safety; Homeland Security/Emergency Management; private industry – critical infrastructure and key resources; regional response team; Radio Amateur Civil Emergency Services (RACES) or Amateur Radio Emergency Service (ARES); American Red Cross; state agencies (non-first responder); and volunteer search and rescue organizations.

10. The RICs shall serve as the mechanism for providing local level input to the SIEC for governance, identify new and developing technologies and standards, enhance the coordination of all available resources for public safety communications interoperability and provide input to the SIRN for the day-to-day governing functions relating to communications interoperability. No later than sixty days after the effective date of this Order, the SWIC shall initiate the first meeting of each RIC to convene. The chairperson of each RIC shall serve as an RIC representative on the SIEC.

11. Members of the SIEC and the RICs shall serve without compensation, provided that each member of the SIEC and the RICs may receive reimbursement for actual expenses.

12. Upon the effective date of this Order, any purchase by a state spending unit or State agency, including purchases on behalf of State agencies, of two-way radio, microwave or satellite equipment and related services, or purchases that utilize State or federal funds distributed to local entities by the State of West Virginia which are not listed on the SIEC's SIRN Approved Compatibility Equipment List, shall obtain the prior written approval of the SWIC for any proposed purchase of goods or services. Any State spending unit shall provide the notice to the SWIC prior to the time it submits its request for proposal to the State Purchasing Division or prior to the issuance of a purchase order for said equipment. If the proposed equipment or service is shown to be incompatible with the SIRN, justification must be provided to the SWIC on its necessity to enhance an existing legacy system with approval or disapproval given by the SWIC.

13. Upon the effective date of this Order, all contractual documents not utilizing an SIEC pre-approved template for two-way radio, microwave or satellite equipment and related services, including, but not limited to, land or tower leases, memorandums of understanding/agreement (MOU/MOA), training contracts, agreements or services, and purchasing or service contracts relating to two-way radio, microwave or satellite equipment and related services for any agency of the State of West Virginia, and all local entities of the State of West Virginia which utilize State or federal funds distributed by the State of West Virginia, must be reviewed and approved by the SWIC to ensure compatibility with the SIRN, to promote the best possible value in purchasing, and to ensure all agencies participating in the SIRN and needing equipment and related services are covered by contractual documents.

14. The participation and involvement of all State political subdivisions and the development of partnerships among political subdivisions with private industry and all other appropriate entities are encouraged to further benefit the West Virginia Statewide Interoperable Radio Network.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of West Virginia to be affixed.



DONE at the Capitol, in the City of Charleston, State of West Virginia, this sixteenth day of June, in the year of our Lord, Two Thousand Eleven, and in the One Hundred Forty-Eighth year of the State.

Earl Ray Tomblin
GOVERNOR

By the Governor

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SECRETARY OF STATE