

**STATE OF VERMONT**

**EXECUTIVE DEPARTMENT**

**EXECUTIVE ORDER NO. 05-19**

**[Emergency Communications Advisory Council]**

**WHEREAS**, in 2012, Congress enacted The Middle Class Tax Relief and Job Creation Act that created FirstNet, the authority within the National Telecommunications and Information Administration (NTIA) to oversee the building, deployment and operation of the Nationwide Public Safety Broadband Network (NPSBN); and

**WHEREAS**, by Executive Order 05-13 (codified as Executive Order 20-49), effective April 30, 2013, Governor Peter Shumlin created the Vermont Public Safety Broadband Network Commission (“Commission”), to help plan, develop, and implement an interoperable wireless network to support the communication needs of Vermont’s first responders and others; and

**WHEREAS**, after four years of study and consideration, in consultation with a professional technical consultant, the first responder community and the Treasurer’s Office, and after a competitive process conducted to assess the alternatives and an independent review conducted on behalf of the Agency of Digital Services, at its November 20, 2017 meeting the Commission voted to recommend the Governor opt-in to the FirstNet solution for the State of Vermont, thus fulfilling the Commission’s charge to advise the Governor on issues related to the development of a public safety broadband network in Vermont; and

**WHEREAS**, on November 29, 2017, Governor Philip B. Scott officially “opted-in” to the federal FirstNet plan, allowing FirstNet and AT&T to begin deployment of the NPSBN in Vermont; and

**WHEREAS**, the initial deployment of the NPSBN will take place over a five-year period from 2018-2022 and will require feedback and evaluation from Vermont’s public safety community; and

**WHEREAS**, the deployment of broadband technology interfaces with other types of emergency communication, such as Next Generation 911, Land Mobile Radio, microwave and fiber-based systems; and

**WHEREAS**, it is in the best interest of the Vermont public safety community to plan for the use of this evolving technology.

**NOW THEREFORE**, I, Philip B. Scott, by virtue of the authority vested in me as Governor, do hereby amend and reconstitute the Commission as follows:

**I. Composition and Appointments**

The Vermont Public Safety Broadband Network Commission is hereby renamed the “Emergency Communications Advisory Council.”

The Council shall include the Commissioner of the Department of Public Safety, or designee, the Director of Vermont Emergency Management and the Statewide Interoperability Coordinator from the Department of Public Safety and the Colonel of the Vermont State Police, or designee; the Executive Director of the Enhanced 9-1-1 Board, or designee; the Commissioner of the Department of Public Service, or designee; the Secretary of the Agency of Transportation, or designee; and the Secretary of Digital Services, or designee.

The Governor shall appoint members from the Vermont State Firefighters Association; Professional Firefighters of Vermont; Vermont Fire Coalition; municipal law enforcement; Sheriffs; Emergency Medical Service personnel; and one at-large member.

These Council members shall be appointed by the Governor to three-year terms, except that the Governor shall stagger initial appointments so that the terms of no more than four members expire during a calendar year. In appointing Council members, the Governor shall give due consideration to the different geographical regions of the State, and the need for balance between rural and urban areas. Council members shall serve at the pleasure of the Governor.

All Council members shall be voting members.

## **II. Charge**

The purpose of the Council shall be the following:

- Advise the Governor on issues related to the NPSBN and on emergency communications, generally, in Vermont;
- Advise on the needs of Vermont's public safety community as it relates to FirstNet and the need for an interoperable, robust, reliable and affordable cellular broadband network, including advice on the placement of fixed network assets and deployables;
- Advise on protocols and policies related to the NPSBN and, as needed, on emergency communications generally; and
- Advise on planning activities needed to prepare Vermont's public safety community for emergency communications technology transitions.

The Council shall report to the Governor bi-annually on the NPSBN in Vermont and nationally, and shall include information regarding the use of grant money received in Vermont for coordination efforts during the initial deployment phases of the NPSBN.

## **III. Council Process**

The Commissioner of the department of Public Safety shall appoint the Chair of the Council, which may be the Commissioner. The Council shall meet at the call of the Chair and shall keep the Governor apprised on the State's overall interactions with FirstNet and the deployment of the NPSBN in Vermont and emergency communications generally. The Council may select a Vice

Chair. If necessary, the Council may designate an Executive Committee and other subcommittees. A majority of members shall constitute a quorum.

The Council shall receive administrative support from the Department of Public Safety and meet on an as-needed basis.

Members who are not otherwise employed by the State, a County or a municipality may receive per diem compensation in accordance with 32 V.S.A. § 1010(e).

**IV. Effective Date**

This Executive Order shall take effect upon signing and shall supersede and replace Executive Order 05-13 (codified as Executive Order 20-49), dated April 30, 2019 and Executive Order No. 02-12 (codified as E.O. 20-44), dated January 17, 2012.



WITNESS my name hereunto subscribed and the Great Seal of the State of Vermont hereunto affixed at Montpelier this 9<sup>th</sup> day of July, 2019.

A handwritten signature in black ink, appearing to read "Phil Scott", is written over a horizontal line. The signature is stylized and cursive.

Philip B. Scott  
Governor

By the Governor:

A handwritten signature in black ink, appearing to read "Brittney L. Wilson", is written over a horizontal line. The signature is cursive and somewhat stylized.

Brittney L. Wilson  
Secretary of Civil and Military Affairs

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