

3922

2009-2010 Regular Sessions

I N S E N A T E

April 6, 2009

Introduced by Sens. FLANAGAN, LARKIN, MORAHAN, VOLKER -- read twice and ordered printed, and when printed to be committed to the Committee on Veterans, Homeland Security and Military Affairs

AN ACT to amend the executive law, in relation to public safety and requiring the office of homeland security, in consultation with the department of education, to establish a statewide planning and mapping system for the schools, colleges and universities of the state

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 Section 1. The executive law is amended by adding a new section 716 to
2 read as follows:

3 S 716. STATEWIDE CRITICAL INCIDENT MAPPING AND PLANNING SYSTEM. 1. TO
4 THE EXTENT THAT FUNDS ARE MADE AVAILABLE, THE OFFICE OF HOMELAND SECURI-
5 TY SHALL ESTABLISH A STATEWIDE PLANNING AND MAPPING SYSTEM FOR THE
6 PUBLIC AND PRIVATE SCHOOLS, COLLEGES AND UNIVERSITIES IN THIS STATE FOR
7 USE BY RESPONSE AGENCIES THAT ARE CALLED TO RESPOND TO AN ACT OF TERROR-
8 ISM OR RELATED EMERGENCY.

9 2. THE STATEWIDE PLANNING AND MAPPING SYSTEM MUST INCLUDE, WITHOUT
10 LIMITATION:

11 A. THE TYPE OF INFORMATION THAT MUST BE INCLUDED WITHIN THE SOFTWARE
12 PROGRAM THAT COMPRISES THE SYSTEM, INCLUDING, WITHOUT LIMITATION, FLOOR
13 PLANS, FIRE PROTECTION INFORMATION, BUILDING EVACUATION PLANS, UTILITY
14 INFORMATION, KNOWN HAZARDS, AND INFORMATION ON HOW TO CONTACT EMERGENCY
15 PERSONNEL;

16 B. THE MANNER BY WHICH INFORMATION PRESCRIBED PURSUANT TO PARAGRAPH A
17 OF THIS SUBDIVISION MUST BE TRANSFERRED TO THE SYSTEM FROM THE STATE
18 AGENCIES AND THE POLITICAL SUBDIVISIONS THAT PARTICIPATE IN THE SYSTEM;

19 C. STANDARDS FOR THE SOFTWARE THAT MUST BE USED BY STATE AGENCIES AND
20 POLITICAL SUBDIVISIONS THAT PARTICIPATE IN THE SYSTEM;

21 D. CONDITIONS FOR USE OF THE SYSTEM BY RESPONSE AGENCIES;

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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1 E. GUIDELINES FOR (I) THE ACCESSIBILITY AND CONFIDENTIALITY OF INFOR-
2 MATION CONTAINED WITHIN THE SYSTEM; AND (II) THE INCORPORATION, IN
3 CONNECTION WITH THE USE OF THE SYSTEM, OF THE ITEMS DESCRIBED IN PARA-
4 GRAPH B OF SUBDIVISION THREE OF THIS SECTION;

5 F. A LIST OF PRIORITY, DETERMINED IN ACCORDANCE WITH INFORMATION
6 OBTAINED BY THE OFFICE OF HOMELAND SECURITY, FOR THE DISTRIBUTION OF ANY
7 MONEY THAT MAY BE AVAILABLE FOR THE STATE AGENCIES AND POLITICAL SUBDI-
8 VISIONS TO PARTICIPATE IN THE SYSTEM; AND

9 G. GUIDELINES RECOMMENDED BY THE OFFICE OF HOMELAND SECURITY FOR THE
10 TRAINING OF PERSONS EMPLOYED BY RESPONSE AGENCIES CONCERNING THE USE OF
11 THE SYSTEM.

12 3. TO THE EXTENT MONEY IS MADE AVAILABLE, THE STATE AGENCIES AND POLI-
13 TICAL SUBDIVISIONS SHALL:

14 A. PARTICIPATE IN THE STATEWIDE PLANNING AND MAPPING SYSTEM; AND

15 B. INCORPORATE INTO THEIR USE OF THE SYSTEM, WITHOUT LIMITATION:

16 (I) EVACUATION ROUTES AND STRATEGIES FOR EVACUATION;

17 (II) ALARMS AND OTHER SIGNALS OR MEANS OF NOTIFICATION;

18 (III) PLANS FOR SHELTERING IN PLACE; AND

19 (IV) TRAINING AND STRATEGIES FOR PREVENTION IN CONNECTION WITH ATTACKS
20 INVOLVING VIOLENCE.

21 IF A STATE AGENCY OR POLITICAL SUBDIVISION USES ITS OWN PLANNING AND
22 MAPPING SYSTEM BEFORE THE OFFICE OF HOMELAND SECURITY ESTABLISHES A
23 STATEWIDE PLANNING AND MAPPING SYSTEM, THE STATE AGENCY OR POLITICAL
24 SUBDIVISION MAY CONTINUE TO USE ITS SYSTEM UNLESS MONEY IS MADE AVAIL-
25 ABLE FOR THE STATE AGENCY OR POLITICAL SUBDIVISION TO UPDATE OR MODIFY
26 ITS SYSTEM AS NECESSARY FOR INCLUSION IN THE STATEWIDE SYSTEM.

27 4. THE OFFICE OF HOMELAND SECURITY SHALL PURSUE ANY MONEY THAT MAY BE
28 AVAILABLE FROM THE FEDERAL GOVERNMENT FOR THE DEVELOPMENT AND OPERATION
29 OF A STATEWIDE PLANNING AND MAPPING SYSTEM FOR PUBLIC AND PRIVATE
30 SCHOOLS, COLLEGES AND UNIVERSITIES AND FOR THE DISTRIBUTION OF GRANTS TO
31 THE STATE AGENCIES AND POLITICAL SUBDIVISIONS THAT PARTICIPATE IN THE
32 SYSTEM. THE OFFICE OF HOMELAND SECURITY MAY ACCEPT GIFTS, GRANTS, AND
33 OTHER CONTRIBUTIONS FOR THE DEVELOPMENT AND OPERATION OF A STATEWIDE
34 PLANNING AND MAPPING SYSTEM.

35 5. EACH STATE AGENCY AND POLITICAL SUBDIVISION THAT PARTICIPATES IN
36 THE SYSTEM SHALL, ON OR BEFORE JULY FIRST, TWO THOUSAND ELEVEN, AND ON
37 OR BEFORE JULY FIRST EACH YEAR THEREAFTER, SUBMIT TO THE OFFICE OF HOME-
38 LAND SECURITY A PROGRESS REPORT SETTING FORTH, IN ACCORDANCE WITH REGU-
39 LATIONS ADOPTED BY THE OFFICE, THE EXPERIENCE OF THE AGENCY OR POLITICAL
40 SUBDIVISION, AS APPLICABLE, WITH RESPECT TO ITS PARTICIPATION IN THE
41 SYSTEM. THE OFFICE OF HOMELAND SECURITY SHALL RECEIVE AND PROCESS SUCH
42 PROGRESS REPORTS AND PROVIDE TO THE LEGISLATURE A SUMMARIZED OVERVIEW OF
43 THE SYSTEM ON OR BEFORE OCTOBER FIRST, TWO THOUSAND ELEVEN, AND EACH
44 OCTOBER FIRST THEREAFTER.

45 6. AFTER THE STATEWIDE PLANNING AND MAPPING SYSTEM IS ESTABLISHED
46 PURSUANT TO THIS SECTION, EACH STATE AGENCY AND POLITICAL SUBDIVISION
47 THAT PARTICIPATES IN THE SYSTEM SHALL SUBMIT TO THE OFFICE OF HOMELAND
48 SECURITY ANY INITIAL OR FINAL PLAN FOR A PUBLIC WORK PROJECT.

49 7. AS USED IN THIS SECTION:

50 A. "ACT OF TERRORISM" SHALL HAVE THE SAME MEANING AS DEFINED IN
51 SECTION 490.05 OF THE PENAL LAW.

52 B. "POLITICAL SUBDIVISION" MEANS ANY COUNTY, CITY, TOWN, VILLAGE,
53 SPECIAL DISTRICT OR SCHOOL DISTRICT.

54 C. "RESPONSE AGENCY" MEANS THE DEPARTMENTS OF FIRE, POLICE, ENVIRON-
55 MENTAL PROTECTION, HEALTH, TRANSPORTATION AND SANITATION, AND THE DIVI-

1 SION OF EMERGENCY MEDICAL SERVICES OF THE HEALTH AND HOSPITALS CORPO-
2 RATION.

3 D. "SHELTERING IN PLACE" MEANS TO REMAIN INSIDE A BUILDING, ROOM,
4 STRUCTURE, OR OTHER LOCATION DURING AN EMERGENCY WHEN EGRESS MAY BE
5 IMPOSSIBLE OR WHEN EGRESS MAY PRESENT A MORE SUBSTANTIAL RISK THAN
6 REMAINING INSIDE THE BUILDING, ROOM, STRUCTURE, OR OTHER LOCATION.

7 S 2. This act shall take effect immediately.