

VIRGINIA ACTS OF ASSEMBLY -- 2004 SESSION

CHAPTER 824

An Act to grant the Secretary of Public Safety the authority to implement the Statewide Agencies Radio System.

[S 608]

Approved April 14, 2004

Be it enacted by the General Assembly of Virginia:

1. *§ 1. The Secretary of Public Safety is hereby granted the authority to finalize and implement the Statewide Agencies Radio System (STARS) contract, consistent with provisions of Item 457 B, of the general appropriation act for the Commonwealth's fiscal year beginning July 1, 2003, as passed by the 2004 Session of the General Assembly, and to manage the STARS Program following implementation, including but not limited to the following:*

1. Approve any change orders as may be necessary or appropriate, within the limits of appropriated and authorized funding, subject to any requirements contained in the contract to obtain additional gubernatorial or General Assembly approvals.

2. Establish and maintain STARS as a program and staff within the Department of State Police.

3. Acquire any and all necessary sites for the implementation of STARS by negotiated acquisition or, if deemed necessary by the Secretary of Public Safety for the efficient and cost-effective implementation of the STARS contract, the exercise of eminent domain authority, including the authority granted in Chapter 3 (§ 25.1-300 et seq.) of Title 25.1 of the Code of Virginia to use certificates of take or certificates of deposit to acquire such property.

4. Maintain coordination with all user agencies by utilizing and maintaining the Management Group and User Agencies Requirements Committee created by Executive Order 28 (01), or such other mechanisms as may be approved in writing by the Governor, provided, however, that final decisions regarding the management of the STARS Program shall be the responsibility of the Secretary of Public Safety or his designee, as may be authorized herein.

§ 2. The Secretary of Public Safety or his designee shall consult with the Virginia Information Technologies Agency (VITA) prior to implementing any significant data transport related network upgrade or modification.

§ 3. The Secretary of Public Safety, as he deems necessary or appropriate, may delegate such authority as is granted herein to any member of his staff or to the Superintendent of State Police. Any delegations are subject to the continuing authority, accountability and responsibility of the Secretary of Public Safety.