



Report From Agency
Rule Report for Legislative Review
Clearinghouse Rule #21-075

Basis and Purpose of the Proposed Rule

Section 256.35 (3s) (bm), Stats., directs the department to promulgate administrative rules that identify appropriate purposes for grants to public safety answering points for assistance related to the implementation of Next Generation 911, advanced training, and establishes eligibility criteria for the grants. Chapter DMA 2 is proposed in response to the statutory directive.

Public Hearing Summary

The department held a public hearing in DeForest on November 30, 2021.

Comments were received from the following:

	Name	Agency	Action	Public Hearing Registration
1	Paul Susienka	Bayfield County Sheriff	Written	N/A
2	Jordan Primakow	City of Milwaukee	Oral and Written	In Favor (In Part) Against (In Part)

Comment 1: One commenter indicated that the requirement of two telecommunicators on staff at all times in order to be eligible for grants would eliminate opportunity for some rural public safety answering points. In addition, the commenter indicated that the eligibility requirement to implement Emergency Medical Dispatch (EMD) services within three years of grant application is good policy but would compel staff increases.

Comment 1 Agency Response: The department did not make revisions based on this comment. The department noted in the Fiscal Estimate and Economic Impact Analysis (EIA) that there may be an indeterminate local cost to provide adequate staff coverage but based on feedback from the state 911 subcommittee, these eligibility requirements may incentivize staff increases at public safety answering points that desire two telecommunicators on staff at all times. The EIA also noted that because this grant is competitive and voluntary, no costs are necessary unless an eligible public safety answering point applies and receives a grant.

Comment 2: One commenter was overall in favor of the proposed rule language but objected to the method for determining which public safety answering point in counties with first class cities would be eligible to apply for grants. The commenter recommended alternative language for counties with first class cities that would designate the largest public safety answering point in that county to be eligible to apply for grants based on established metrics such as highest incoming call volume.

Comment 2 Agency Response: The department did not make revisions based on this comment. The state 911 subcommittee was responsible under s. 256.35 (3s) (d) 4., Stats., for advising the department on contents of the administrative rule and voted to incorporate this provision at their public meeting in April 2021.

Given that there is only one county with a first-class city and that county has more public safety answering points than any other county, the state 911 subcommittee advised there was a need to alter the method for designating one public safety answering point in that county in a way that was equitable and accommodated their unique needs. The state 911 subcommittee advised the department on a method that still maintained local control in the decision for choosing which public safety answering point in a county would be eligible for grants.

Modification to Rule as Originally Proposed as a Result of Public Comments

None.

Department Response to Legislative Council Rules Clearinghouse Recommendations

The Legislative Council Rules Clearinghouse submitted comments on form, style, and placement in administrative code, and clarity, grammar, punctuation, and use of plain language.

The proposed rule was rewritten in response to Legislative Council Rules Clearinghouse comments. All comments were accepted or rendered moot by revisions.

Changes to Analysis Prepared under Section 227.14 (2), Stats.

The plain language analysis section was modified due to changes in how certain eligibility and local cost sharing requirements were rephrased in response to Legislative Council Rules Clearinghouse comments.

Final Regulatory Flexibility Analysis

The proposed rule does not affect small businesses as defined in s. 227.114 (1), Stats.

Department Contacts

Meg Vergeront
General Counsel
(608) 242-3072

Meg.vergeront@wisconsin.gov

Erik Viel
Director of Emergency Communications
(608) 888-5500

interop@wisconsin.gov