

1977 Assembly Bill 811

Date published: **May 23, 1978**

CHAPTER 392, Laws of 1977

AN ACT to create 15.101 (9), 15.105 (9) and 146.70 of the statutes, relating to establishing a statewide emergency services telephone number system, creating an emergency number systems board in the department of administration, granting rule-making authority and imposing a penalty.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 15.101 (9) of the statutes is created to read:

15.101 (9) EMERGENCY NUMBER SYSTEMS BOARD. The emergency number systems board shall have the program responsibilities specified for the board under s. 146.70.

SECTION 2. 15.105 (9) of the statutes is created to read:

15.105 (9) EMERGENCY NUMBER SYSTEMS BOARD. There is created an emergency number systems board in the department of administration. The board shall consist of 11 members. All members shall be appointed for staggered 3-year terms. Three members shall be appointed from the public at large and one member shall be appointed to represent each of the following:

- (a) Local law enforcement agencies.
- (b) Fire fighting agencies.
- (c) Emergency government.
- (d) Emergency medical services.
- (e) Telephone utilities.
- (f) The public service commission.
- (g) The association of public safety communication officers.
- (h) The international municipal signal association.

SECTION 3. 146.70 of the statutes is created to read:

146.70 Statewide emergency services number. (1) DEFINITIONS. In this section:

(a) "Automatic location identification" means a system which has the ability to automatically identify the address of the telephone being used by the caller and to provide a display at the central location of a sophisticated system.

(b) "Automatic number identification" means a system which has the ability to automatically identify the caller's telephone number and to provide a display at the central location of a sophisticated system.

(c) "Basic system" means a telephone system which automatically connects a person dialing the digits "911" to a designated answering point in a public agency.

(d) "Department" means the department of administration.

(e) "Direct dispatch method" means a telephone system providing for the dispatch of an appropriate emergency service vehicle upon receipt of a telephone request for such service.

(f) "Public agency" means any municipality as defined in s. 345.05 (1) (a) which provides or is authorized to provide fire fighting, law enforcement, ambulance, medical or other emergency services.

(g) "Public safety agency" means a functional division of a public agency which provides fire fighting, law enforcement, medical or other emergency services.

(h) "Relay method" means a telephone system whereby a request for emergency services is received and relayed to a provider of emergency services by telephone.

(i) "Sophisticated system" means a basic system with automatic location identification and automatic number identification.

(j) "Telephone utility" means any public utility as defined in s. 196.01 (1) which is engaged in the business of supplying the public with telephone and telephonic service or operating a telephone exchange.

(k) "Transfer method" means a telephone system which receives telephone requests for emergency services and transfers such requests directly to an appropriate public safety agency or other provider of emergency services.

(2) EMERGENCY PHONE SYSTEM. (a) Every public agency, except a state agency, shall establish and maintain within its respective jurisdiction by December 31, 1987, a basic or sophisticated system as required by this section. Such a system shall be in a central location.

(b) Every basic or sophisticated system established under this section shall be capable of transmitting requests for law enforcement, fire fighting and emergency medical and ambulance services to the public safety agencies providing such services. Such system may provide for transmittal of requests for poison control, suicide prevention and civil defense services and may be capable of transmitting requests to ambulance services provided by private corporations. If any agency of the state which provides law enforcement, fire fighting, emergency medical or ambulance services is located within the boundaries of a basic or sophisticated system required by this section, such system shall be capable of transmitting requests for the services of such agency to the agency.

(c) The digits "911" shall be the primary emergency telephone number within every basic or sophisticated system established under this section. A public agency or public safety agency shall maintain a separate 7-digit phone number for nonemergency telephone calls. Every such agency may maintain separate secondary 7-digit back-up numbers.

(d) Public agencies, including agencies with different territorial boundaries, may combine to establish a basic or sophisticated system as required by this section.

(e) If a public agency or group of public agencies combined to establish an emergency phone system under par. (d) has a population of 250,000 or more, such agency or group of agencies shall establish a sophisticated system by December 31, 1987.

(f) Every basic or sophisticated system established under this section shall utilize the direct dispatch method, the relay method or the transfer method.

(g) Every telephone utility providing coin-operated telephones for public use shall convert, by December 31, 1987, all such telephones to telephones which enable a user to reach "911" without inserting a coin. Any coin-operated telephone installed by a telephone utility after December 31, 1987, shall enable a user to reach "911" without inserting a coin.

(3) EMERGENCY NUMBER SYSTEMS BOARD. (a) The emergency number systems board shall provide policy directions relating to the development, operation, coordination and review of emergency number systems.

(b) The board shall advise the department concerning the department's duties under this section.

(c) The board, on the advice of one or more of the agencies named under sub. (5), may grant to a public agency or telephone utility a waiver, not to exceed 5 years, of any requirement under this section. The board may not grant more than one waiver under this paragraph within any one system.

(4) DUTIES OF DEPARTMENT. (a) The department, in consultation with and with the approval of the emergency number systems board, shall promulgate such rules under ch. 227 as are deemed necessary to coordinate and implement this section.

(b) The department shall review every plan submitted under sub. (11) (b) and shall either approve or disapprove the plan unless the plan was announced prior to the effective date of this act (1977).

(c) The department may make a final inspection of each system established under this section to determine if the system meets the requirements of this section.

(d) The department shall assist public agencies, except state agencies, in obtaining financial aid to establish emergency phone systems and shall assist such agencies in the formulation of concepts, methods and procedures which will improve the operation of such systems.

(e) The department shall consult regularly with the telephone utilities in this state concerning the delivery of services under this section.

(5) OTHER DEPARTMENTS TO AID. Upon the request of the secretary of the department, the departments of justice, local affairs and development, natural

resources, transportation and health and social services and the public service commission shall provide to the department the assistance necessary to enable it to perform the duties specified in this section.

(6) TELEPHONE UTILITY REQUIREMENTS. (a) By March 1, 1980, and every year thereafter until every public agency within the jurisdiction of which the telephone utility operates has fully implemented an operating basic or sophisticated emergency number system as required under this section, every telephone utility shall include as part of its annual report to the public service commission a report, a copy of which shall be submitted to the department, in such detail as the department requires, specifying the extent to which the telephone utility has participated in the implementation of basic or sophisticated systems as required by this section and specifying the telephone utility's plans for future participation in the implementation of such systems.

(b) By December 31, 1985, a telephone utility serving a public agency or group of public agencies required to have a sophisticated system under sub. (2) (e) shall provide such public agency or group of public agencies access to the telephone numbers of subscribers and the addresses associated with the numbers as needed to implement automatic number identification and automatic location identification in a sophisticated system, but such information shall at all times remain under the direct control of the telephone utility and a telephone utility may not be required to release a number and associated address to a public agency or group of public agencies unless a call to the telephone number "911" has been made from such number. The costs of such access shall be paid by the public agency or group of public agencies.

(7) TELEPHONE UTILITY NOT LIABLE. A telephone utility shall not be liable to any person who uses an emergency number system created under this section if the telephone utility's participation in the system complies with the rules of the department under sub. (4).

(8) PUBLIC AGENCY REQUIREMENTS. By March 31, 1980, and every year thereafter until it has fully implemented an operating basic or sophisticated emergency number system as required under this section, every public agency shall submit a report to the department, in such detail as the department requires, specifying the extent to which the public agency has implemented a basic or sophisticated system.

(9) JOINT POWERS AGREEMENT. (a) In implementing a basic or sophisticated system under this section, public agencies combined under sub. (2) (d) shall annually enter into a joint powers agreement. The agreement shall be applicable on a daily basis and shall provide that if an emergency services vehicle is dispatched in response to a request through the basic or sophisticated system established under this section, such vehicle shall render its services to the persons needing the services regardless of whether the vehicle is operating outside the vehicle's normal jurisdictional boundaries.

(b) Public agencies and public safety agencies which have contiguous or overlapping boundaries and which have established separate basic or sophisticated systems under this section shall annually enter into the agreement required under par. (a).

(c) Copies of the annual agreement required by pars. (a) and (b) shall be filed with the departments of justice and administration. Commencing with the year 1987, all agreements required under this subsection shall be filed prior to January 31. If a public agency or public safety agency fails to enter into such agreement or to file copies thereof, the department of justice shall commence judicial proceedings to enforce compliance with this subsection.

(10) PENALTY. Any person who intentionally dials the telephone number "911" to report an emergency, knowing that the fact situation which he or she reports does not exist, shall be fined not less than \$50 nor more than \$200.

(11) IMPLEMENTATION SCHEDULE. (a) The department, in consultation with and with the approval of the emergency number systems board, shall establish operational standards for public agencies or groups of public agencies operating basic and

sophisticated systems established under this section by December 31, 1979. The department shall consult with the departments named under sub. (5) in establishing such standards.

(b) On or before January 1, 1981, every public agency shall submit tentative plans for the establishment of a basic or sophisticated system as required under this section to the telephone utility providing service within the respective boundaries of such public agency. Such plans shall also be filed with the department. On or before January 1, 1983, every public agency shall submit final plans for the establishment of such systems to the telephone utility and shall provide for the implementation of the plans by December 31, 1987. A copy of such final plan shall also be filed with the department. If a public agency has established a basic or sophisticated system as required by this section prior to the deadline specified in this paragraph, the agency shall submit a report describing the system and stating the date the system began to operate. Every plan or report filed under this paragraph shall provide for a system which conforms to the standards set forth by the department under par. (a).

SECTION 4. Legislative report and fiscal recommendations. (1) On or before February 16, 1980 and 1982, the department of administration on behalf of the emergency number systems board, created under section 15.101 (9) of the statutes, shall report to the legislature the progress made by public agencies, as defined in section 146.70 (1) (f) of the statutes, as created by this act, in implementing the emergency phone systems required by this act. In such report the department shall recommend any legislative changes it deems necessary.

(2) By December 31, 1980 and 1981 the department of administration, after consulting with the department of justice, shall submit to the governor and the legislature recommendations specifying the cost necessary to further implement the telephone systems required by this act during the succeeding fiscal year. The report shall contain an estimate of the fiscal impact of such implementation on public agencies, except state agencies, as defined in section 146.70 (1) (f) of the statutes, as created by this act.

SECTION 5. Program responsibilities. (1) In the list of program responsibility citations enumerated for the department of local affairs and development under section 15.281 of the statutes, reference to section "146.70 (5)" is inserted.

(2) In the list of program responsibility citations enumerated for the department of justice under section 15.251 (intro.) of the statutes, reference to section "146.70 (5) and (9) (c)" is inserted.

(3) In the list of program responsibility citations enumerated for the department of administration under section 15.101 (intro.) of the statutes, reference to section "146.70" is inserted.

(4) In the list of program responsibility citations enumerated for the department of natural resources under section 15.341 (intro.) of the statutes, reference to section "146.70 (5)" is inserted.

(5) In the list of program responsibility citations enumerated for the department of transportation under section 15.461 (intro.) of the statutes, reference to section "146.70 (5)" is inserted.

(6) In the list of program responsibility citations enumerated for the public service commission under section 15.791 of the statutes, reference to section "146.70 (5)" is inserted.

SECTION 6. Initial board terms. The first members of the emergency number systems board created by section 15.101 (9) of the statutes, created by this act, shall be appointed by the governor for the following terms: 4, one of whom shall be a member of the public at large, for a term of 3 years; 4, one of whom shall be a member of the public at large, for a term of 2 years; and 3, one of whom shall be a member of the public at large, for a term of one year.