



State of Wisconsin
2019 - 2020 LEGISLATURE

LRB-2113/P4
ZDW:wj&kjf

DOA:.....Stinebrink, BB0408 - WISCOM

FOR 2019-2021 BUDGET -- NOT READY FOR INTRODUCTION

AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

TRANSPORTATION

GENERAL TRANSPORTATION

1. Next Generation 911 and WISCOM

Under current law, DMA is required to contract for the creation, operation, and maintenance of an emergency services network capable of meeting certain standards known collectively as Next Generation 911. DMA is also required to develop and operate a statewide public safety interoperable communication system, commonly referred to as WISCOM. To assist DMA in developing the ability of public safety agencies to communicate with each other, there is an interoperability council with a 911 subcommittee attached to DMA. This bill transfers the requirements relating to Next Generation 911 and WISCOM from DMA to DOT and attaches the interoperability council and 911 subcommittee to DOT. The bill also requires DOT to issue a request for proposals for a statewide public safety interoperable communications system to be deployed on existing tower sites and authorizes DOT to spend up to \$500,000 for professional consulting services related to the request for proposals.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

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

SECTION 1. 15.315 (title) of the statutes is repealed.

SECTION 2. 15.315 (1) of the statutes is renumbered 15.467 (1), and 15.467 (1) (a), as renumbered, is amended to read:

15.467 (1) (a) There is created an interoperability council, attached to the department of ~~military affairs~~ transportation under s. 15.03.

SECTION 3. 15.315 (2) of the statutes is renumbered 15.467 (2), and 15.467 (2) (a) (intro.), as renumbered, is amended to read:

15.467 (2) (a) (intro.) There is created a 911 subcommittee of the interoperability council, attached to the department of ~~military affairs~~ transportation under s. 15.03. The 911 subcommittee consists of one member serving a 3-year term who is appointed by the ~~adjutant general~~ secretary of transportation and the following members serving 3-year terms who are appointed by the governor:

SECTION 4. 20.465 (3) (km) of the statutes is renumbered 20.395 (5) (km) and amended to read:

20.395 (5) (km) *Interoperable communications system.* ~~The~~ From the general fund, the amounts in the schedule to operate a statewide public safety interoperable communication system. All moneys transferred from the appropriation account under s. 20.505 (1) (id) 2. shall be credited to this appropriation account. Notwithstanding s. 20.001 (3) (a), the unencumbered balance on June 30 of each year shall be transferred to the appropriation account under s. 20.505 (1) (id).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 5. 20.465 (3) (ks) of the statutes is renumbered 20.395 (5) (qs) and amended to read:

20.395 (5) (qs) *Public safety interoperable communication system; state fees.* The amounts in the schedule to operate a statewide public safety interoperable communication system. ~~All moneys received from public safety agencies that are state agencies as fees under s. 323.29 (3) (b) 1. shall be credited to this appropriation account.~~

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 6. 20.465 (3) (L) of the statutes is renumbered 20.395 (5) (qL) and amended to read:

20.395 (5) (qL) *Public safety interoperable communication system; general usage fees.* The amounts in the schedule to operate a statewide public safety interoperable communication system. ~~All moneys received from users as fees under s. 323.29 (3) (b) 2. shall be credited to this appropriation account.~~

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 7. 20.465 (3) (q) of the statutes is renumbered 20.395 (5) (q).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 8. 20.465 (3) (qm) of the statutes is renumbered 20.395 (5) (qm) and amended to read:

20.395 (5) (qm) *Next Generation 911.* From the police and fire protection fund, the amounts in the schedule for the department to make and administer contracts under s. ~~256.35 (3s) (b)~~ 85.125 (2) and for the 911 subcommittee to administer its duties under s. ~~256.35 (3s) (d)~~ 85.125 (4).

***NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 9. 20.505 (1) (id) 2. of the statutes is amended to read:

20.505 (1) (id) 2. The amount transferred to s. ~~20.465 (3)~~ 20.395 (5) (km) shall be the amount in the schedule under s. ~~20.465 (3)~~ 20.395 (5) (km).

SECTION 10. 20.835 (1) (r) of the statutes is amended to read:

20.835 (1) (r) *County and municipal aid account; police and fire protection fund.* From the police and fire protection fund, after deducting the amounts appropriated from that fund under ss. 20.155 (3) (t) and ~~20.465 (3)~~ 20.395 (5) (q) and (qm), all moneys received from the fees collected under s. 196.025 (6) to make the payments under s. 79.035.

SECTION 11. 256.35 (1) (em) of the statutes is amended to read:

256.35 (1) (em) “Emergency number system” means any basic system, sophisticated system, or Next Generation 911, as defined in sub. ~~(3s) (a) 3.~~ s. 85.125 (1) (c), regardless of technology platform.

SECTION 12. 256.35 (3s) (except 256.35 (3s) (a) 1.) of the statutes is renumbered 85.125, and 85.125 (1) (intro.), (e) and (f), (2), (3) and (4) (a), as renumbered, are amended to read:

85.125 (1) DEFINITIONS. (intro.) In this subsection ~~section~~ section:

(e) “Service supplier” has the meaning given in sub. ~~s. 256.35 (3) (a) 3.~~

(f) “Service user” has the meaning given in sub. ~~s. 256.35 (3) (a) 4.~~

(2) EMERGENCY SERVICES IP NETWORK CONTRACTS. The department shall invite bids to be submitted under s. 16.75 and, from the appropriation under s. ~~20.465 (3)~~ 20.395 (5) (qm), contract for the creation, operation, and maintenance of an emergency services IP network that to the greatest extent feasible relies on industry standards and existing infrastructure to provide all public safety answering points with the network necessary to implement Next Generation 911.

(3) EXISTING CONTRACTS AND CHARGES. (a) The department shall determine the operational date for each county. If a contract under ~~sub. s. 256.35~~ (3) (b) 3. between a service supplier and a county is in effect immediately before the operational date determined for the county, the contract shall expire on the operational date and, except as provided in ~~subd. 2. par. (b)~~, beginning on the operational date, the service supplier may not bill any service user for a charge levied by the county under ~~sub. s. 256.35~~ (3) (b) or impose a surcharge approved under ~~sub. s. 256.35~~ (3) (f). At least 30 days before a contract expires under this ~~subdivision paragraph~~, the department shall provide written notice of the expiration to the county and service supplier.

(b) If a contract terminates under ~~subd. 1. par. (a)~~ before a service supplier has been fully compensated for nonrecurring services described in ~~sub. s. 256.35~~ (3) (b) 3. a., the service supplier may continue to bill service users for the charge levied by the county under ~~sub. s. 256.35~~ (3) (b) or impose a surcharge approved under ~~sub. s. 256.35~~ (3) (f) until the service supplier is fully compensated for those nonrecurring services.

(4) (a) Advise the department on the contracts required under ~~par. (b) sub. (2)~~.

SECTION 13. 256.35 (3s) (a) 1. of the statutes is repealed.

SECTION 14. 323.29 (title), (1) (a), (b), (c) and (d), (2), (3) (title) and (b) and (4) of the statutes are renumbered 85.127 (title), (1) (a), (b), (c) and (d), (2), (3) (title) and (b) and (4), and 85.127 (1) (a) and (4), as renumbered, are amended to read:

85.127 **(1) (a)** “Council” means the interoperability council created under s. ~~15.315~~ 15.467 (1) (a).

(4) DIRECTOR OF EMERGENCY COMMUNICATIONS. The ~~adjutant general~~ secretary shall appoint a director of emergency communications within the ~~division~~ department to serve at the pleasure of the ~~adjutant general~~ secretary outside the

classified service. The position shall be funded from the appropriation under s. ~~20.465 (3)~~ 20.395 (5) (q).

SECTION 15. 323.29 (1) (am) of the statutes is repealed.

SECTION 16. 323.29 (3) (a) (intro.) and 1. of the statutes are consolidated, renumbered 85.127 (3) (a) and amended to read:

85.127 (3) (a) The department shall ~~do all of the following:~~ 1. Provide ~~provide~~ staff support for the council and oversight of the development and operation of a statewide public safety interoperable communication system.

SECTION 17. 323.29 (3) (a) 2. of the statutes is repealed.

SECTION 9131. Nonstatutory provisions; Military Affairs.

(1) EMERGENCY COMMUNICATIONS.

(a) *Assets and liabilities.* On the effective date of this paragraph, the assets and liabilities of the department of military affairs primarily relating to Next Generation 911, the statewide public safety interoperable communication system, or the interoperability council, as determined by the secretary of administration, become the assets and liabilities of the department of transportation.

(b) *Tangible personal property.* On the effective date of this paragraph, all tangible personal property, including records, of the department of military affairs primarily relating to Next Generation 911, the statewide public safety interoperable communication system, or the interoperability council, as determined by the secretary of administration, becomes the personal property of the department of transportation.

(c) *Pending matters.* Any matter pending with the department of military affairs primarily relating to Next Generation 911, the statewide public safety interoperable communication system, or the interoperability council, as determined

by the secretary of administration, on the effective date of this paragraph is transferred to the department of transportation. All materials submitted to or actions taken by the department of military affairs are considered as having been submitted to or taken by the department of transportation.

(d) *Contracts.* All contracts entered into by the department of military affairs primarily relating to Next Generation 911, the statewide public safety interoperable communication system, or the interoperability council, as determined by the secretary of administration, in effect on the effective date of this paragraph remain in effect and are transferred to the department of transportation. The department of transportation shall carry out any obligations under those contracts unless modified or rescinded to the extent allowed under the contract.

SECTION 9144. Nonstatutory provisions; Transportation.

(1) STATEWIDE PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS SYSTEM. No later than June 30, 2020, the department of transportation shall issue a request for proposals for a statewide public safety interoperable communications system to be deployed on existing tower sites. Notwithstanding s. 16.75 (1) and (2m), from the appropriation under s. 20.395 (5) (dq), the department of transportation may expend not more than \$500,000 to enter into a contract with an organization to provide professional consulting services related to development of bidder qualifications and technical requirements for the request for proposals issued under this subsection.

(END)