



PATRICK TESTIN

STATE SENATOR

DATE: August 8, 2023

RE: **Testimony on Senate Bill 371**

TO: The Senate Committee on Labor, Reg. Reform, Veterans and Military Affairs

FROM: Senator Patrick Testin

Thank you members of the committee for hearing my testimony on SB 371.

NextGen 911 is revolutionizing the public safety landscape as we know it. With emergency callers being more mobile now than ever before, dispatchers equipped with outdated 911 systems are unable to meet the demands of today's digital society. As the first line of communication during an emergency, switching to updated infrastructures with Next Generation 911 technology has proven essential for dispatchers to provide quick and effective response services to every community.

NG911 is a digital, internet protocol (IP)-based system that will replace the analog 911 infrastructure that's been in place for decades. NG911 systems enhance the capabilities of today's 911 networks, allowing compatibility with more types of communication, providing greater situational awareness to dispatchers and emergency responders, and establishing a level of resiliency not previously possible. NG911 will allow 911 centers to accept and process a range of information from responders and the public, including text, images, video, and voice calls.

The ability of 911 callers to communicate silently through text message increase the caller's safety; for example, during a home invasion, a caller could request a police response without alerting the intruder to their presence. Next Generation 911 can also facilitate continuity of operations in the event of a natural disaster by allowing affected PSAPs to re-route calls to other answering centers.

Once NG911 is implemented, the system's network will be operated on the state-level, while local units of government will retain fiscal and administrative responsibility for PSAP operations. Local entities may also need to upgrade answering equipment to ensure that 911 calls can be processed under the new system. Much of the decision-making related to public safety

has been delegated to the local level in Wisconsin. According to DMA, the NG911 program will be administered on a state-guided, local control basis, allowing participation to be voluntary.

Current law does not specifically include cost recovery for providers facilitating NG 911 service after the transition to the digital NG911 ESInet. Provider cost recovery for facilitating 911 in Wisconsin has existed for decades, but the statutes do not specifically allow cost recovery to continue after the transition to the digital ESInet.

SB 371 will continue the current practice to allow providers to recover their costs associated with facilitating NG-911 by creating a grant program at DMA for incumbent local exchange carriers to receive reimbursement for some of their costs. These costs may include IP-based transport of NG-911; purchasing, installing, and maintaining NG-911 equipment; and NG-911 database management. The existing Police and Fire Protection Fund surcharge was originally created to fund the modernization of 911 but has primarily been used to backfill shared revenue. Recent legislative changes will be renaming the Police and Fire Protection Fund to the 911 Fund and ensuring the fees that are collected are finally going to be dedicated to their purpose.

Thank you and I will be happy to answer any questions.



Testimony on 2023 Senate Bill 371

Major General Paul Knapp, The Adjutant General

Senate Committee on Labor, Regulatory Reform, Veterans and Military Affairs

August 8th, 2023

The Department of Military Affairs (DMA) is providing the following background information related to Senate Bill 371 and the grant program's potential impact on the Department of Military Affairs.

Under current law, DMA is responsible for contracting for the creation, operation, and maintenance of an emergency services IP network to provide all public safety answering points (PSAPs) with the network necessary to implement Next Generation 911. DMA is also responsible for overseeing two competitive grant programs to assist local agencies with the transition to Next Generation 911. One grant is specific to PSAPs and includes assistance with purchasing hardware and software related to Next Generation 911. The second grant is specific to assisting local Land Information Offices with preparing and cleaning up data related to geographic information systems (GIS) which is a requirement to join the Next Generation 911 network.

This bill requires DMA to provide grants to incumbent local exchange carriers operating as originating service providers for the reimbursement of the incumbent local exchange carrier's certain various costs associated with Next Generation 911. To implement and administer this grant, the agency will need 1.0 FTE to complete compliance auditing and grant activities and ensure that all eligibility requirements are met and that the State and Federal regulations related to Next Generation 911 are followed throughout the lifecycle of the grant.

Thank you for the opportunity to provide this written testimony on Senate Bill 371 and its potential influence on the Department of Military Affairs.



TONY KURTZ

STATE REPRESENTATIVE • 50th ASSEMBLY DISTRICT

Testimony before the Senate Committee on Labor, Regulatory Reform, Veteran and Military Affairs

Senate Bill 371

Good morning, Chairman Testin and committee members. Thank you for holding this hearing today on Senate Bill 371.

911 is a critically important service for every resident in Wisconsin. Over the last several years, the legislature has supported several initiatives and grant programs to help local units of government with the transition to Next Generation 911 (NG-911). Next Generation 911 provides better technology and access to emergency communication. In addition to 911 voice capabilities, NG-911 allows the public to send texts, images, video and data to a 911 center.

As you can likely imagine, the cost of upgrading this technology isn't cheap and that includes the costs that telecommunication companies will see as they upgrade the infrastructure to help NG-911 become a reality. Provider cost recovery for facilitating 911 in Wisconsin has existed for decades, but the statutes do not specifically allow cost recovery to continue after the transition to the digital NG-911 Emergency Services Internet Protocol Network (ESInet).

Senate Bill 371 will continue the current practice to allow providers to recover their costs associated with facilitating NG-911 by creating a grant program at DMA for incumbent local exchange carriers to receive reimbursement for some of their costs. These costs may include IP-based transport of NG-911; purchasing, installing, and maintaining NG-911 equipment; and NG-911 database management.

The funding provided in Senate Bill 218 is SEG funding from the 911 Fund. The 911 Fund, previously known as the Police and Fire Protection Fund, was originally created to fund the modernization of 911 but had primarily been used to backfill shared revenue. Recent legislative changes made changes to ensure the fees that are collected are finally going to be dedicated to their purpose.

Senate Bill 371 helps ensure the transition to NG-911 continues without putting unnecessary burden on our telecommunication companies and the fees collected from every phone bill is going to what it's intended for the first time.

Thank you again for your time today. I'm happy to answer any questions at this time.



**Bill Esbeck, Executive Director
Wisconsin State Telecommunications Association
Testimony in Support of Senate Bill 371
Senate Committee on Labor, Regulatory Reform, Veterans and Military Affairs
August 8, 2023**

Introduction

Chair Testin and members of the committee, thank you for the opportunity to testify in support of Senate Bill 371.

My name is Bill Esbeck, and I am the executive director of the Wisconsin State Telecommunications Association.

With me today is Justin Huebner, CEO of Solarus in Wisconsin Rapids. Justin is also the immediate past president of WSTA.

I want to thank and commend Senator Testin and Representative Kurtz for their leadership on this critical public safety issue...and their willingness to author this important legislation.

In my testimony, I am going to share background on the issue and discuss how SB 371 will continue current practice and create provider cost recovery after the transition to the Next Generation 911 (NG911) Emergency Services Internet Protocol Network (ESInet).

Background

Since the widespread adoption of 911 service in Wisconsin in the 1980s, telecommunications providers have been reimbursed for their costs associated with facilitating 911. A landline-only 911 surcharge pays for the current 911 system, including costs incurred by originating providers. The existing statutes allow providers to recover costs for trunking, equipment, and database expenses related to the current 911 system.

In 2009, there was a significant effort to modernize Wisconsin's 911 system that almost succeeded:

- In April 2009, the Joint Committee on Finance adopted a comprehensive budget motion with policy to modernize Wisconsin's 911 system and create a new, 75-cent 911 surcharge assessed on landlines and cell phones to fund the modernization. The budget motion included a continuation of 911 cost recovery for providers. The April 2009 motion was supported by a broad coalition of law enforcement, local government, and providers.
- However, in May 2009, the Joint Committee on Finance adopted a motion to rename the new 75-cent 911 Fee as the Police and Fire Protection Fee (PFPF) and eliminated the policy to modernize Wisconsin's 911 system. The PFPF was diverted to the general fund and backfilled cuts in shared revenue.

Progress was made in the 2017-2019 Biennial Budget, which included a provision to create the statewide, all-digital ESInet. The ESInet will be the digital backbone for Wisconsin's modernized NG911 solution. A portion of the PFPF was used as the funding source for the ESInet.

The 2023-2025 Biennial Budget renamed the Police and Fire Protection Fee as a 911 Fee. Now that the Police and Fire Protection Fee has been renamed as a specific 911 Fee, 47 United States Code Section 615 prohibits the corresponding revenue from being used for anything unrelated to 911 expenses.

Issue

Current law does not specifically include cost recovery for providers facilitating NG911 service after the transition to the digital NG911 ESInet. As mentioned, provider cost recovery for facilitating 911 in Wisconsin has existed for decades, but the statutes do not specifically allow cost recovery to continue after the transition to the digital ESInet.

Solution

Senate Bill 371 will continue decades of precedent and specifically allow providers to recover their costs associated with facilitating NG911. As outlined in the legislation, these costs may only include IP-based transport of NG911; purchasing, installing, and maintaining NG911 equipment; and NG911 database management.

The 75-cent surcharge on landlines and cell phones, which was renamed as a 911 Fee in the budget and can only be used for 911 related expenses, is appropriately used to pay for NG911 provider cost recovery in Senate Bill 371.

Please contact Bill Esbeck at bill.esbeck@wsta.info with any questions.

Figure 1

How the 911 system works: From call to response

