



WISCONSIN LEGISLATIVE COUNCIL STAFF MEMORANDUM

Memo No. 1

TO: MEMBERS OF THE SPECIAL COMMITTEE ON 911 COMMUNICATIONS

FROM: Larry Konopacki, Senior Staff Attorney, and Chad Brown, Staff Attorney

RE: Options for Legislation Related to 911 Communications

DATE: September 19, 2012

This Memo was prepared for the Special Committee on 911 Communications. Its purpose is to provide a basis for committee discussion of various legislative options related to 911 communications and to organize that discussion. This Memo is intended to help the committee identify what, if any, recommendations it will include in draft legislation.

This list of options is not exhaustive; committee members may have other suggestions for the committee to consider. Also, some options are more developed than others based on available information. Committee staff attempted to note some of the key policy choices that would likely have to be addressed if particular options are forwarded as recommendations for legislation.

COORDINATION OF STATE 911 SERVICES

The committee could recommend that the state undertake an expanded role in the management of the 911 system. Options related to the aspects of management of the 911 system that could be assigned to a state oversight entity and the entity to which they could be assigned are provided below.

Designation of Entity to Coordinate State 911 Services

If the committee recommends the state coordination of certain aspects of 911 services, the following entities are among those that may be chosen to administer those tasks:

1. Existing Agency. The committee could recommend that state 911 coordination be administered by one or more existing state agencies, including the following:
 - a. *Department of Safety and Professional Services (DSPS)*. DSPS works to promote safe and sanitary conditions in public and private buildings, regulates petroleum

products and storage tank systems, and works to ensure competent practice of licensed professionals (DPS licenses and regulates 223 different types of credentials in more than 67 professional fields). DPS also provides administrative services to 81 boards, councils, and advisory committees.

- b. *Public Service Commission (PSC)*. The PSC is responsible for the regulation of Wisconsin public utilities, including certain limited aspects of telecommunications utilities. The PSC currently performs limited functions with respect to 911 telecommunications service.
 - c. *Office of Justice Assistance (OJA)*. OJA is responsible for the operation of the statewide public safety interoperability communications system (WISCOM) and other aspects of interoperable communications in Wisconsin. The Interoperability Council has been directed to make recommendations to OJA related to equipment used by public safety answering points (PSAPs) and certification criteria for PSAP staff.
2. Oversight Board. The committee could recommend that a state 911 communications oversight board or council be established to perform assigned functions. Considerations that the committee may want to address include:
- a. *Membership*. If the committee decides to recommend the creation of a 911 board, it should consider who it will direct to appoint members, what qualifications, if any, members will be required to possess, the terms of appointments, and how the leadership of the board should be chosen.
 - b. *Responsibilities*. The committee will also have to establish the 911 board's responsibilities (potential 911 board functions are discussed in more detail below under "Scope of State 911 Coordination").
 - c. *Administration*. The committee will have to make a recommendation as to which, if any, existing agency the 911 board should be attached for administrative purposes, whether the members should receive compensation for their services, and the operational requirements for the 911 board.

Scope of State 911 Coordination

1. Planning. If the committee recommends that a state entity perform planning functions for the 911 system, it should consider what aspects of 911 planning should be included and whether each PSAP should be required to adhere to such plans, among other factors.
2. Assessment. The committee could recommend legislation that requires a state entity be tasked with conducting a state 911 system assessment.
3. Interoperability. The committee could recommend that the state entity be directed to facilitate, coordinate, incentivize, or require that measures be taken to improve system interoperability such as a transition to telecommunications interoperability across all PSAPs and the standardization of global positioning systems (GPS) and other systems used by PSAPs.

4. Consolidation. The committee could recommend that the state entity oversee a program to facilitate, coordinate, incentivize, or require consolidation of specified PSAP functions.
5. Training. The committee could recommend that the state create, impose, or provide training standards and systems (options related to training of PSAP staff are discussed in more detail below).
6. Funding. The committee could recommend that the state entity be assigned the task of administering PSAP funding programs (options for funding PSAP functions are discussed in more detail below).
7. Organization. The committee could recommend that the state establish a defined organizational hierarchy with respect to PSAPs and 911 system operation, which could include designation of certain governmental entities as primary or secondary PSAPs for wireline or wireless 911 service.
8. Next Generation 911 (NG911). The committee could direct the state entity to manage the deployment of any future 911 system changes including any projects related to NG911.
9. Service Support. The committee could recommend that a state entity provide certain aspects of 911 service support, which may include the provision of 911 service during PSAP system failure.
10. Telecommunications. The committee could recommend that the state oversee or manage telecommunications services provided to PSAPs.
11. Service Standards. The committee could recommend that the state establish and oversee voluntary or mandatory service benchmarks for PSAPs. Service standards could relate to PSAP infrastructure, equipment, technology, services and capabilities, operational support, and staffing.
12. Advisory Body for Legislature and Governor. The committee could recommend that a state entity serve in an advisory role for the Legislature and the Governor.
13. Other. The committee could recommend that the state manage other projects related to 911 service.

TRAINING REQUIREMENTS

The committee could recommend that a state entity be directed to establish training standards or requirements for PSAP telecommunicators and other staff. Adherence to training standards could be voluntary or mandatory for PSAPs, the state could provide or support a telecommunicator training program (which could include continuing education requirements), and the state could provide a credentialing system for telecommunicators, among other options.

FUNDING

The committee could make recommendations for legislation relating to 911 system funding. With respect to any funding source, the committee should consider who will be responsible for contributing revenue, how revenue should be collected and by whom, and how it should be distributed. Some of the options related to funding include the following.

Landline 911 Fee

The committee could recommend changes to the current landline 911 fee, including changing the authorized amount of the fee, expanding the application of the fee to more telecommunications types, expanding the purposes to which the fee could be applied, and eliminating the fee.

Police and Fire Protection Fee

The committee could recommend changes to this existing fee such as changing the authorized amount of the fee and dedicating the revenue generated by the fee to specified services.

Leveraging Existing Grant Programs

The committee could recommend that law enforcement grant programs be expanded to include support for PSAP staffing and functions.

New Funding Sources

The committee could recommend that other funding sources be used to support 911 services. For instance, the committee could recommend that a portion of existing funding for county land information functions (from real estate transaction fees) be dedicated to 911-related GPS upgrades and interoperability improvements.

MISCELLANEOUS

Harassing 911 Calls

The committee could recommend that legislation allow PSAPs to deliver a lower-priority level of service to telephone numbers associated with harassing behavior, potentially including special treatment of non-subscriber lines, and protect PSAPs from liability associated with such action.

Multi-Line Telephone System

The committee could recommend that multi-line telephone systems installed in this state provide PSAPs and emergency responders with a callback number and information necessary to pinpoint the location of a caller requesting emergency services.

Automatic Alarm and Automatic Alerting Devices

The committee could recommend that legislation prohibit the use of automatic systems that directly access the 911 system without prior verification.

Subscriber Records

The committee could recommend that telecommunications providers that provide services in this state make subscriber addresses available to PSAPs for providing emergency response services only (this information could also be exempted from disclosure under open records laws). The committee could also recommend that telecommunications providers ensure that subscriber location data be updated within a certain period of time after a provider is informed of a change.

LAK:CB:ksm