



WISCONSIN LEGISLATIVE COUNCIL

911 COMMUNICATIONS

Room 225 Northwest
State Capitol

December 13, 2012
10:00 a.m. - 3:00 p.m.

[The following is a summary of the December 13, 2012 meeting of the Special Committee on 911 Communications. The file copy of this summary has appended to it a copy of each document prepared for or submitted to the committee during the meeting. A digital recording of the meeting is available on our Web site at <http://www.legis.state.wi.us/lc>.]

Call to Order and Roll Call

Chair Ballweg called the committee to order. The roll was called and a quorum was present.

COMMITTEE MEMBERS PRESENT: Rep. Joan Ballweg, Chair; Sen. Robert Jauch, Vice Chair; Rep. Amy Sue Vruwink; Sen. Terry Moulton; and Public Members Jim Backus, Thomas Bychinski, Tracey Froiland, James Jermain, Keith Kesler, Pam McInnis, Vicki Sanfelipo, Richard Tuma, and Bradley Welp.

COMMITTEE MEMBERS EXCUSED: Public Members Brian Landers, Todd Nehls, and Jeff Ranous.

COUNCIL STAFF PRESENT: Larry Konopacki, Senior Staff Attorney; and Chad Brown, Staff Attorney.

Approval of the Minutes of the Special Committee's October 25, 2012 Meeting

Mr. Tuma moved, seconded by Mr. Bychinski, that the minutes of the Special Committee's October 25, 2012 meeting be approved. The motion passed by unanimous consent.

<p>*ATTENTION: This was the final meeting of the Special Committee on 911 Communications. Committee members are requested to send any corrections regarding these Minutes to the Legislative Council staff. After the incorporation of any corrections, these Minutes will be considered approved by the committee.</p>
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Discussion of Committee Assignment

NOTE: Votes taken during this meeting on specific bill drafts were on the question of whether to include the bill draft, with any changes discussed or clarifications suggested by the Legislative Reference Bureau drafters, in the final package to be voted on by committee members by mail ballot.

WLC: 0042/1, relating to telecommunications subscriber records

Legislative Council staff gave a description of the draft. The committee briefly discussed types of information that would be proprietary and the breadth of permissible uses of that information. Members of the committee discussed narrowing the permissible uses of that information to those uses associated with providing 911 services. Modifications to definitions were also discussed. The committee also discussed the deadlines for notifications and database updates outlined in the draft, which committee members indicated were appropriate.

The following changes were requested to be made to WLC: 0042/1, relating to telecommunication subscriber records:

- Modify the definition of “911 service provider” to allow Public Service Commission (PSC) to contract with separate entities for selective routing services and management of updates to the automatic location information database and the master street address guide for a particular geographic area. Also, modify the definition to include other services related to the state 911 telecommunications system.
- Modify paragraph (b) on page 2, lines 16-22, to specify that a public safety answering point (PSAP) may only access a subscriber record when a call is placed to 911 from the subscriber’s telephone number.

Mr. Tuma moved, seconded by Mr. Jermain, and the committee voted unanimously to recommend WLC: 0042/1, with the changes discussed by the committee to the permissible uses of the information incorporated.

WLC: 0053/P1, relating to making 911 calls from multiline telephone systems

Legislative Council staff described the draft, and committee members discussed key elements of the proposal and comparison to National Emergency Number Association recommended standards and neighboring state law. The committee discussed shortening the time period for existing multiline telephone systems to comply with the requirements of the draft to five years instead of the 10-year deadline contained in the draft. The committee discussed extending the deadline for existing shared residential multiline systems to one year, and decided that temporary systems in place for less than 90 days should be exempted.

The following changes were requested to be made to WLC: 0053/P1, relating to 911 calls made from multiline telephone systems:

- Generally require existing multiline telephone systems (MLTS) to be designed and maintained to provide location and callback information to a PSAP when a 911 call is made,

by the first day of the 61st (instead of 121st) month beginning after the effective date of this draft.

- Allow shared residential multiline systems until the first day of the 13th (instead of 7th) month beginning after the effective date of this draft to provide location and callback information to a PSAP when a 911 call is made from a phone on the system.
- Apply the area-based exception to the MLTS requirement to apply to any type of area below 25,000 (instead of 7,000) square feet.
- Exempt a temporary MLTS that is in service for 90 days or less.

Mr. Bychinski moved, seconded by Mr. Tuma, and the committee unanimously approved recommendation of the draft with the changes discussed.

WLC: 0048/P1, relating to funding for the state 911 communications system

Legislative Council staff described the draft, and the committee discussed the new funding mechanism and the existing Police and Fire Protection Fee (P&FF). Committee members expressed a desire to have the P&FF phased out or repurposed for 911 funding. Mr. Jermain and Mr. Welp expressed concern over the additional fee as proposed without appropriate action regarding the P&FF.

The committee directed Legislative Council staff to draft a letter to the Joint Committee on Finance expressing disagreement with the current disposition of revenue received from the P&FF and requesting that the fee be repurposed for 911 funding or eliminated, or that the revenue from the fee be distributed in a way that is more honest with respect to the consumer's expectations, and other revenue be identified to provide the funds from that fee that are currently going to other programs under the general fund.

The committee discussed changes in definitions related to costs incurred by communications or 911 service providers for expenses between the router and PSAP. The committee also discussed modifications requested by the Department of Revenue (DOR) for the facilitation of collection of fees under this draft.

The following changes were requested to be made to WLC: 0048/P1, relating to funding for the state 911 communications system:

- Add that costs incurred for the provision of 911 service between selective routers and PSAPs and other costs associated with providing 911 telecommunications service are included in the definition of costs recoverable by 911 service providers and communications providers under the draft.
- Retain the direction that the \$0.40 per month cap on the state 911 fee be modified over time based on the consumer price index.
- Allow DOR to collect state 911 fees from communications providers, in addition to prepaid wireless retailers, and authorize DOR to audit, bring actions, require registration and filing of

returns, handle appeals, and impose interest and penalties related to collection of state 911 fees.

Mr. Tuma moved seconded by Mr. Kessler, that the draft be recommended for approval with requested modifications. The motion passed by a vote of Ayes, 11 (Reps. Ballweg and Vruwink; Sens. Jauch and Moulton; and Public Members Backus, Bychinski, Froiland, Kesler, McInnis, Sanfelipo, and Tuma); Noes, 2 (Public Members Jermain and Welp); and Absent,3 (Public Members Landers, Nehls, and Ranous).

WLC: 0058/P1, relating to the creation of a 911 advisory council

Legislative Council staff described the draft. Concern was expressed that the composition of the advisory board as proposed may not adequately represent rural areas, and the committee discussed modifications to the draft to address this concern. The committee also discussed other modifications relating to the membership of the state 911 council. The committee discussed modifications to the draft in response to suggestions by the Office of Justice Assistance (OJA).

The following changes were requested to be made to WLC: 0058/P1, relating to the creation of a 911 advisory council:

- Require that the Governor, when making appointments to the 911 council, consider the geographical diversity of, and the representation of urban and rural interests by, the membership of the council.
- Allow the member of the 911 council that is recommended by an association of Wisconsin cities and villages to be recommended by an association of Wisconsin cities, villages, or towns.
- Require that the two members of the 911 council that represent wireless providers be from two different providers, one serving a primarily regional market and one serving a national market.

Mr. Tuma moved, seconded by Mr. Jermain, that the draft be recommended for approval with requested modifications. The motion was approved by unanimous consent.

WLC: 0046/P1, relating to state 911 telecommunications services

Legislative Council staff described the draft and its relationship to the other drafts considered. The committee briefly discussed the proposed system of contracting for telecommunications services associated with 911 communications and the statutory definitions of terms used in the draft.

The following changes were requested to be made to WLC: 0046/P1, relating to state 911 telecommunications services:

- Modify this draft as described in the last note in the draft to include:
 - Creation of a staffing position at PSC.

- Authorization for the PSC to pay for the contracts with 911 service providers and telecommunications costs of communications providers, as provided in the draft.
- Authorization for the PSC to pay for the staffing position at the PSC and the administration of the PSC's duties outlined in this draft from the state 911 fee, not to exceed 1% of the revenue used for the purposes in the above bullet.

Mr. Bychinski moved, seconded by Ms. McInnis, that the draft be recommended for approval with requested modifications. The motion was approved by unanimous consent.

WLC: 0047/P1, relating to the state 911 grant program

Legislative Council staff described the draft, and the committee discussed the administration of the grant program as outlined in the draft. Committee members discussed the permitted use of the funds and the amounts that could be withheld for administrative costs by the Public Service Commission and OJA.

The following change was requested to be made to WLC: 0047/P1, relating to the state 911 grant program:

- Limit the recoverable administrative costs for administration of the 911 grant program by the OJA to 1% of the revenue deposited in the 911 grant program.

Mr. Backus moved, seconded by Mr. Tuma, that the draft be recommended for approval with requested modifications. The motion was approved by unanimous consent.

Other Business

The Chair and Vice-Chair thanked the committee members for their participation. Chair Ballweg explained that the members should expect a mail ballot asking for approval of the final versions of these drafts.

Adjournment

The meeting was adjourned at approximately 3:00 p.m.

CB:ksm