

**MILITARY AFFAIRS**

**Wisconsin Interoperability System for Communications (WISCOM)  
and a Statewide 911 System**

**Motion:**

Move to modify current law as follows:

**Creation of a Director of Emergency Communications in DMA and Requirement for a Request for Proposal**

Create a new SEG annual appropriation in the Department of Military Affairs' (DMA) emergency management services program to support general program operations for the Interoperability Council. Appropriate \$199,400 SEG in 2017-18 and \$212,600 SEG in 2018-19, and 2.0 SEG positions annually, to this new appropriation. Funding would be utilized to support 1.0 Director of Emergency Communications (\$150,000 SEG annually) and 1.0 administrative support assistant position (\$49,400 SEG in 2017-18 and \$62,600 SEG in 2018-19). Funding for this SEG appropriation would be supported by the Police and Fire Protection Fund.

Direct the Adjutant General (the head of DMA) to appoint a Director of Emergency Communications within DMA's Division of Emergency Management (known as Wisconsin Emergency Management -- WEM). Provide that this position would be supported by the newly created general program operations appropriation for the Interoperability Council.

Create nonstatutory language that would require that, by January 1, 2019, DMA, in consultation with the Interoperability Council and the 911 Subcommittee (created in this motion), submit a report to the Legislature and the Governor that would include the following information: (a) recommendations on changes to the statutory authority of the Interoperability Council; and (b) progress that has been made toward creating a statewide public safety interoperable communication system, obstacles that have been identified that hinder progress toward interoperability, and recommendations for legislative or executive action to promote interoperability. In addition, create nonstatutory language that would require DMA to do the following in 2017-18: (a) consult with the Department of Justice (DOJ) on how to effectively transfer the resources and responsibilities of DOJ relating to the Interoperability Council and WISCOM from DOJ to DMA; and (b) consult with the Department of Transportation (DOT) and other state agencies on the effective use of staff at the DOT and other state agencies for the ongoing maintenance of a statewide public safety interoperability council.

Require that, during the 2017-19 biennium, DMA conduct a request for proposal (RFP)

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regarding a statewide public safety interoperability system. Require that the proposal include all costs associated with their fulfillment of the RFP including state costs and costs to local governments.

#### **Creation of an Interagency and Intra-agency Assistance Continuing PR Appropriation in DMA**

Create a new PR continuing appropriation in DMA's emergency management services program for interagency and intra-agency assistance. Provide that this appropriation may receive revenue from DMA and other state agencies regarding emergency management services and interoperability, to carry out the purposes for which received. Appropriate no funding to this appropriation during the 2017-19 biennium. [Although no funding would be appropriated to this appropriation during the 2017-19 biennium, since the appropriation is continuing, DMA could still utilize the appropriation to receive and expend monies, as authorized under this motion.]

#### **Transfer Functions Associated with the Interoperability Council and WISCOM from DOJ to DMA**

Provide that, beginning July 1, 2017, the Interoperability Council assist and advise DMA (as opposed to DOJ under current law) in identifying, obtaining, and allocating funding to implement a statewide public safety interoperable communication system. Further, provide that the Council make recommendations to DMA, as opposed to DOJ, on various current law aspects of the administration of public safety interoperable communication systems. Provide that DMA, instead of DOJ, must provide staff support to the Interoperability Council and oversight of the development and operation of a statewide public safety interoperable communication system. Transfer the authority to charge a public safety agency that is a state agency a fee for use of the statewide public safety interoperable communication system from DOJ to DMA.

Transfer the following appropriations, as well as funding and position authority, from DOJ to DMA at the beginning of 2017-18: (a) DOJ's interoperable communications system PR annual appropriation [\$1,045,500 PR and 2.0 PR positions annually]; (b) DOJ's public safety interoperable communication system, general usage fees [no funding or position authority]; and (c) DOJ's public safety interoperable communication system, state fees [no funding or position authority]. In addition, at the beginning of 2017-18, transfer \$80,600 PR and 1.0 PR position annually from DOJ's Wisconsin justice information sharing program appropriation to DMA's interoperable communications system PR appropriation (which is transferred from DOJ to DMA under this motion). Finally, at the beginning of 2017-18, transfer \$12,300 FED and 0.2 FED position annually from DOJ's federal aid, state operations appropriation to DMA's federal aid, state operations appropriation.

Transfer all tangible personal property, contracts, pending matters, rules and order, and employees (with incumbency status) related to interoperability communications, as determined by the Secretary of Department of Administration, from DOJ to DMA on July 1, 2017.

Beginning July 1, 2017, provide that the Interoperability Council no longer be attached to

DOA for administrative purposes. Instead, provide the Interoperability Council be attached to DMA for administrative purposes.

#### **Transfer of Positions From DOT to DMA**

Authorize DMA to request that the Joint Committee on Finance transfer funding and positions from the Department of Transportation to DMA for the ongoing maintenance of a statewide public safety interoperability system in 2017-18. Authorize the Joint Committee on Finance to review such a request and, to the extent it approves the request, transfer funding and positions from DOT to DMA for the ongoing maintenance of a statewide public safety interoperability system in 2017-18.

#### **Appropriate Funding for Purchasing Software and IT Equipment for WISCOM**

Appropriate \$464,000 GPR annually to the Joint Committee on Finance's supplemental GPR appropriation for the purpose of supporting the purchase of software and other IT equipment or services for a statewide public safety interoperability system. Authorize DMA to request the transfer of these funds for such a purpose, under s. 13.10 of the statutes.

#### **911 Subcommittee**

Beginning July 1, 2017, create a 19-member 911 Subcommittee that is attached to DMA for administrative purposes. Create the 911 Subcommittee as a subcommittee of the Interoperability Council. Provide that when making appointments to the 911 Subcommittee, the Governor must consider the geographical diversity of, and the representation of urban and rural interests by, the membership of the Subcommittee. Provide that the 911 Subcommittee consist of the following members serving staggered three-year terms: (a) an individual recommended by an association of Wisconsin cities, villages, or towns; (b) an individual recommended by an association of Wisconsin counties; (c) an individual recommended by a Wisconsin association, or a Wisconsin chapter of an association, that promotes a universal emergency telephone number system; (d) an individual recommended by an association of Wisconsin county sheriffs; (e) two individuals, each of whom represent a different commercial mobile radio service provider operating in Wisconsin, one of whom serving a primarily regional market and one of whom serving a national market; (f) two individuals recommended by a Wisconsin association, or a Wisconsin chapter of an association, of public safety communications professionals; (g) two individuals recommended by an association of Wisconsin telecommunications providers, each of whom represents an incumbent local exchange carrier; (h) an individual who represents a competitive local exchange carrier; (i) an individual who represents a voice over Internet protocol provider; (j) a police chief recommended by an association of police chiefs; (k) a fire chief recommended by an association of Wisconsin fire chiefs; (L) an individual recommended by a Wisconsin association that promotes emergency management; (m) an individual who represents a video service provider; (n) an individual recommended by a Wisconsin association of emergency medical service providers; (o) an individual recommended by an association of land information professionals; and (p) an individual appointed by the Adjutant General.

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Notwithstanding the staggered three-year terms of the members of the 911 Subcommittee, provide that for the terms of the initial members of the 911 Subcommittee, the terms of six of the members expire on July 1, 2019, the terms of six members expire on July 1, 2020, and the terms of six members expire on July 1, 2021.

Require that the 911 Subcommittee do all of the following: (a) advise DMA on the Next Generation 911 emergency services IP network contracts; (b) advise DMA on the statewide efforts, leveraging existing infrastructure, and industry standards that are necessary to transition to Next Generation 911; (c) make recommendations to DMA regarding federal sources of funding and the sustainable funding streams that are required to enable public safety answering points to purchase and maintain equipment necessary for Next Generation 911; (d) if funding is made available for DMA or another state agency to make grants to public safety answering points for training or upgrading facilities or services or for implementing Next Generation 911, advise DMA or other state agencies on making the grants, including advising on eligibility criteria for the grants which must include basic training and service standards that applicants must satisfy; (e) conduct a statewide 911 telecommunications system assessment; (f) develop recommendations for service standards for public safety answering points; (g) promote, facilitate, and coordinate interoperability across all public safety answering points with respect to telecommunications services and data systems, including geographic information systems; (h) promote, facilitate, and coordinate consolidation of public safety answering point functions where consolidation would provide improved service, increased efficiency, or cost savings; and (i) undertake all of its duties in a manner that is competitively and technologically neutral.

### **Next Generation 911**

Create a new SEG annual appropriation in DMA's emergency management services program to make and administer contracts in order to implement Next Generation 911 and for the 911 Council to administer its duties. Appropriate \$6,700,000 SEG in 2018-19 to this new appropriation for Next Generation 911 and the 911 Council. Funding for this SEG continuing appropriation would be supported by the Police and Fire Protection Fund.

Under section 256.35 of the statutes (statewide emergency services number), define an "emergency number system" to mean any basic system, sophisticated system, or Next Generation 911, regardless of technology platform.

Under section 256.35 of the statutes (statewide emergency services number), create the following definitions for the purposes of a new subsection of statute related to Next Generation 911. Define an "emergency services IP network" as a managed Internet protocol network that is used for emergency services and can be shared by all public safety answering points. Define "Next Generation 911" as a statewide emergency number system regardless of technology platform that does all of the following: (a) provides standardized interfaces from requests for emergency assistance; (b) processes all types of request for emergency assistance, including calls, nonvoice and multimedia messages; (c) acquires and integrates data useful to the delivery or routing and handling of requests for emergency assistance; (d) delivers requests for emergency assistance and data to appropriate public safety answering points and emergency responders; (e) supports data and

communications needs for coordinated incident response and management; and (f) provides a secure environment for emergency communications. Define "operational date," with respect to a county, to mean the date determined by DMA on which Next Generation 911 begins to be fully operational in the county. Define a "service supplier" to mean a telecommunications utility which provide exchange telephone service within a county. Define "service user" to mean any person who is provided telephone service by a service supplier which includes access to a basic or sophisticated system.

Require that DMA invite bids to be submitted and, from the Next Generation 911 SEG appropriation created (identified above), 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.

Provide that DMA must determine the operational date for each county. If a contract between a service supplier and a county for an emergency phone system is in effect immediately before the operational date determined for the county, the contract must expire on the operational date and, except as provided below, beginning on the operational date, the service supplier may not bill any service user for a charge levied by the county on service users in the county or impose a surcharge on its service users who reside outside of that county and who have access to the basic or sophisticated system established by that county.

Provide that if a contract terminates (as identified above) before a service supplier has been fully compensated for nonrecurring services (related to providing the trunking and central office equipment used only to operate a basic or sophisticated system established in that county and the database used only to operate that sophisticated system), the service supplier may continue to bill service users for the charge levied by the county on service users in the county or impose a surcharge on its service users who reside outside of that county and who have access to the basic or sophisticated system established by that county, until the service supplier is fully compensated for those nonrecurring services.

#### **Liability Exemption for Certain Persons and Entities**

Modify current law to extend the liability exemption to any person or entity that supplies any services, products, equipment, databases, including any related emergency notification services and processes, used for or in conjunction with the installation, implementation, operation, or maintenance of the emergency number system and used by the public safety answering point. [Under current law, a telecommunication utility, wireless provider, or local government shall not be liable to any person who uses an emergency number system created under s. 256.35 of the statutes, or makes an emergency telephone call initially routed to a wireless public safety answering point.]

#### **County and Municipal Aid Funding**

Reduce SEG funding from the Police and Fire Protection Fund for the county and municipal aid program by \$199,400 in 2017-18 and \$6,912,600 in 2018-19 to reflect the appropriations

created under this proposal for the Interoperability Council and for the Next Generation 911 system. Increase GPR funding for the county and municipal aid program by \$199,400 in 2017-18 and \$6,912,600 in 2018-19 to reflect the reduction in SEG funding.

### **Wireless 911 Grant Program**

Repeal obsolete provisions related to the wireless 911 grant program. (The law creating this program in 2003 contained a provision sunsetting the program on the first day of the 42<sup>nd</sup> month after the Public Service Commission promulgated rules to administer the program.)

### **Effective Date of the Motion Provisions**

Unless otherwise noted above, the provisions of this motion taken effect on the day after the budget bill's publication, or on the second day after the publication of the 2017 biennial budget act, whichever is later.

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#### **Note:**

This motion transfers the responsibilities of staffing the Interoperability Council, and managing a statewide public safety interoperable communication system (WISCOM), from DOJ to DMA, beginning July 1, 2017. Associated with this transfer of responsibility, funding and position authority totaling \$1,126,100 PR and 3.0 PR annually, and \$12,300 FED and 0.2 FED position annually, are transferred from DOJ to DMA in 2017-18. The motion also creates an interagency and intra-agency assistance continuing PR appropriation in DMA's emergency management services program.

The motion appropriates \$464,000 GPR annually to the Joint Committee on Finance's supplemental GPR appropriation to support the purchase of software and other IT equipment and supplies for a statewide public safety interoperability system. The Department of Military Affairs would be authorized to request that JFC transfer this funding to the agency for such a purpose, under s. 13.10 of the statutes.

This motion creates a Director of Emergency Communications in WEM in 2017-18 and requires DMA to report to the Legislature and the Governor on the Interoperability Council and WISCOM by January 1, 2019. Funding for the Director of Emergency Communications, as well as an administrative support assistant position, would be supported by \$199,400 SEG in 2017-18 and \$212,600 SEG in 2018-19, and 2.0 SEG positions annually, from the Fire and Police Protection Fund.

The motion requires that DMA conduct a request for proposal regarding a statewide public safety interoperability system during the 2017-19 biennium. The proposal must include all costs associated with the entity's fulfillment of the RFP including state costs and costs to local