

# 9-1-1 Advisory Council

## Proposed Legislative Concepts

February 24, 2016

The 9-1-1 Advisory Council has been tasked by the Montana Legislature's, Energy and Telecommunications Interim Committee (ETIC) to provide the Committee with proposed legislative concepts to update the state 9-1-1 program to ensure the program supports current legacy 9-1-1 systems and services and the future deployment of Next Generation 9-1-1 (NG 9-1-1) systems and services. The following Council recommendations are organized by the following sections: Jurisdiction, Governance, Technology and Funding.

### **JURISDICTION**

The "Jurisdiction" section includes recommendations regarding the division of authorities and responsibilities between state and local governments.

Continue to support local decision making and operations of primary PSAPs at the local level.

- Clarify in statute that any local government and 9-1-1 district can host a primary PSAP and provide 9-1-1 services including basic, enhanced and next generation 9-1-1 services;
- Clarify in statute and in administrative rule the definition of a primary PSAP;
- Clarify in statute that local governments and 9-1-1 districts that host a primary PSAP and which meet operational and technical standards that are established by the Department, are eligible recipients of state 9-1-1 program funding; and
- Clarify in statute that local governments may create 9-1-1 districts through an interlocal agreement. 9-1-1 districts are a legal entity that can host a primary PSAP and become an eligible recipient of state 9-1-1 program funding on behalf of local governments.

Continue state role of collecting the 9-1-1 fee from telecommunications providers and allocating and distributing the fees to eligible recipients (local governments, 9-1-1 districts and telecommunication providers).

- Clarify the Department of Administration's duties and powers to include:
  - reviewing and approving telecommunication provider eligibility and cost recovery requests;
  - reviewing and approving local government requests for eligibility to receive program funds;
  - distribution of program funds to telecommunication providers for approved cost recovery;
  - allocation and distribution of program funds to local governments and 9-1-1 districts; and
  - monitoring the expenditure of program funds for allowable uses by local governments and 9-1-1 districts;

- ***develop a statewide 9-1-1 system plan that describes the priorities for 9-1-1 service development and delivery. Develop and or coordinate with appropriate subject matter experts to develop studies and to conduct analyses and assessments to support a statewide plan. The 9-1-1 systems plan should have as a component a proposed budget designed to accomplish the goals and objectives of the plan (dependent on additional administrative funding that has not received consensus).***
- Clarify the Department of Administration’s rulemaking authority in statute specifically for:
  - establishing eligibility requirements for telecommunications providers and allowable costs for cost recovery;
  - establishing eligibility requirements for designating primary PSAPs that are hosted by a local government or 9-1-1 district and eligibility for receiving program funds;
  - establishing allowable uses of program funding by local governments and 9-1-1 districts
    - ***specific uses of program funds by local governments and 9-1-1 districts and the level of oversight by the Department requires additional vetting and discussion to reach a consensus.***

## **GOVERNANCE**

The “Governance” section includes recommendations for engagement of state and local stakeholders in program management.

Continue the 9-1-1 Advisory Council

- Update the Council’s membership requirements and duties in statute.
  - Use the Governor’s Executive Order for reestablishing the advisory council as a model for the membership and duties.
- Recommended duties include participating in the development, review and implementation of the 9-1-1 system plan and advising the Department of Administration in the management of the state 9-1-1 program including the adoption of administrative rules for:
  - establishing eligibility requirements for telecommunications providers and allowable costs for cost recovery;
  - establishing eligibility requirements for designating primary PSAPs that are hosted by a local government or 9-1-1 district and eligibility for receiving program funds; and
  - establishing allowable uses of program funding by local governments and 9-1-1 districts.

## **TECHNOLOGY**

The “Technology” section includes recommendations for maintaining current technologies and supporting the deployment of future next generation technologies.

- Continue to support local decision making in maintaining legacy technologies and deploying new technologies and services by providing for the flexible and or graduated adoption of technology standards, while ensuring primary PSAPs meet minimum service levels; and
- The Department may adopt administrative rules for technology standards for primary PSAPs (i.e. eligible recipients of program funding) that are based on industry standards (ex: National Emergency Number Association (NENA)) and with guidance from the 9-1-1 Advisory Council.

## **FUNDING**

The “Funding” section includes recommendations for the allocation, distribution and expenditure of state 9-1-1 program funding.

*The “funding” recommendations require additional vetting and discussion to reach a consensus.*