

2009 HOUSE POLITICAL SUBDIVISIONS

HB 1135

2009 HOUSE STANDING COMMITTEE MINUTES

Bill No. HB 1135

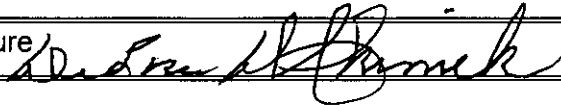
House Political Subdivisions Committee

☐ Check here for Conference Committee

Hearing Date: January 16, 2009

Recorder Job Number: 7153

Committee Clerk Signature



Minutes:

Chairman Wrangham opened the hearing on HB 1135.

Greg Wilz, Deputy Director, Department of Emergency Services: (see testimony #1).

Currently in Century Code there exists a legislative mandated committee called the emergency services communication and coordination's committee. (EFCCC) This committee works with the various local elements of government that have public safety answering points; develops guidelines in terms of what fees can be expended in the state. If you recall from last week's testimony we talked about the need for \$100,000 from one of the bills to go toward continuing study of the 911 for Next Generation. The federal government is providing funds for next generation 911 and we had covered as well the federal registry is currently out there and there is some grant guidance and ND will receive a minimum of \$500,000; hopefully this next year to start that transition. Those dollars were matched dollars 50-50. There are thousands of PSAP's across this nation that will have to go through this transformational process. The federal government doesn't want to deal with thousands; they want to deal with hundreds. So basically at the state level there will be only grant per state. State radio does not have any jurisdictional or line authority over any other PSAP in the state of ND. In Sub paragraph e.

(went over the bill). We are trying to not let state radio act on behalf of all the PSAP's, but have this legislative mandated committee which state radio is a piece of serve on that behalf. I urge the committee to pass this bill.

Rep. Koppelman: State radio was created back in 1967; where will it fit now with this.

Greg: (see chart #2) it is at the generals decision does he want the director or maybe he is not the technical person that needs to be on the committee and it would fall back to his staff, it is the department's decision.

Rep. Zaiser: In regard to grants from the federal homeland security; would you get additional grants or would you administer this out of your operating funds?

Greg: I think that this grant would come with administrative dollars attached to it and rules for using those administrative dollars. Most of our grants do and they are very small and limited.

Rep. Jerry Kelsh: State radio does not have any authority over the other PSAP. Does this give them any authority over them other than the coordinating of the Next Generation 911?

Greg: No this is just a way to decide on the appropriate use of these funds if they decide to use them.

Terry Traynor, ND Association of Counties: Supports this as was brought in with my testimony last week on the study bill. The federal government has appropriated \$43 million dollars to look at states for grants. They made it clear that come September 30, 2009 any state that doesn't meet the requirements to receive those grants; they will go into a pool and given to states that do meet those requirements. One requirement is a designated body to coordinate this planning effort. 911 people think this is the best place to hand this on now.

David Kruthers ,ND Association of telecommunication cooperatives: Neutral testimony.

When we get to line 6 it designates the body as the governing body, but it is also the governing body that is allowed to implement 911 services. Part of our concern is in that final clause with

the internet and emergency services and whether that would allow a body other than this legislature to have the effect of law and mandate the architecture of telecommunication networks. That is why we are here as a neutral witness is because that is a prospective that I think should be taken into consideration.

Rep. Zaiser: Is it your view that the state emergency services role has been of a pork agency rather than an instrumental agency and is that why you are concerned?

David: We don't have a great deal of work experience with the entity you are referring to sir. Our concern is making mandates, but we have always discussed this in a legislative entity rather than the free 911 association, state radio and a representative of the Assoc. of Counties.

Rep. Zaiser: Do you have some recommendations to deal with this issue?

David: No I do not know if it needs to be changed right now? Are we giving anything up by this and the answer was no so I am not sure the language is doing that.

Rep. Klemin: Instead of what it says now serves as a governmental body to coordinate plans for the emergency 911 funds. That would maybe accomplish the goal?

David: I would be delighted to work with members of this committee or proponents of the bill. We are not seeking to interfere in any way with what they want to do on the grant side.

Rep. Conrad: does this language come from the grant?

Terry: It comes from other draft regulations; although the simple coordination requirement is in the federal act. I was just discussing with Mr. Wilz the change of the word and to for and that would meet with the telecommunications representative.

Chairman Wrangham: change it from the word for to the word to.

Hearing closed.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill No. HB 1135

House Political Subdivisions Committee

☐ Check here for Conference Committee

Hearing Date: January 22, 2009

Recorder Job Number: 7604

Committee Clerk Signature



Minutes:

Chairman Wrangham reopened the hearing on HB 1135.

Discussed proposed amendment to this bill.

Chairman Wrangham: why would that committee rather than the adjutant general be in charge?

Motion Made By Rep. Klemin to amend the bill Seconded By Rep. Koppelman

Discussion : David Kruthers was about that committee implementing internet protocol. All we need is someone to receive the federal funds.

Rep. Koppelman: wanted to replace for coordinating to coordinate and replace "and" with "for".

Rep. Pietsch: One of the things that goes along with the first six lines are all connected and that is why they want to put to and for in there in order to make sure. That is my understanding.

Amendment voice vote carried. No opposition.

Do Pass As Amended Motion Made By Rep. Kilichowsk Seconded By Rep. Jerry Kelsh

Vote: 13 Yes 0 No 0 Absent Carrier: Rep. Corey Mock

Hearing closed.

2009 HOUSE STANDING COMMITTEE MINUTES

Bill No. HB 1135

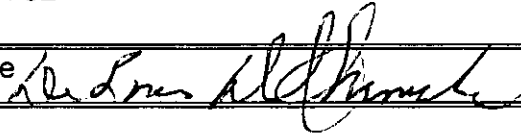
House Political Subdivisions Committee

☐ Check here for Conference Committee

Hearing Date: February 5, 2009

Recorder Job Number: 8762

Committee Clerk Signature



Minutes:

Chairman Wrangham reopened the hearing on HB 1135.

Motion Made by Rep. Headland Seconded By Rep. Koppelman to accept the amendments.

Voice vote carried.

Do Pass As Amended Motion Made By Rep. Hatlestad: Seconded by Rep. Jerry Kelsh:

Vote 13 Yes 0 No 0 Absent Carrier: Rep. Corey Mock

Hearing closed.

January 22, 2009

VR
1/23/09

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1135

Page 2, line 6, replace "for coordinating" with "to coordinate" and replace "and" with "for"

Renumber accordingly

Roll Call Vote #: /

Date: 1-22-09

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1135

House Political Subdivisions

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken

Do Pass

Do Not Pass

Amended

Motion Made By

Rep Klemm

Seconded By

Rep Koppelman

Representatives	Yes	No	Representatives	Yes	No
Rep. Dwight Wrangham, Chairman			Senator Kari Conrad		
Rep. Craig Headland, Vice Chairman			Senator Jerry Kelsh		
Rep. Patrick Hatlestad			Senator Robert Kilichowski		
Rep. Nancy Johnson			Senator Corey Mock		
Rep. Lawrence Klemm			Senator Steve Zaiser		
Rep. Kim Koppelman					
Rep. William Kretschmar					
Rep. Vonnie Pietsch					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Issue Vote Carried

Roll Call Vote #: 2

Date: 6-22-07

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1135

House Political Subdivisions

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

Do Pass

Do Not Pass

Amended

Motion Made By

Rep Kutschowski

Seconded By

Rep Kelsh

Representatives	Yes	No	Representatives	Yes	No
Rep. Dwight Wrangham, Chairman	✓		Senator Kari Conrad	✓	
Rep. Craig Headland, Vice Chairman	✓		Senator Jerry Kelsh	✓	
Rep. Patrick Hatlestad	✓		Senator Robert Kilichowski	✓	
Rep. Nancy Johnson	✓		Senator Corey Mock	✓	
Rep. Lawrence Klemin	✓		Senator Steve Zaiser	✓	
Rep. Kim Koppelman	✓				
Rep. William Kretschmar	✓				
Rep. Vonnie Pietsch	✓				

Total (Yes) 13 No 0

Absent

Floor Assignment

Rep Mock

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1135: Political Subdivisions Committee (Rep. Wrangham, Chairman) recommends AMENDMENTS AS FOLLOWS and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HB 1135 was placed on the Sixth order on the calendar.

Page 2, line 6, replace "for coordinating" with "to coordinate" and replace "and" with "for"

Renumber accordingly

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1135

Page 1, line 12, overstrike "three" and insert immediately thereafter "four"

Page 1, line 14, after the comma insert "one appointed by the chief information officer of the state,"

Page 2, line 7, replace "networks" with "applications for 911"

Renumber accordingly

February 5, 2009

✓R
2/5/09

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1135

Page 1, line 12, overstrike "three" and insert immediately thereafter "four"

Page 1, line 14, after the comma insert "one appointed by the chief information officer of the state,"

Page 2, line 7, replace "networks" with "applications for 911"

Renumber accordingly

Date: 2/5/09
Roll Call Vote #:

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 1135

House Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS DO NOT PASS AS AMENDED

Motion Made By Rep. C Headland Seconded By Rep. K Koppelman

Representatives	Yes	No	Representatives	Yes	No
Rep. Dwight Wrangham, Chairman			Rep. Kari Conrad		
Rep. Craig Headland, Vice Chairman			Rep. Jerry Kelsh		
Rep. Patrick Hatlestad			Rep. Robert Kilichowski		
Rep. Nancy Johnson			Rep. Corey Mock		
Rep. Lawrence Klemin			Rep. Steve Zaiser		
Rep. Kim Koppelman					
Rep. William Kretschmar					
Rep. Vonnie Pietsch					

Total (Yes) _____ No _____

Absent _____

Carrier: _____

If the vote is on an amendment, briefly indicate intent:

*Voice Vote
Carried*

Date: 2/5/09
Roll Call Vote #: 2

2009 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. HB1135

House Political Subdivisions Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken DO PASS DO NOT PASS AS AMENDED

Motion Made By Rep. Hatlestad Seconded By Rep. Kelsh

Representatives	Yes	No	Representatives	Yes	No
Rep. Dwight Wrangham, Chairman	✓		Rep. Kari Conrad	✓	
Rep. Craig Headland, Vice Chairman	✓		Rep. Jerry Kelsh	✓	
Rep. Patrick Hatlestad	✓		Rep. Robert Kilichowski	✓	
Rep. Nancy Johnson	✓		Rep. Corey Mock	✓	
Rep. Lawrence Klemin	✓		Rep. Steve Zaiser	✓	
Rep. Kim Koppelman	✓				
Rep. William Kretschmar	✓				
Rep. Vonnie Pietsch	✓				

Total (Yes) 13 No 0

Absent 0

Carrier: _____

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1135, as engrossed: Political Subdivisions Committee (Rep. Wrangham, Chairman)
recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends
DO PASS (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1135
was placed on the Sixth order on the calendar.

Page 1, line 12, overstrike "three" and insert immediately thereafter "four"

Page 1, line 14, after the comma insert "one appointed by the chief information officer of the
state."

Page 2, line 7, replace "networks" with "applications for 911"

Renumber accordingly

2009 SENATE POLITICAL SUBDIVISIONS

HB 1135

2009 SENATE STANDING COMMITTEE MINUTES

Bill/Resolution No. HB 1135

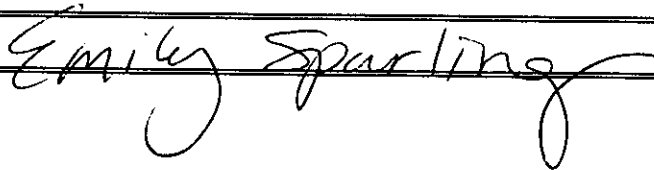
Senate Political Subdivisions Committee

☐ Check here for Conference Committee

Hearing Date: 03/05/2009

Recorder Job Number: 10284

Committee Clerk Signature



Minutes:

Chairman Andrist Opened the hearing on HB 1135

Greg Wilz Deputy Director of the Department of Emergency Services. Spoke in support of 1135. See attachment #1.

Chairman Andrist Will Next Generation 911 be federally funded?

Wilz Federal funds will provide start up money for a few years to get the program started but will not fund it completely.

Senator Olafson Just to be clear; page 1 adds one more person to the ESCCC and page 2 provides a hierarchy of command?

Wilz Yes, we want to add ITD to the committee.

Chairman Andrist How/when have we authorized your agency to go ahead with Next Generation 911?

Wilz We have not had authorization but it is coming. We have not made any investments yet.

Chairman Andrist So we will get to vote on this someday?

Wilz No, it will become imperative. It is the next iteration of 911, the evolution of technology.

Senator Olafson What has the committee been doing up to this point and what is the difference between what they are currently doing and what they will be doing with this change?

Wilz The only real difference is that we are adding a level of responsibility for internet protocol.

Senator Dotzenrod What is assessed communication?

Wilz Explained assessed communication. It means there is a local emergency service.

Discussion

Terry Traynor ND Association of Cities. Spoke in support. See attachment #2.

Chairman Andrist Will the first phase be in fiber optics?

Traynor We do not know what the "first phase" will be. We do have a fiber optic network but we do not have it linked to the telephone network.

Chairman Andrist Closed the public hearing on HB 1135.

Senator Olafson I move **Do Pass**.

Senator Dotzenrod Second.

The Clerk called the role on the motion to **Do Pass**. **Yes: 5, No: 0, Absent: 1.** (**Senator Anderson, the vote was left open and he voted yes**).

Senator Dotzenrod will carry the bill.

Date: 3/6
Roll Call Vote #:

2009 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 112 ✓

Senate Political Subdivisions

Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number

Action Taken

☒ Do pass

☐ Do not pass☐ Amend

Motion Made By

Seconded By

[illegible]

Total (Yes) 6 No

Absent

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1135, as reengrossed: Political Subdivisions Committee (Sen. Andrist, Chairman)
recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
Reengrossed HB 1135 was placed on the Fourteenth order on the calendar.

2009 TESTIMONY

HB 1135

Same given to Senate.

#1

TESTIMONY - HB 1135
HOUSE COMMITTEE – POLITICAL SUBDIVISIONS
JANUARY 16, 2009
BY GREG WILZ
DEPUTY DIRECTOR, DEPARTMENT OF EMERGENCY SERVICES

Mr. Chairman and members of the committee, my name is Greg Wilz. I am the Deputy Director of the Department of Emergency Services (NDDes) and Director of Homeland Security for the state of North Dakota. My intent is to provide information concerning the importance of HB 1135 as it relates to NDDes .

HB 1135 authorizes the Emergency Services Communication Coordinating Committee (ESCCC) to serve as the governmental body for coordinating plans and implementing emergency 911 services and internet protocol enabled networks. This language addition is necessary to empower the ESCCC to request grant funding available through the federal Departments of Transportation and Commerce for implementation of Next Generation 911. Although North Dakota is eligible and the NDDes Division of State Radio is the appropriate agency to serve as the fiscal agent, it does not have authority over the other 22 public safety answering points (PSAPs) that also qualify for funding.

The ESCCC is comprised of one member appointed by the North Dakota 911 Association appoints, another is appointed by the North Dakota Association of Counties and the third member is a State Radio appointee (currently the Director of State Radio) selected by the Adjutant General. HB 1135 designates this committee as the appropriate codified body sanctioned to act on behalf of the state to represent the interests of all PSAPs regarding the policy concerned with statewide migration to Next Generation 911.

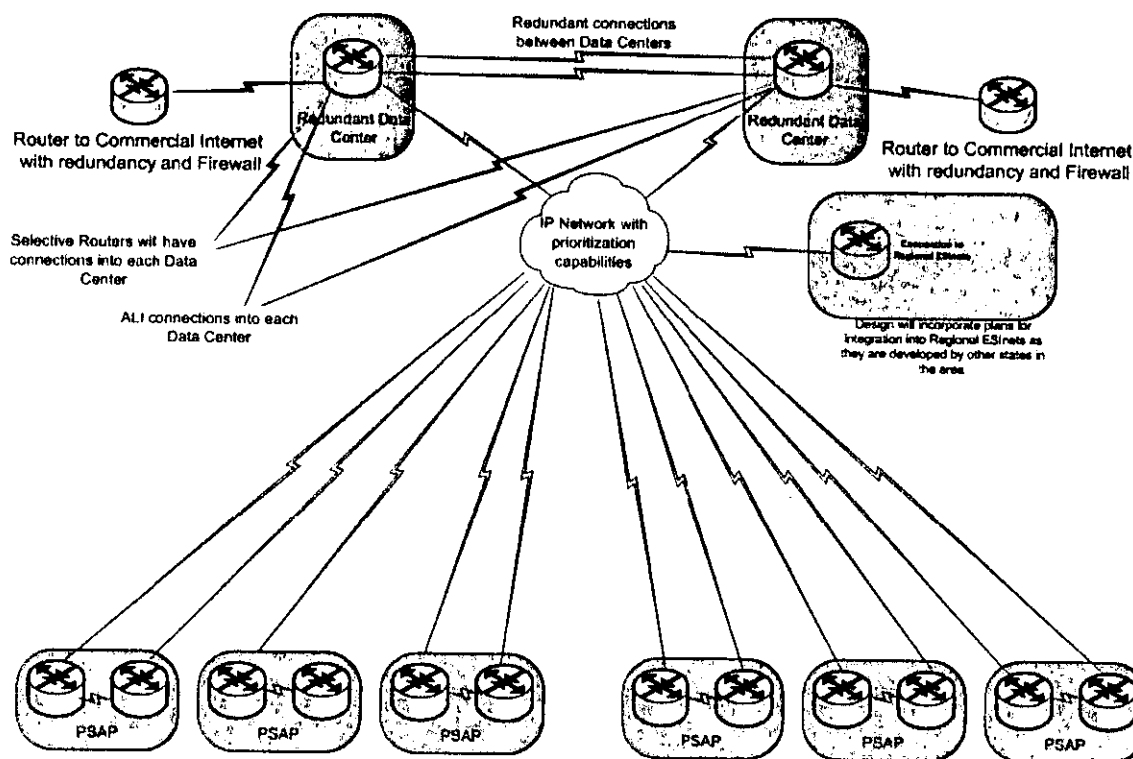
I urge committee members to pass HB 1135.

Thank you, I will try to answer any questions you may have.

NEXT GENERATION 911 CHALLENGES AND OPPORTUNITIES FOR NORTH DAKOTA

North Dakota's current 911 network, as those of all other states, was designed to rapidly answer traditional landline telephone calls for emergency medical, fire, and law enforcement assistance. Creative call routing allowed this network to manage cellular calls, but the continued deployment of new communication services is setting the stage for the ultimate replacement of this legacy network. This future network, build on a broadband Internet Protocol (IP) backbone, is being referred to by the federal government as "Next Generation 911" or "NG911".

The North Dakota 911 Association, and its member counties and cities have dedicated almost \$100,000 for the assessment of our current statewide 911 network, and the development of a Master Plan for NG911 across North Dakota. This assessment and master plan was developed by L. Robert Kimball and Associates, one of the foremost emergency communication consultants in the country. The master plan includes a generalized design (below) of the future network to serve North Dakota's NG911 needs.



Although 12 PSAPs are indicated on the graphic, the two redundant data centers would be capable of serving the current 22 PSAPs.

This design incorporates the visions of the various national agencies and organizations that have been charged with conceptualizing this new system. Building on the work of the National Emergency Number Association (NENA), the Network Reliability and Interoperability Council (NRIC) (an advisory group to the Federal Communications Commission (FCC)), and the U.S.

Department of Transportation (US DOT) NG9-1-1 Initiative, the NG9-1-1 concept envisions a systematic transition to a new system. The new system will accommodate a flexible services infrastructure where existing and new emergency communications applications of all types can be implemented without requiring major overhauls to existing network elements. For North Dakota and its public safety answering points (PSAPs), implementation of and transition to NG9-1-1 may have far-reaching impacts such as:

- Call handling processes and procedures,
- Personnel issues – including staff with new skills and training on new systems,
- New and expanded data sources,
- Calls including audio, video, and telematics that can enable new sources of information for decisions about handling calls and dispatching and coordination of resources,
- Methods of transferring and coordinating information among PSAPs, emergency operations centers, and other public safety entities beyond that currently provided for the public switched telephone network, and
- Greater interconnectivity among local PSAPs, regional, state, and national agencies for coordination of emergency responses.

The current 911 network was designed by local phone companies and funded by the local 911 fee on telephone service. The incorporation of wireless 911 technology was largely successful through statewide project management and the coordination of all local governments through a single purchasing agreement. The successful transition to NG911, as indicated by the US DOT, will require even greater investment and cooperation – involving national, state, regional, and local coordination. The Master Plan suggests a 5-7 year phased-in process.

Success of NG911 will require North Dakota to address issues such as:

- Governance of the NG911 project and the future network,
- Uniform, statewide standards of answering, transferring, dispatching and managing calls,
- Project management and consulting services,
- Staff recruitment, training, and retention, and
- Funding of the transition and the network's ongoing costs.

The federal government has recently released draft rules for a nationwide grant program for NG911 – to be made available by September 2009. North Dakota's share of this funding is (at a minimum) \$500,000 – with the requirement of a statewide matching investment of an equal amount.

North Dakota's local governments are looking to the Legislature for assistance in taking the current Master Plan to the next step by assisting in the development of a governance body, authorization of the receipt of available federal funding, dedication of the necessary matching funds, and the policy development assistance to make the project successful.