

STATE 911 COMMITTEE
Legislative Action Subcommittee

October 30, 2013

MSP-HQ

Meeting Minutes

A. Call to Order

The meeting was called to order by Chairperson Shawn Sible and roll call was taken.

B. Roll Call

Voting Members Present:

Mr. Shawn Sible (Chair)
Ms. Pat Anderson
Ms. Marsha Bianconi
Ms. Patricia Coates
Ms. Yvette Collins
Mr. Bob Currier
Ms. Jennifer Greenburg
Sheriff Dale Gribler
Mr. James Loeper
Mr. David Piasecki
Mr. David Vehslage
Mr. Tim Smith
Mr. Robert Bradley
Mr. Dale Berry
Ms. Pam Matelski
Mr. Jeff Troyer

Representing:

Michigan State Police
AT&T
Conference of Western Wayne
CLEMIS
AT&T
Intrado
Telecommunications Association of Michigan
Van Buren County Sheriff's Department
Gogebic 911
AT&T
Verizon
Michigan Communications Directors Association
CCE
Huron Valley Ambulance
Michigan State Police
Appointee, Speaker of the House of Representatives

Non-Voting Members Present:

Ms. Harriet Miller-Brown
Ms. Stacie Hansel

Representing:

Michigan State Police
Michigan State Police

Voting Members Absent:

Mr. Lloyd Fayling
Mr. Jon Campbell
Mr. John Hunt

Representing:

Genesee County 911 Authority
Michigan Association of Counties
Telecommunications Systems

C. Meeting Minutes Approval – March 26, 2013

A **MOTION** was made by Mr. Loeper, with support by Ms. Collins, to approve the meeting minutes of March 26, 2013. With no discussion, the **MOTION** carried.

D. Old Business

1. HB4011

Sgt. Dwayne Gill stated this bill will amend the Freedom of Information Act to limit 911 calls being released to the media. There has been no movement on the bill since January.

Ms. Miller-Brown stated there were members of the subcommittee who worked on additional language to make the bill more IP 911-friendly. Sergeant Gill has not yet seen the amended bill come forth, but will follow up. Originally, the exemption was to be for 90 days; however, in viewing the language, Mr. Sible stated the 90-day exemption is no longer there and is a full exemption. He stated the LAS will continue to support.

2. Update on Audits

Regardless of how things proceed, Mr. Sible stated there is a requirement in the statute to audit any funds received to verify they are used for 911 purposes. A workgroup has been

meeting to create criteria on what to audit against. The workgroup is also discussing whether the audit should be statewide, handled singly, or if each PSAP/county should be responsible. Ms. Miller-Brown stated an RFI is being created to develop a single audit for the state that is contracted through the State 911 Office. This will give information regarding cost.

Ms. Miller-Brown stated when the information for the annual report is sent out to the counties this year, she will inventory what is actually being done audit-wise at the county level. Included on the form will be the question, "Is there a financial statement audit for the PSAP/911 funds?" This is not requiring they do it, only asking if they do. This should allow the State 911 Office to show the Auditor General they are working toward the requirements they have set forth. Language should be written to clearly state counties will then not receive state funds if they are not certified through an audit.

Mr. Piasecki asked if the Certification Subcommittee's review of the financial information still needs to be reviewed if the audit for the Auditor General is being done. Ms. Miller-Brown stated there are two different items being looked at. One is an audit, which only looks at numbers and expenditures. The other is certification reviews, which are overall reviews, looking at the financials, but also operations, administration, the 911 plan, etc. The Auditor General stated the certification reviews would meet the criteria, but since there are so few done a year, there is not enough being done to ensure the overall integrity of the funding program is valid.

Mr. Sible stated an auditor generally looks at risk and exposure, and he assumes the same thing would be done by a statewide auditor, charting each PSAP with their individual risks and the exposures if there are issues. If compliance reviews are still being done in addition to the audit, do the reviews need to be as detailed on the financial piece if a separate financial audit is being done?

Ms. Anderson asked what recommendations have listed due to a compliance review and if there have been any major changes to the PSAPs because of the reviews. Ms. Miller-Brown stated there have been significant changes in best practices that have come from the recommendations to help guide the PSAPs, such as dispatcher training and sporadic use of EMD systems at some PSAPs. Ms. Coates asked who gets a copy of the compliance report because, for instance, how would a PSAP that has never been reviewed know sporadic EMD is an issue? Mr. Sible suggested listing common problems that have been discovered and what the solutions have been.

Mr. Sible stated when the audit system is put in place, there is a need to look at the compliance review process to make sure efforts are not duplicated, and the review and audit marry to each other.

Mr. Sible stated the LAS audit work group will continue creating an RFI to see an estimate of cost and establishing criteria. The decision to move forward will not be decided upon until a cost estimate comes in. Ms. Coates stated another option is to remove the mention of audits from draft legislation, which Mr. Sible said could be done if the LAS wanted to; however, as an example, as a taxpayer he does not have an issue with someone auditing. Members of the subcommittee voiced opinions they spend money on their own local audits, which are required. Ms. Miller-Brown stated the Auditor General did not find the local single audit adequate for 911 money.

3. NG911 (added to the agenda by Chairperson Sible).
Sergeant Gill stated they are waiting on the administration, who wanted to share the CLEAR work group's draft document with Representative Leonard, who will possibly introduce the bill. Once there is a draft, Ms. Miller-Brown will share with Mr. Sible to bring to the LAS.

Everyone has seen the presentations to know what is in the bill, most of the other work done was structure to make a better flow, change wording such as “911 call” to “911 connection” to make the NG911 statute adaptable. When asked about sharing the bill with stakeholders, Sergeant Gill stated the administration would not mind sharing it once there is a draft bill. Mr. Sible stated he would like the LAS to review draft legislation once it is released to see if there are areas which can be interpreted differently than how it was intended. There is no timeline at this time.

Ms. Greenburg asked if suggestions from LAS could be brought forward or simply taking it as is to the SNC. Mr. Sible stated if there are changes suggested, the LAS will put those in writing and share with the bill sponsor.

In addition, Mr. Sible stated he will ensure Ms. Miller-Brown, in her role, is looking at the needs of the state overall, and not the needs of the Michigan State Police specifically. For clarification, Mr. Sible asked Ms. Miller-Brown if she has been asked to include anything in the draft document that would be for the benefit of MSP. She responded that she has not.

E. New Business

1. HB4853

This bill allows a county board of commissioners to include the adding of an additional PSAP or secondary PSAP by an administrative finding, resolution to their plan. It codifies something that is already being done by counties. General discussion followed. Sergeant Gill believes the reason behind this bill is due to an issue in Wayne County and wanting to add additional PSAPs. There were no issues raised.

2. HB4979, HB4980, HB4983, HB4984

Mr. Troyer gave background information. Representative Lori introduced the bills as a result of EMS response time issues in southeast Detroit.

HB4980

Ms. Coates brought up concerns with the language regarding dispatching in areas of more than 500,000 residents in a timely and reasonable manner, with no definition. If this bill were to move forward, the amended language proposed by Mr. Troyer in HB4984 already covers this issue.

HB4984

Mr. Troyer raised concerns by the PSAPs as this bill does not specifically identify emergency medical service requests, it only states public safety requests for service. That would mean a PSAP has to converse with medical control authorities on law enforcement calls for service, fire calls, etc. The last Mr. Troyer heard, this bill was not going to move, but if it did, it would include the proposed amended language, “Each PSAP shall work with each of the following to develop policies and procedures for determining the most appropriate and closest available public safety service unit to the request for emergency medical service.”

The goal with the amended language is to steer it back to be an EMS issue and to coincide with the SNC’s Policy E, which is already adopted and in place. Mr. Troyer will forward the amended language to the subcommittee.

3. SB636

Mr. Sible summarized the fiscal analysis, which states this bill amends the Michigan Telecommunication Act to:

- a. Eliminate a requirement for the Public Service Commission proceeding and otherwise revised procedures for telecommunication providers, discontinue basic local exchange or toll service.

- b. Requires the MPSC to recalculate the Michigan intrastate switch toll access restructuring mechanism or arm on March 13, 2018, rather than on September 13, 2014.
- c. Delete references to MPSC authority and provisions regarding text to telephone/telecommunications devices and relay services to individuals who are deaf, hard of hearing, or speech impaired.
- d. Eliminate a requirement an operator and pay phone service providers renew their registration annually and pay an annual renewal fee.

The biggest item, under this legislation, is a Carrier of Last Resort (CLR) still requires all telecommunication providers to guarantee there are other services available before they can discontinue. It does change the process for withdrawal as CLR. It was asked if someone would be left with nothing for phone service. Ms. Greenburg stated this legislation sets up a system for a provider to issue notice with the MPSC to withdraw service. After 2017, if a provider wishes to do that, they would go to the FCC, where there is a procedure in place through the Federal Telecommunications Act. The FCC takes into account comments filed and issues their recommendation to allow or disallow a provider to withdraw service. General discussion for both sides followed.

Mr. Sible stated there is a requirement in the Act that a provider has to notify their current customers by putting a notice in the newspaper, first class mail, or in the bills. It does not say customers have the right to contact the MPSC with any issues. He suggested including that wording on the bill.

Mr. Sible asked what the subcommittee wants to do with this proposed bill. He recommends holding off on this bill right now and see what develops. When asked if anyone wanted to do anything different, there were no comments.

4. HB5110 (added to the agenda)

The bill focuses on law enforcement access to wireless call locations. It requires wireless providers, if asked by a law enforcement officer for law enforcement purpose, to give the location. The only impact on PSAP operations is that the State of Michigan must provide each PSAP with contact information for every wireless provider. Sergeant Gill stated this proposed bill came out of an abduction incident in Kansas. In the future, officers need to obtain quick access to GPS location from cell phones. So far, 13 states have adopted this bill called Kelsey Smith Act.

Mr. Sible stated this language does not give legal authority for PSAPs to ask for the information, only law enforcement. This is codifying something typically already being done. General discussion followed. There were no issues raised.

F. Public Comment

None

G. Next Meeting

TBD

H. Adjourn

The meeting adjourned at 3 p.m.