

ADMINISTRATIVE RULES Fiscal Estimate & Economic Impact Analysis

<p>1. Type of Estimate and Analysis <input checked="" type="checkbox"/> Original <input type="checkbox"/> Updated <input type="checkbox"/> Corrected</p>	<p>2. Date 7/23/2021 - DRAFT</p>
<p>3. Administrative Rule Chapter, Title and Number (and Clearinghouse Number if applicable) DMA 2 Competitive Grants for Public Safety Answering Points</p>	
<p>4. Subject Competitive grant program for public safety answering point equipment hardware, software, and training</p>	
<p>5. Fund Sources Affected <input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input checked="" type="checkbox"/> SEG <input type="checkbox"/> SEG-S</p>	<p>6. Chapter 20, Stats. Appropriations Affected 20.465(3)(qm)</p>
<p>7. Fiscal Effect of Implementing the Rule <input type="checkbox"/> No Fiscal Effect <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Indeterminate <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Could Absorb Within Agency's Budget</p>	
<p>8. The Rule Will Impact the Following (Check All That Apply) <input checked="" type="checkbox"/> State's Economy <input type="checkbox"/> Specific Businesses/Sectors <input checked="" type="checkbox"/> Local Government Units <input type="checkbox"/> Public Utility Rate Payers <input type="checkbox"/> Small Businesses (if checked, complete Attachment A)</p>	
<p>9. Estimate of Implementation and Compliance to Businesses, Local Governmental Units and Individuals, per s. 227.137(3)(b)(1). \$1,500,000 in local match maximum requirements per grant period (depending on grant funding levels) and undetermined local costs to develop basic training program and provide adequate dispatcher coverage; however, since the grant is competitive and voluntary no costs are necessary unless a public safety answering point (PSAP) applies and receives a grant.</p>	
<p>10. Would Implementation and Compliance Costs Businesses, Local Governmental Units and Individuals Be \$10 Million or more Over Any 2-year Period, per s. 227.137(3)(b)(2)? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>11. Policy Problem Addressed by the Rule The proposed Rule establishes policies and procedures necessary for Department of Military Affairs to administer a competitive state grant program for PSAPs, in coordination with the 911 subcommittee.</p>	
<p>12. Summary of the Businesses, Business Sectors, Associations Representing Business, Local Governmental Units, and Individuals that may be Affected by the Proposed Rule that were Contacted for Comments. Entities that may have interest in the economic impact of the proposed Rule include the telecommunications industry, local 911 service providers, and PSAPs. Those entities will have opportunity to provide additional comment during the EIA comment solicitation period. A notice of solicitation of comments on this analysis was posted to the Department's website on July 23, 2021 for at least thirty days.</p>	
<p>13. Identify the Local Governmental Units that Participated in the Development of this EIA. The following local government units provided input into the drafting of this EIA as voting representative members of the State 911 Subcommittee or other interested stakeholders during a regular meeting of the 911 Subcommittee on June 17, 2021: Local Government Units - Eau Claire City/County, Douglas County, Dunn County, Jackson County, Milwaukee County, and North Shore. Additional local government units will be given the opportunity to participate in the development of this EIA during the EIA comment solicitation period. A notice of solicitation of comments on this analysis was posted to the Department's website on July 23, 2021 for at least thirty days.</p>	

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14. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)

The competitive state grant program for PSAPs is voluntary and thus imposes no mandatory costs to businesses or local government units, unless a local government unit (PSAP) voluntarily applies and receives a grant. The proposed Rule will have no impact on businesses or public utility rate payers.

Local Government Units -

The proposed Rule may have impacts to local government (PSAPs) if local match rate is required during a grant period. [For example, 25% maximum local match of \$6,000,000 in grant funds is \$1,500,000; the local match rate can be set by the Department per grant period based on available funds and applications]

There may be local government costs to comply with the eligibility criteria outlined in the proposed Rule in order for a PSAP to be eligible to apply for grant funding, including basic service and training standard requirements. [This cost is indeterminate because it is unknown how many PSAPs would be applying for a grant and how many PSAPs do not already meet the minimum requirements]

Local government staff time will be needed to apply for grants and to administer the grant project if funds are awarded to a PSAP. [This cost is indeterminate because it is unknown how many PSAPS would be applying for the grants and the cost of local government staff time would depend on the complexity of the grant application and project for each PSAP]

State Economy -

The proposed Rule sets up policies and procedures for a competitive state grant program to PSAPs however, state funding and position authority must still be allocated to implement the grant program as of the submission of this EIA. The proposed Rule will have a fiscal impact on Department operations. Under this Rule, the Department must award grants on a competitive basis to no more than one PSAP per county (up to 72 grants per grant period depending on available funds and number of qualifying applications). Each grant period, Department staff must review grant applications, recommend grant awards, administer grants, and ensure compliance with applicable requirements outlined in the proposed Rule that grant applicants must satisfy. Department staff will also provide technical assistance to grant applicants and recipients, as appropriate.

Program administration will occupy at least 1.0 FTE staff in the Department's Office of Emergency Communications (this does not include legal, managerial, fiscal, or other indirect staff support). The cost for the 1.0 FTE staff will be \$82,000 per year (\$74,000 in the first year), including salary, fringe benefits, and supply costs.

No additional impacts to specific businesses, business sectors, or utility rate payers were identified.

15. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule

Benefits -

By implementing the Rule and allocating grant funding, the grant program will enable PSAPs to phase out end of life equipment that may cause critical outages of 911 services.

The proposed Rule also establishes basic service and training standards for PSAPs that receive grant funding which will promote the standardization of 911 services to the public.

The proposed Rule will provide the Department with a basis for administering grants to PSAPs in a transparent manner and through a process that requires input from impacted parties when changes to the Rule are necessary.

Alternatives -

The alternative to implementing the Rule would be to not promulgate the proposed Rules and establish agency policy to administer state funded grants to PSAPs to assist with 911 upgrades. PSAPs would be awarded grants based on the agency policy and available funds.

Another alternative would be to not promulgate the proposed Rules and provide no grant awards to PSAPs to assist with

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911 upgrades. PSAPs would need to continue using alternative funding sources to upgrade and maintain equipment for 911 services.

16. Long Range Implications of Implementing the Rule

If the grant program were to suddenly end in the future due to lack of legislative action to allocate funding, PSAPs that were awarded grant funding would not be able to receive funds and would need to cover the additional costs from other funding sources that may already be obligated to other costs.

17. Compare With Approaches Being Used by Federal Government

A competitive state grant program for public safety answering points would be administered under the authority of state law. The proposed Rule will complement any federal grant program for Next Generation 911 implementation for public safety answering points.

Public Law 112-96, under the Next Generation 9-1-1 Advancement Act of 2012, includes one-time Next Generation 911 Implementation Grants to state and tribal entities, with funds ending March 31, 2022. The Act funds could be used for: (a) the implementation and operation of 911 services, E911 services, migration to an IP-enabled emergency network, and adoption and operation of Next Generation 911 services and applications; (b) the implementation of IP-enabled emergency services and applications enabled by Next Generation 911 services, including the establishment of IP backbone networks and the application layer software infrastructure needed to interconnect the multitude of emergency response organizations, and; (c) training public safety personnel, including call-takers, first responders, and other individuals and organizations who are part of the emergency response chain in 911 services.

In August 2019, Wisconsin was awarded \$2.9 million in federal funds that has been awarded to 36 public safety answering points for Next Generation 911 capable equipment hardware, software, and training. Eligibility criteria and other applicant requirements were outlined in the applicable regulations, 47 CFR Part 400, and a subsequent Notice of Funding Opportunity. In order to maintain eligibility, applicants must annually certify that 911 fees within the applicant's jurisdiction are not being diverted to non-911 purposes. <https://www.911.gov/pdf/911-Grant-Program-Awards-Press-Release-Aug-2019.pdf>

18. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois -

Rules established by the Illinois Department of State Police provide guidance on the public safety answering point grant process and criteria for issuing grants to offset nonrecurring costs associated with 911 system consolidation for jurisdictions with a population of less than 500,000 (Illinois Administrative Code, Title 83, Chapter IV, Part 1327 - 9-1-1 Emergency Systems Consolidation Grants).

Iowa -

Rules established by the Iowa Department of Homeland Security & Emergency Management govern the distribution of their 911 emergency communications fund which is funded through the Iowa wireline 911 service surcharge and emergency communications service surcharge. The 911 emergency communications fund is allocated to public safety answering points based on square mileage of the 911 service area and based on the number of wireless 911 calls. If any funds are remaining in the overall 911 emergency communications fund, they may be distributed through grants to public safety answering points "for the purpose of developing and maintaining GIS [Geographical Information System] data to be used in support of the next generation 911 network" and for non-recurring costs associated with voluntary public safety answering point consolidation.

(Chapter 34A of the Iowa Statutes and Iowa Administrative Code Section, Homeland Security and Emergency Management [605], ch. 10.)

Michigan -

No state-funded public safety answering point competitive grant program found. Public safety answering points are funded directly from a state 911 fee, local surcharges, and training fund under section 484.1101-484.1717 of the Michigan Statutes.

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Minnesota -

No state-funded public safety answering point competitive grant program found. Public safety answering points are funded directly from a state 911 fee for eligible expenses identified in section 403.113 (3) of the Minnesota Statutes.

A significant portion of the proposed Rule was modeled after the State of Ohio's Emergency Services IP-based Network (ESInet) Steering Committee 2016 rules for Public Safety Answering Point Operations used to administer funding disbursements under section 128.55 of the Ohio Statutes, as well as standards set by the National Emergency Number Association (NENA).

19. Contact Name

Jessica Jimenez, DMA NextGen911 Program Manager

20. Contact Phone Number

608-888-5520

This document can be made available in alternate formats to individuals with disabilities upon request.

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ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

- Less Stringent Compliance or Reporting Requirements
- Less Stringent Schedules or Deadlines for Compliance or Reporting
- Consolidation or Simplification of Reporting Requirements
- Establishment of performance standards in lieu of Design or Operational Standards
- Exemption of Small Businesses from some or all requirements
- Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

- Yes No
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