

2011 SENATE POLITICAL SUBDIVISIONS

SB 2246

2011 SENATE STANDING COMMITTEE MINUTES

Senate Political Subdivisions Committee
Red River Room, State Capitol

SB 2246
January 27, 2011
13525

Conference Committee

Committee Clerk Signature

Mary Jo Moeckel

Explanation or reason for introduction of bill/resolution:

Relating to fees imposed for emergency services communications.

Minutes:

See written testimony

Senator Andrist opened the hearing on SB 2246, relating to fees imposed for emergency services communications.

Senator Olafson introduced and is a sponsor in support of SB 2246. We are changing the way 911 fees are assessed in the voting process.

Aaron Birst representing the Association of Counties; Prepared by Terry Traynor. See written testimony.

Senator Andrist: What's to be gained by changing it? **Aaron Birst:** Every twelve years people forget about the vote. They forget when it is supposed to be up and then they forget whether it's supposed to be on the primary or general election. There is a struggle to keep up to date on that. In addition, it places a burden on the county to actually put it on the ballot every time, so there is an expense for that. Honestly, because it's been so overwhelmingly approved, there isn't at least a foreseeable danger that it might go away, but there is a potential that you could have it go away when in every twelve years nobody is paying attention and it slips through the cracks. The expense is also one problem.

Rebecca (Becky) Ault: Director of the Grand Forks Public Safety Answering Point. Representing the North Dakota 911 Association, in support of SB 2246. See written testimony.

Senator Leffen: How does the fee structure work? Does each county pay for their own service, and each county votes on it every time and they determine the level? **Becky Ault:** When the system was put together many years ago, each county voted whether they wanted to have 911 in place. The fee structure was collected at a local level, so in most cases it is a \$1.00 per line whether it's a cell phone or land line. Each jurisdiction may have a different method of providing that 911 service. In some cases they may have their own public safety answering point. There is 22 in the state. They may also partner with another jurisdiction to get that service provided to them. Example cited.

Senator Andrist: Do fee increases have to get approved by voters? **Becky Ault:** Yes. **Senator Andrist:** They do. **Becky:** That would be the language in the bill.

Jerry Hjelmstad: North Dakota League of Cities. The new language in Subsection 4 of this bill provides for increasing, decreasing or eliminating these fees by majority vote of the electors. The question may be placed on the ballot by the governing body or by patrician by the voters. So we feel there is no need to keep the re-vote requirement. We urge a do-pass.

Senator Laffen: If we don't vote, how do your fees change if we eliminate the need to vote every twelve years? Are they a different vote? **Jerry Hjelmstad:** The governing body, if they desire to change in the fee structure, they would have to put it on the election ballot for any change up or down. It is further protection under the bill, the voters can petition to change the fee structure up or down or eliminate it altogether.

Senator Laffen: If we pass this, your fee structure stays the same, until you ask for a vote again and what does this vote do than the one that we already have in place, the mandatory twelve year vote? It just states that you're authorized to provide the service?

Jerry Hjelmstad: My personal concern with the mandatory re-vote is that for some reason it would be overlooked, it could put the funding for the service in jeopardy and it was critical service that is available now. This way the vote would only be required if you're actually going to proposed the change in the community structure.

Senator Laffen: The mandatory revote simply authorizes you to do this? **Jerry Hjelmstad:** My understanding is that the mandatory revote is to authorize to continue application of those fees; a renewal of those fees.

Senator Andrist: Anyone wish to testify in support of the bill or against the bill, or in the neutral position of the bill?

Senator Andrist closed the hearing on SB 2246.

Senator Lee motioned for Do Pass
2nd – Senator Olafson
Recommend Do Pass for 2246
5 Yeas, 0 No, 0 Absent
Carrier: Senator Judy Lee

Date: 1-27-2011
Roll Call Vote # _____

2011 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2246

Senate Political Subdivisions _____ Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider

Motion Made By _____ Seconded By _____

Senators	Yes	No	Senators	Yes	No
Senator John Andrist	✓				
Senator Lonnie Laffen	✓				
Senator Judy Lee	✓				
Senator Curtis Olafson	✓				
Senator Jim Dotzenrod	✓				

Total (Yes) 5 No 0

Absent 0

Floor Assignment Senator Judy Lee

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

REPORT OF STANDING COMMITTEE

SB 2246: Political Subdivisions Committee (Sen. Andrist, Chairman) recommends DO PASS (5 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2246 was placed on the Eleventh order on the calendar.

2011 HOUSE POLITICAL SUBDIVISIONS

SB 2246

2011 HOUSE STANDING COMMITTEE MINUTES

House Political Subdivisions Committee
Prairie Room, State Capitol

SB 2246
March 10, 2011
Job # 15273

Conference Committee

Committee Clerk Signature 

Explanation or reason for introduction of bill/resolution:

Relating to fees imposed for emergency services communications.

Minutes:

Testimony 1, 2, 3 4

Chairman Johnson: Opened the hearing on SB 2246.

Senator Olafson: This bill deals with 911 fees and will change the way in which the voting procedure is done on the fees. The changes begin toward the end of page 3. Under current law the voters can approve a certain fee and that is in place for six years and the governing body can extend it for an additional six years at which time another election needs to take place. I don't think there has ever been an election vote held on 911 fees where it was ever voted down. The new language will specify that once the voters have approved a fee. That fee stays in place until the governing body or 10% of the electors request an election to make an alteration in the fee structure. I would stand for any questions.

Rep. Kempenich: I am here to talk about a proposed amendment. There were some counties that voted on increasing the fee and they were associated with state radio. They voted to increase it by fifty cents, but the way the language reads and it is on page 3, line 15; the way that reads they are not allowed to go up any on it. I am proposing as an amendment that local 911 systems that are associated with state radio; would be able to add the fifty cents. It would be \$1.50. The rest of the language to the bill would stay the same. State radio costs would were not covering the costs so it was brought to my attention here after bill deadlines so this was one avenue that was brought forward to address this issue. This bill would be that it would be voted on by the county a fifty cent increase.

Rep. Maragos: You want it not to exceed \$1.50?

Rep. Kempenich: Then some language that said you would not be able to tighten it up more. If you just put \$1.50 in there that opens it up to all 911 systems. The specific problem here was what the state radio costs were to meet the cost increase of state radio. There are 21 or 23 PSAPS and 5 of them have passed this fee increase but they are not

able to use the fee increase money to pay the costs because of this language so maybe there is better language so that is why I didn't have anything drafted until this hearing.

Rep. Devlin: The old language that left it for six years and they could redo it for another six years. The way I read the new language they could vote every year essentially. I don't know what that would do to the counties that made the investment in working with 911 or working with state radio. I think that would be very problematic. It would certainly affect what you want to do for yours negatively as well.

Rep. Kempenich: I have a little idea of what we are trying to do so they don't have to vote on it every year. This is one situation that comes up and this is one solution.

Terry Traynor, Ass't Director, Association of Counties: (See testimony #1) I would like to speak to the bill first and possible address Rep. Devlin's question. This issue has been one of concern for county auditors as well as 911 coordinators for a number of years. The way the statute is written there has to be a vote every 12 years. In many counties we don't have the same auditor from one vote to the next or the same commissioners and certainly not the same 911 coordinators a lot of times. The fear is that the requirement is going to get lost. Recognizing that there is probably a need to have a mechanism to bring this back to the voters should they not want it there. The bill was drafted to make it a more proactive thing that citizens, should they be concerned about the level of the fee they could bring it back to the citizen's vote at any time in the future. I don't see that happening. We have never had a vote fail. The fear is that we are just going to forget to do and then the authority to levy that fee is going to expire. This would allow it to continue until either the commission puts it on the ballot to lower it or the citizens put it on the ballot to lower it or if the law were to be changed at some point in time to raise it. That gets to the issue that Rep. Kempenich brought up. Last session the legislature added what is sub 8 on page 3. You will notice that is no longer in the new section that takes effect June 30, 2012. That is the difference between the two versions of the language. The legislature allowed it to go up the last session from \$1 to \$1.50 in those state multistate multi county public safety answering points. Basically those that had banded together. They allowed them to go to a vote of the people and raise it up to \$1.50. Five counties and I put them in my testimony, Greggs, Bowman, Ransom, Sargent and Slope counties have been successful in raising that fee to \$1.50. This sub 8 on page 3 expires in little over a year. Our reading of this bill is those five counties will then roll back to \$1 and it would also preclude any other counties going to \$1.50. I put an amendment in that talks about the more simplicity direction a person could go and it would just change the over limit from \$1 to \$1.50 which would allow any jurisdiction to do this. They would still have to go to a vote of the people to do that. There may be other directions the committee wants to go and just limit it to those interstate multi county PSAP counties or some other direction so I thought I would give you language that would be the broadest language. I don't see any of the large counties doing this right now, but sometime in the future they made be interested in doing that. This comes down to rather you want to fund it here or on property taxes and we think it is an appropriate place to fund it and we would encourage you to consider that amendment. The bill as it comes to you is very important to the county auditors and the 911 coordinators and we hope you could support that. I would try and answer any questions you would have.

Rep. Kretschmar: Would your amendment take care of Rep. Kempenich problem?

Terry Traynor: I believe so. This would continue that for all of those counties. Those five counties are levying that fee at \$1.50 now. When that expires they will have to go back to \$1. and make up the difference in property tax.

Chairman Johnson: Would they still need to go back and vote in those five counties?

Terry Traynor: I don't believe they would because they had voted on it, but anyone else would have to excess it.

Rep. Klemin: Could you remind me to why we have that subsection 8 only until June 30, 2012?

Terry Traynor: Last session when the case was made that some counties weren't capable of funding their 911 responsibilities at the \$1 level the tax committee I believe in the Senate is where that was restructured in that manner. Their intent and they also put a study on the bill, and the intern public safety and transportation committee examined this issue and some of you are probably aware the chairman there Senator Cook is very much involved in the streamline sales tax initiative. 911 fees was a form of tax they were looking at and he felt that it needed to be studied and that this sunset because there may be other directions we need to go with the 911 fee. There was no viable solution that the committee could put forward that would replace what was there. They also did not choose to recommend the elimination of the sunset so we are left with five counties hanging out there.

Chairman Johnson: If we were to amend the bill to just allow anyone to do the \$1.50 with a vote would we be able to delete subsection 8?

Terry Traynor: Yes, but that whole first half of the bill goes away anyway. It will no longer be effective in a year. My amendment changes the new section which is effective in June 30 so basically no one could vote on it until then. Then the old language would go away and the new language at \$1.50 would be in place on that date.

Rep. Shirley Meyer: This does allow or requires a vote every year for an increase or decrease.

Terry Traynor: No it would not require a vote every year. It would only be required if the citizens or the commissioners wanted to put it on the ballot to make a change. To increase the \$1 to \$1.50 they would have to put it on the ballot and have the citizen's vote on it. Someone could petition and put it on the ballot every year.

Rep. Shirley Meyer: We have a little controversy in our area going over 911 fees and how they are allocated across the county. Basically the statement was made call 911; we are not coming unless you pay us more dollars. So I am wondering how they are allocated equably across all the little towns in a county.

Terry Traynor: The 911 fee can only be used to maintain the 911 network. It can't be used to support fire, ambulance, law enforcement. There are very strict statutory and

regulatory guidelines on what that money can be used for and it is for emergency communications only.

Janelle Pepple, 911 Coordinator in Wells County and the Co Chair of the ND 911 Association Legislative Committee: (See testimony #2).

Rep. Kretschmar: Do you approve the amendment to go to \$1.50?

Janelle Pepple: Yes we do. It is something this 911 association has talked about at several meetings. We would absolutely support his amendment. We worry about our funding.

Karla Germann, Bowman-Slope County 911 Coordinator: (See testimony #3).

Sandra Hanson, Sargent County 911 Coordinator: (See testimony #4). Today I would like to provide comment regarding the amendment concerning the sunset of the \$1.50 fee for emergency services communication that is known as 911.

Opposition: None

Hearing closed.

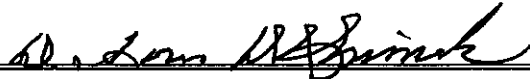
2011 HOUSE STANDING COMMITTEE MINUTES

House Political Subdivisions Committee
Prairie Room, State Capitol

SB 2246
March 18, 2011
Job # 15648

Conference Committee

Committee Clerk Signature



Minutes:

Chairman Johnson: Reopened the discussion on SB 2246. This was the bill on determining how to get the fees for the 911 service. Currently they put it on the ballot the first time; that is good for six years. Then it would go for 12 years and then every 12th year they would have to have a vote on it. What this bill does it says rather than for them to remember the 12 year cycle, because the auditors could be changing in that intern. This says once the maximum fees have been established by a vote; on page 4, the question could then be put on a general primary special election. The governing body could put the question on to increase or decrease the amount of the fee. Or if the citizens with a petition of 10% of the population could require it to be put on the ballot. We did have one ask for an amendment. There were some counties that were right now on page 3, line 20 have by the vote of their electorate chosen to go to \$1.50 but this required they could not do the \$1.50 so there was a request for an amendment to change to \$1.50. I held the bill because it said on the front page it talks about \$1.00 and I got clarification from Mr. Traynor, that that part of the bill goes away. It is only effective until 2012. So if we fix the other one it would take care of it and we wouldn't need to do anything with the first part of the bill. The amendment that was proposed is on the back on Mr. Traynor's testimony. This would all every 911 district to go to a vote to go to \$1.50. Before we only allowed them go to a vote for \$1.00 except for these five or six counties.

Rep. Klemin: If we change this to \$1.50 on page 3, line 15; then if you look up at the top of page 3, that Subsection 8; that also has \$1.50 amount for intrastate multicounty areas. That is only through June 30, 2012. If we do change line 15 on page 3 to \$1.50, then that will encompass the intrastate multicounty PSAP's also. But if we don't make that change as Terry Traynor suggested then that \$1.50 for the multicounty PSAP's will expire on June 30, 2012. I am just saying if we decide to not make it \$1.50 for everyone them we probably have to extend the time for the multi county ones.

Chairman Johnson: I would agree with that. I had asked the question of Mr. Traynor. If we change it on page 3, line 15 for everybody. Those that are already doing it can continue to do it. This just sets the cap and if you have already voted to exceed the cap by that exception it would still allow you to do it.

Rep. Koppelman: So the effect is not the same if we change the line 15 versus if we change the expiration date? If we change line 15 it affects everyone. If we change the expiration date it affects only the multi county PSAP's then?

Chairman Johnson: I believe that would be correct. Mr. Traynor did send me an email because I asked him that question; he said no change is needed on page 1, or page 2 which mentioned the \$1. Or the first four lines of page 3; which is the section we were just talking about. As all that language will sunset and go away after June 30, 2012. To be clear however, the change proposed in the testimony that he gave all jurisdictions would then have the option of going to their voters to ask for an increase of up to \$1.50 after June 30, 2012.

Motion made to move the amendment by Rep. Shirley Meyer: Seconded by Rep. Maragos:

Chairman Johnson: Motion made to amend 2246 to include the words and fifty cents on page 3, line 15. Any discussion? I am going to support the amendment because I think at this point the costs aren't going to get less for doing that so if the people want to do the increase they can go and request it. It does take a vote so citizens would have that option to decide whether they want to increase it or not.

Voice vote carried.

Do Pass As Amended by Rep. Hatelstad: Seconded by Rep. Kilichowski

Vote: 14 Yes 0 No 0 Absent Carrier: Rep. Hatelstad:

Date: 3-18-11
Roll Call Vote #: 1

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2246

House Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended Adopt
Amendment

Rerefer to Appropriations Reconsider

Motion Made By Rep. Meyer Seconded By Rep. Maragos

Representatives	Yes	No	Representatives	Yes	No
Chairman Nancy Johnson			Rep. Kilichowski		
Vice Chairman Hatelstad			Rep. Shirley Meyer		
Rep. Beadle			Rep. Mock		
Rep. Devlin			Rep. Zaiser		
Rep. Heilman					
Rep. Klemin					
Rep. Koppelman					
Rep. Kretschmar					
Rep. Maragos					
Rep. Pietsch					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

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

Pg 3, Line 15. \$1.50

Vote
Vote.
Carried

Date: 3-18-11
Roll Call Vote #: 2

2011 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2246

House Political Subdivisions Committee

Check here for Conference Committee

Legislative Council Amendment Number _____

Action Taken Do Pass Do Not Pass Amended Adopt
Amendment

Rerefer to Appropriations Reconsider

Motion Made By Rep. Hatelstad Seconded By Rep. Kilichowski

Representatives	Yes	No	Representatives	Yes	No
Chairman Nancy Johnson	✓		Rep. Kilichowski	✓	
Vice Chairman Hatelstad	✓		Rep. Shirley Meyer	✓	
Rep. Beadle	✓		Rep. Mock	✓	
Rep. Devlin	✓		Rep. Zaiser	✓	
Rep. Heilman	✓				
Rep. Klemin	✓				
Rep. Koppelman	✓				
Rep. Kretschmar	✓				
Rep. Maragos	✓				
Rep. Pietsch	✓				

Total (Yes) 14 No 0

Absent 0

Floor Assignment Rep. Hatelstad

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

REPORT OF STANDING COMMITTEE

SB 2246: Political Subdivisions Committee (Rep. N. Johnson, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (14 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2246 was placed on the Sixth order on the calendar.

Page 3, line 15, after "dollar" insert "and fifty cents"

Re-number accordingly

2011 TESTIMONY

SB 2246

**Testimony To The
SENATE POLITICAL SUBDIVISIONS COMMITTEE
Prepared January 27, 2010, by
Terry Traynor, Assistant Director
North Dakota Association of Counties**

REGARDING SENATE BILL No. 2246

Chairman Andrist and members of the Senate Political Subdivisions Committee, the Association of Counties is in full support of SB2246, as we have received resolutions from both the County Auditors and the North Dakota 911 Association urging that this periodic vote requirement be restructured to permit the citizens to place the issue on the ballot at any time.

As you can see from the statute, the initial vote on a particular 9-1-1 fee level is “good” for six years, at which time the city or county board can extend it 6 more years. After 12 years, the issue is to be placed on the ballot for reconsideration.

As there is no record of any jurisdiction ever discontinuing this vote, and in most cases the approvals are very significant, we believe the proposed language is more appropriate.

Twelve years for a county auditor to keep track of a vote is probably not unreasonable – if the same auditor is in the office. That however is rarely the case, and county and city 9-1-1 coordinators are changed even more often. Even state’s attorneys and the commissioners themselves rarely see two of these votes while in office. As a result, this becomes a difficult thing to track, setting the stage for the fees to lapse, putting local government and the telecommunications companies in a very difficult position.

We believe that by replacing the periodic vote with a mechanism for the citizens to revisit the issue provides greater protection and an overall better solution. Please give SB2246 a “do pass” recommendation.

**Testimony To The
SENATE POLITICAL SUBDIVISIONS COMMITTEE
Prepared January 27, 2010, by
Becky Ault, Grand Forks PSAP Director
Representing the North Dakota 911 Association**

REGARDING SENATE BILL No. 2246

Chairman Andrist and members of the Senate Political Subdivisions Committee, my name is Becky Ault and I am the director of the Grand Forks Public Answering Point. I am here today representing the ND 911 Association. The 911 Association is 78 members strong with membership from all of the 22 Public Safety Answering Points as well as representation of 911 coordinators from each jurisdiction throughout the state. The Association also enjoys the benefit of membership from the telecommunications industry, thereby leveraging our ability to help solve technical communication issues together as a team. Our Mission Statement is: "To Enhance, Improve, Promote, and Facilitate the North Dakota 9-1-1 System".

The 911 Association membership represents the interests of emergency communications from the smallest jurisdiction, to the largest, from the eastern side of the state where I reside, to the western edge. We fully endorse SB 2246, which allows us to focus our resources and attention on the delivery of vital emergency communications to our citizenship and coordination with our emergency responders, rather than having to worry about funding every 12 years.

I say worry, and we do – although there has never been a vote cast across North Dakota that has removed the fee that helps fund this vital service. In fact, in the most recent election results this past year regarding continuing the fee – commitment by the citizens was quite evident. The successful election results were as follows: Divide County 88% yes, McKenzie County 86.2% yes, and Stutsman County 91% yes. The citizens appear to fully support the work we do, and the funding stream that is attached to it - yet we stress over the current election requirement because 911 is now an expectation of our citizenship. In fact, the

numbers –“ 9 - 1- 1” – really don’t mean anything by themselves – it is the service that we provide that is attributed to those numbers across the nation. The fact is, if the fees were ever voted down – we would have to find the money to provide the service from somewhere! The other area of concern is attrition of staff – we may not have consistency with the same auditor and 911 coordinator within a jurisdiction over a 12 year or even a 6 year timeframe – if the vote was ever not submitted for election because of an error due to staff changes, we would lose funding.

We believe that by eliminating the need to renew the fee after a 6 year period by the governing body, as well as the need to vote every 12 years to retain the fee is prudent, yet the language in the bill still allows jurisdictions to increase, decrease, or eliminate the fee by a majority vote of the electors, giving our citizens a voice to modify the fee structure. Please give SB2246 a “do pass” recommendation.

Thank you.

#1

**Testimony To The
HOUSE POLITICAL SUBDIVISIONS COMMITTEE
Prepared March 10, 2011, by
Terry Traynor, Assistant Director
North Dakota Association of Counties**

REGARDING SENATE BILL No. 2246

Chair Johnson and members of the Political Subdivisions Committee, the Association of Counties is in full support of SB2246, as we have received resolutions from both the County Auditors and the North Dakota 911 Association urging that this periodic vote requirement be restructured to permit the citizens to place the issue on the ballot at any time.

As you can see from the statute, the initial vote on a particular 9-1-1 fee level is “good” for six years, at which time the city or county board can extend it 6 more years. After 12 years, the issue is to be placed on the ballot for reconsideration.

As there is no record of any jurisdiction ever discontinuing this vote, and in most cases the approvals are very significant, we believe the proposed language is more appropriate.

Twelve years for a county auditor to keep track of a vote is probably not unreasonable – if the same auditor is in the office. That however is rarely the case, and county and city 9-1-1 coordinators are changed even more often. Even state’s attorneys and the commissioners themselves rarely see two of these votes while in office. As a result, this becomes a difficult thing to track, setting the stage for the fees to lapse, putting local government and the telecommunications companies in a very difficult position.

We believe that by replacing the periodic vote with a mechanism for the citizens to revisit the issue provides greater protection and an overall better solution.

Since passage of SB2246 by the Senate, an issue regarding a change made to this section in 2009 has been raised. As you can see on page 3, lines 1-4 (subsection 8) are not repeated at the end of the bill like the rest of the section. This is because the Legislature allowed certain 9-1-1 jurisdictions the option to raise their fee up to \$1.50 to reduce the amount of support that must come from property taxes. The 2009 change however, included the “sunset” with the idea that the interim study of this issue would result in a whole new mechanism for funding 9-1-1 services – however it did not.

The citizens in five jurisdictions (Griggs, Bowman, Ransom, Sargent, and Slope counties) voted to approve a fee amount of \$1.50 per device per month. As it stands, this fee will go away in a little over a year. Additionally, no other jurisdiction would be permitted on vote on such an increase.

Please consider the amendment printed below, to honor the votes taken in the five counties, and to permit the citizens in all jurisdictions the opportunity to vote on this issue.

Please give SB2246 a “do pass” recommendation.

* * * * *

PROPOSED AMENDMENTS TO SENATE BILL No. 2246

Page 3, line 15, after “dollar” insert “and fifty cents”

Renumber accordingly

#2

**Testimony to the
HOUSE POLITICAL SUBDIVISIONS COMMITTEE**

March 10, 2011

Janelle Pepple, Wells County 9-1-1

Representing the North Dakota 9-1-1 Association

Regarding SB 2246

Chairwoman Johnson and members of the House Political Subdivisions Committee, my name is Janelle Pepple and I am the 9-1-1 Coordinator in Wells County. I am also the legislative committee co-chair of the ND 9-1-1 Association.

The 9-1-1 Association is 78 members strong with membership from all the 22 Public Safety Answering Points as well as representation of 9-1-1 coordinators from each jurisdiction throughout the state. The Association also enjoys the benefit of membership from the telecommunications industry, thereby leveraging our ability to help solve technical communication issues together as a team. Our mission statement is: "To Enhance, Improve, Promote, and Facilitate the North Dakota 9-1-1 System".

The 9-1-1 Association membership represents the interests of emergency communications from the smallest jurisdiction, to the largest, from the eastern side of the state, to the western edge. Our Association fully endorses SB 2246, which allows us to focus our resources and attention on the delivery of vital emergency communications to our citizenship, rather than have to worry about funding every 12 years.

I say worry, and we do – although there has never been a vote cast across North Dakota that has removed the fee that helps fund this vital service. In fact, in the most recent election results this past year regarding continuing the fee – the commitment by the citizens was quite evident. The successful

House Political Subdivision Committee
Janelle Pepple, Testimony
SB 2246

election results were as follows: Divide County 88% yes, McKenzie County 86.2% yes, and Stutsman County 91% yes. The citizens appear to fully support the work we do, and the funding system that is attached to it; yet we stress over the current election requirement because 9-1-1 is now an expectation of our citizenship. In fact, the numbers “9-1-1” really don’t mean anything by themselves...it is the service that we provide that is attributed to those numbers across the nation. The fact is if the fees were ever voted down we would have to find the money to provide the service from somewhere. The public will never go without emergency 9-1-1 services.

The other area of concern is attrition of staff – we may not have consistency with the same auditor and 9-1-1 coordinator within a jurisdiction over a 12 year or a 6 year time frame. If the vote was ever not submitted for election because of an error due to staff changes, we would lose funding.

We believe that by eliminating the need to renew the fee after a 6 year period by the governing body, as well as the need to vote every 12 years to retain the fee is prudent, yet the language in the bill still allows the jurisdictions to increase, decrease, or eliminate the fee by a majority vote of electors, giving our citizens a voice to modify the fee structure.

Please give SB 2246 a “do pass” recommendation.

#3

Testimony
House Political Subdivisions
March 10, 2011
By Karla Germann,
Bowman-Slope County 9-1-1 Coordinator

Mr. Chairman and members of the Committee: My name is Karla Germann, the Bowman County and Slope County 9-1-1 Coordinator. Today I am here to offer comment regarding amendments to Senate Bill 2246 concerning the sunset of the \$1.50 fee for 9-1-1 on June 30, 2012.

During the last session counties of multi jurisdictional PSAPS were granted the option to raise 9-1-1 fees from \$1.00 to \$1.50 by resolution to ensure that local 9-1-1 jurisdictions had funds to continue services. In addition the fee raise needed to have public approval.

I'm here to report that Bowman and Slope County did raise fees to cover costs associated with continuing 9-1-1 services. As well, voters of both Bowman County and Slope County passed the measure to raise the 9-1-1 fee from \$1.00 to \$1.50 during the November general election. In Bowman County the measure passed by 64% and Slope County by 65%.

If the fee reverts back to \$1.00, Bowman and Slope 9-1-1 will operate in the red forcing us to find other funding options; possibly using general funds or property taxes to keep the program running in our jurisdiction. This fee increase will also fund new services such as emergency notification, which was not before affordable.

We tried to be sure our voters were well informed of the measure and what the benefit is to the residents prior to the election, and they made it clear their desire to maintain the program under the current funding structure.

I'm asking that you take into account the will of the voters when considering the amendments made in Senate Bill 2246. As well, this amendment is not asking for an additional fee increase; residents of all jurisdictions have their say in whether or not a fee is increased.

You might ask why more counties did not raise the 9-1-1 fees within their jurisdiction, of which I can tell you based on what 9-1-1 Coordinators are saying is that they are waiting to see what happens with this legislation.

Thank you for your time; I'll be happy to answer any questions you might have.

#4

Testimony
House Political Subdivisions
March 10, 2011
By Sandra Hanson
Sargent County 9-1-1 Coordinator

Ms. Chairman and members of the Committee: I am Sandra Hanson, the Sargent County 911 Coordinator. Today I would like to provide comment regarding the amendments to Senate Bill 2246 concerning the sunset of the \$1.50 fee for "Emergency Services Communication, better known as 9-1-1 on June 30th, 2012.

In 1991 Sargent County introduced the idea of 911 to our residents. We placed the facts on the table and provided an opportunity for the public to decide. In 1991 the county voters voted to support 911 by allowing the \$1.00 fee to be implemented to develop and support 911 in the county. 18 years later with no change in revenue increase to continue operation of 911 at today's increased standards and the public's higher expectations, the last session provided a means to the local jurisdictions allowing them a chance to produce additional revenue to assist in offsetting the costs of a continual rising expense. In November of 2010 Sargent County again placed the facts on the table for the public to decide. The voters once again spoke and said yes to the increase. The capability of dialing the simple three numbers knowing that someone will answer that phone and possibly save a life was worth it to our voters.

In the ND Century Code chapter 57-40.6-01 item # 5: I would like to quote in part from that Paragraph.

"Which provides rapid public access for coordinated dispatching of services, personnel, equipment," and facilities for law enforcement, fire, medical, or other emergency services." Provide rapid public access! Thru the 20 years that Counties such as Sargent have been providing 911 to the public the method of providing rapid public access for coordinated dispatching services has changed dramatically and will continue to do so.

The continue changes in technology and the continue rise in the public's expectations of the type of 911 services they want and expect comes at a cost. That cost involves maintenance and replacement of communication equipment, computer equipment and software. The cost to compete in the workforce by offering decent wages for what is a very high profile stressful job when dealing with lives and property of the people we serve. The cost of the ever changing world of technology and the ability that technology offers our public to communicate to dispatch centers and emergency responders. Also the cost and responsibility that we have to our responders out in the field by providing them the equipment and knowledge to keep them as safe as possible. These are some of many things that are expected of us at the price of \$1.50.

Local budgets cannot afford to have the financial opportunity to increase the 911 service revenue with sunset limitations. At about the time that these jurisdictions can start moving forward with Next gen 911, continued mapping progress, digital and narrow banding radios, reverse 911, just to have it end so quickly will move some of us backward instead of forward. Is the \$1.50 enough for what is coming? Probably not. But not having it will put a much larger strain on local general budgets and probably jeopardize the need to be aggressive in forward progress.

I am asking that you support the voters of the local jurisdictions and acknowledge the decision that they made in Sargent County by removing the sunset clause dated June 30th, 2012 on the \$1.50 fee.

