

HOUSE BILL REPORT

HB 1271

As Reported by House Committee On:
Technology, Telecommunications & Energy
Appropriations

Title: An act relating to enhancing interoperability of the state's emergency communication systems.

Brief Description: Enhancing interoperability of emergency communications.

Sponsors: Representatives Anderson, Morris and Wood.

Brief History:

Committee Activity:

Technology, Telecommunications & Energy: 2/4/03, 2/28/03 [DPS];
Appropriations: 3/8/03 [DPS(TTE)].

Brief Summary of Substitute Bill

- Establishes a committee under the Information Services Board to develop policies, procedures, and plans to ensure emergency communications systems can communicate with each other across the state.

HOUSE COMMITTEE ON TECHNOLOGY, TELECOMMUNICATIONS & ENERGY

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 16 members: Representatives Morris, Chair; Ruderman, Vice Chair; Sullivan, Vice Chair; Crouse, Ranking Minority Member; Nixon, Assistant Ranking Minority Member; Anderson, Blake, Bush, Delvin, Hudgins, Kirby, McMahan, Romero, Tom, Wallace and Wood.

Staff: Matt Cooper (786-7106).

Background:

The Federal Communications Commission (FCC) has required states to study their emergency communications systems. The Washington State Information Services Board established the State Interoperability Executive Committee to conduct a preliminary review. This review found that a wide variety of agencies at all levels of government

have responsibilities for providing public safety and emergency services. The Committee found that the ability of emergency personnel to communicate with each other and with emergency services officials is key to providing emergency services and that emergency communications systems are essential to the life, health, safety, and welfare of both the citizens of Washington and emergency personnel.

Agencies at all levels are responsible for operating their own communications systems. There are numerous different types of communications systems available and currently in use. These systems range from technology dating from the 1960s to cutting-edge digital voice and data systems. The systems currently in use represent an estimated statewide investment of \$90 million.

Agencies often purchase dissimilar emergency communications equipment which may impede communication between neighboring agencies. A diversity of equipment and an increase in the number of agencies needing emergency communications systems has also created a need for a larger number of radio frequencies.

The FCC is the federal agency responsible for allocating radio frequencies. The FCC ensures that communications systems have discrete frequencies so as not to interfere with each other. In 2006 the FCC will be re-organizing and allocating new public safety radio frequencies to accommodate the increase in communications systems and new technology.

The Military Department is the state agency charged with planning and coordinating emergency responses and emergency communications. The Adjutant General is the Director of the Military Department.

Summary of Substitute Bill:

The State Interoperability Executive Committee (Committee) is established as a committee of the Information Services Board (Board). Committee members will be appointed by the Board from: The Military Department, the State Patrol, the Department of Transportation, the Department of Information Services, the Department of Natural Resources, state and local fire chiefs, police chiefs, sheriffs, and state and local emergency management directors. The chair and legislative members of the Board are non-voting members.

The Committee will develop policies, procedures, and recommendations to ensure the interoperability of emergency communications systems across the state to allow emergency services personnel and agencies to communicate freely across jurisdictional lines.

The Committee will serve as the point of contact with the FCC for issues relating to the allocation, use, and licensing of the radio spectrum for public safety and emergency

communications systems.

By July 31, 2004, the Committee will conduct an inventory of all state and local government owned emergency services communication systems. Based upon the inventory and future needs, the Committee will develop a plan to ensure the interoperability of emergency communications systems. The Committee will consult with the Joint Legislative Audit and Review Committee on the inventory and planning process.

The inventory and plan will be presented to the Board and the Legislature according to a schedule. By December 31, 2003, the Committee will report on the inventory of all state government-owned public safety communications systems and by July 31, 2004, the Committee will report on the inventory of all public safety communications systems within the state. By March 31, 2004, the Committee will issue an interim report on a statewide public safety communications plan and deliver a final report by December 31, 2004.

Substitute Bill Compared to Original Bill:

The substitute bill creates the State Interoperability Executive Committee as a committee of the Information Services Board, with Committee members appointed by the Board from: The Military Department, the State Patrol, the Department of Transportation, the Department of Information Services, the Department of Natural Resources, state and local fire chiefs, police chiefs, sheriffs, and state and local emergency management directors. The chair and legislative members of the Board are non-voting members.

The provision for using E-911 funds as a funding source is deleted.

The substitute bill establishes a time line for reports to the Legislature and the Board. By July 31, 2004, the Committee will conduct an inventory of all state and local government owned emergency services communication systems. The Committee will consult with the Joint Legislative Audit and Review Committee on the inventory and planning process. The inventory and plan will be presented to the Board and the Legislature according to a schedule, with the first report due by July 31, 2003, and the final report due by December 31, 2004.

Appropriation: This bill establishes the Strategic Interoperability Emergency Communications Account, funded by transfers from the E-911 account, any federal homeland security funding for communications systems, and any new or current state emergency communications systems funding.

Fiscal Note: Requested February 28, 2003.

Effective Date of Substitute Bill: The bill contains an emergency clause and takes effect immediately.

Testimony For: Emergency communications systems are highly complicated and very necessary to the safety of the citizens of Washington. Dealing with the aftermath of a natural disaster or other catastrophic event is not possible unless all public safety and emergency services providers can talk to each other.

The Nisqually earthquake showed weaknesses in the emergency communications systems in the state. Agencies could not communicate with each other or pass along vital information necessary to make important decisions.

Homeland security has become more important since September 11, 2001. Public safety communications systems are vital to homeland security. Protecting the citizens of this state requires that all those involved in public safety be able to communicate with each other.

There are hundreds of agencies in this state at all levels of government that have millions of dollars invested in radio communications systems. These systems have been planned and purchased to meet each agency's requirements. Ensuring that the system works with all the other systems around it has not been a priority.

Technology in the emergency communications field is changing rapidly. The FCC is going to bring new frequencies on-line in the near future. The industry is constantly developing new radio systems and technology. There should be a plan in place to ensure all new systems will work with each other. This plan needs to come from one central source with the power to make decisions.

Testimony Against: Creating a committee to plan for interoperability is a good idea. There are problems with the way this bill gives the state the authority to implement the plan and the way the planning and inventory are funded.

There are concerns that the present funding source for this bill will take funds away from important public safety projects like E-911 service. E-911 projects are still on-going around the state and need continued funding. Rural counties are particularly concerned about using E-911 funds for anything other than E-911 projects as rural counties rely heavily on those funds to update their 911 service.

Some local agencies want to keep their decision-making authority. Local officials agree that there is a need for interoperability, but do not want the state to dictate the system they have to use.

Testified: (In support) Representative Anderson, prime sponsor.

(Opposed) Deputy Chief Steve Jewell, Washington State Patrol; Stuart McKee, Department of Information Services; Frank Scoggins, Washington Military Department; Larry Erickson, Washington Association of Sheriffs and Police Chiefs; Sophia Byrd, Association of Counties; Steve Gano, Cingular Wireless; and Sharon Wylie, Clark County.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The substitute bill by Committee on Technology, Telecommunications & Energy be substituted therefor and the substitute bill do pass. Signed by 27 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Sehlin, Ranking Minority Member; Pearson, Assistant Ranking Minority Member; Alexander, Boldt, Buck, Clements, Cody, Conway, Cox, DeBolt, Dunshee, Grant, Hunter, Kagi, Kenney, Kessler, Linville, McDonald, McIntire, Miloscia, Pflug, Ruderman, Schual-Berke, Sump and Talcott.

Staff: Susan Howson (786-7142).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Technology, Telecommunications & Energy:

No new changes were recommended.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Substitute Bill: The bill contains an emergency clause and takes effect immediately.

Testimony For: The state has an investment of at least \$700 million in emergency communication and public safety radio networks. There is no comprehensive inventory or plan to integrate these networks. This bill allows the state to ensure that an effective system is in place in the event of an emergency situation.

Testimony Against: None.

Testified: Representative Anderson, prime sponsor.