

Recommendation to Transfer Responsibilities and  
Powers of the Enhanced 911 Board to the  
Department of Public Safety  
*(Act 190, Sec. 24, 2014)*

Date: December 15, 2014  
Presented to: General Assembly  
Prepared by: Secretary of Administration

## **Secretary of Administration Report Responding to Section 24, Act 190 of 2014**

Act 190, Section 24, of 2014 directed the Secretary of Administration to submit a report to the General Assembly on or before December 15, 2014, after receiving input from State and local parties potentially impacted, proposing a plan for transferring the responsibilities and powers of the Enhanced 911 Board (The Board or E911), including necessary positions, to either a Division for Connectivity, the Department of Public Service (PSD), or the Department of Public Safety (DPS). The plan was to include budgetary recommendations, striving to achieve annual operational savings of at least \$300,000, as well as enhanced coordination and efficiency, and reductions in operational redundancies. The Act directed the Secretary to include draft legislation implementing the Secretary's plan. In addition, the report was to include findings and recommendations on whether it would be cost effective to select an existing State agency to serve as fiscal agent to the Vermont Universal Service Fund (VUSF), as well as on the advisability of creating a unified advisory board for E-911, the Vermont Communications Board (VCOMM) and the Vermont Public Safety Broadband Network Commission (Vermont FirstNet).

### **Recommendations:**

Currently, Chapter 87 of Title 30 provides that, "The Vermont Enhanced 911 Board is established to develop, implement and supervise the operation of the statewide enhanced 911 system." Based on extensive communication with the Department of Public Service, the Department of Public Safety, and the staff and members of the E-911 Board, and comments and concerns of interested parties, **the Secretary of Administration recommends these responsibilities be transferred to the Department of Public Safety.**

It is expected this could save between \$210,000 and \$350,000 each year on an ongoing basis by virtue of personal services savings outlined later in this report.

Equally important, having this critical responsibility housed within the Department of Public Safety, which already handles approximately 75 percent of E-911 calls, will minimize risks of system failure and increase the quality of emergency coordination and communications. Further, as the State wrestles with how to best provide emergency call taking, dispatching, and coordination of emergency services in the most effective and efficient fashion, having split loci of responsibility for this service is clearly not optimal.

The PSD, in consultation with the Department of Finance & Management, recently conducted a detailed review of the responsibilities associated with fiscal management of the VUSF. Currently, those responsibilities are contracted to Rolka Loube Saltzer Associates, LLC (Rolka) by the Public Service Board (PSB). That contract is for approximately \$80,000 annually.

The review revealed that Rolka performs several functions, including transactional accounting functions (receiving utility payments, re-distributing funds) numbering in the low thousands per year, collections activities including dunning notices and late payment fee assessment and management, monthly and periodic report generation, web site maintenance, forecasting, systems and database administration, and direct servicing of all impacted utilities.

It's the Secretary's opinion that these responsibilities should remain contracted services. The volume of transactions and the varied job duties (accounting, web site management, database administration) would require that the State hire more than one person to accommodate the various skill sets required. Given the long term cost to the State to hire even one permanent FTE, it is cost-efficient to continue this work on a contract basis.

Regarding the practicality of combining the E-911 Board, the Vermont Communications Board (VCOMM) and the Vermont Public Safety Broadband Commission (Vermont FirstNet), given the specific missions, unique requirements, and separate funding sources for each of these, the Secretary recommends not proceeding in that direction .

It is the Secretary's strong recommendation that an E-911 Advisory Board, with a make-up similar to the existing Board, be constituted in order to advise the Commissioner of DPS on policy and service level matters related to the operation of the statewide enhanced 911 system.

### **Discussion:**

The Vermont Enhanced 911 Board is a quasi-independent entity established more than two decades ago to develop, implement and supervise the operation of the statewide enhanced 911 system. It is governed by a nine member Board whose members are appointed by the Governor. Each of the current members has either been appointed or reappointed by the current administration. The Board includes representatives from the various emergency responder communities, including the Sheriff's Association, the Chiefs of Police Association, the Fire Service, State Police, Emergency Medical Responders, a representative from a municipality, and three members of the public. The Board meets quarterly and provides oversight of the operation of the program. Individual members engage on various issues based on their expertise. The Board appoints an Executive Director (ED), with the concurrence of the Governor, and the ED serves at the pleasure of the Board. The ED has been delegated the overall responsibility for the day to day management of the systems used in the E-911 program.

There are 8 locations from which 911 calls are taken. They all are located in existing police communication centers. There are 26 call taker positions, and 150 certified call takers, some of whom work full time while others work part time to fill gaps in the work schedule. The call takers work for the police organizations that host the 911 call taking function. There are 8 locations or Public Safety Answering Points, generally referred to as PSAPs. The Vermont State Police operate four PSAPs, located in Derby, Rutland, Williston and Rockingham. The other four PSAPs are run by county or local police agencies, in Lamoille County, Shelburne, St. Albans and Hartford. E911 was established with 8 PSAPs that are still in operation today to provide redundancy and geographic dispersion of resources so that weather or another major event in one part of the state doesn't take the whole system down. This structure proved effective during Tropical Storm Irene. It should be noted that many states, larger both in population and geography than Vermont, have many fewer PSAPs than Vermont, some as few as one.

The Board Office consists of approximately 10 permanent classified employees, one temporary employee, and the executive director. The employees include two Information Technology staff, two GIS specialists, a Data Integrity Analyst, and a GIS Database supervisor who oversees the work of the two specialists and the data integrity analyst. Also on staff are two trainers, who are responsible for initial and annual certification of 911 call takers and who also run a quality assurance program to review randomly selected 911 calls to ensure that the call takers are following proper procedures. One staff member focuses on Public Education, which has been critical to the successful rollout of text to 911 services. There is one Admin B, who performs a variety of administrative tasks including responding to +/- 15 legal subpoenas each week, and a Clerk C who performs various data entry functions, works with the GIS specialists to coordinate activities with the 250 E911 Town Coordinators, and various other administrative duties.

The ED has a seat on both the VCOMM Board and the FirstNet Board and members of the Board staff participate in the GIS consortium and collaborate with the various users of GIS data, as well as VCGI, to deliver those services in a cost effective manner.

As noted above, the Governor appoints the Board members, and everyone currently on the Board was appointed or reappointed by Governor Shumlin. While there is no direct organizational line between the Administration and the Board, (outside of the appointment process for the Board members and the ED) the ED communicates with the Administration as does the Board Chair on programmatic matters of public importance. E911 follows the same budget development process as other State departments and agencies and the Governor approves the budget request before it is submitted to the Legislature.

E-911's annual budget is paid for by the VUSF which (per 30 VSA § 7523) charges a fee on all retail telecommunications service in Vermont provided by a Telecommunications Service Provider including providers of prepaid cellular service. The VUSF provides the financial structure to raise the necessary monies to support (per 30 VSA § 7511) (1) to pay costs payable to the fiscal agent under its contract with the Board; (2) to support the Vermont telecommunications relay service in the manner provided by section 7512 of this title; (3) to support the Vermont Lifeline program in the manner provided by section 7513 of this title; (4) to support Enhanced-911 services in the manner provided by section 7514 of this title; (5) to support the Connectivity Fund established in section 7516 of this chapter; and (6) to support the cost of Executive Branch activities as specified under section 7515a of this title.

E-911 is completely funded from the USF except for the call taking and dispatch services provided by DPS in excess of E-911's \$810,000 annual payment to DPS. While the legislature has broadened the contribution base to the VUSF by including prepaid providers of cellular service, the legislature has also activated the VUSF for high cost support to Incumbent Local Exchange Carriers. In addition, the VUSF is the sole funding source for the recently enacted broadband connectivity fund. Savings realized from moving the E-911 functions to DPS will remain in the VUSF, directly benefitting the Connectivity Fund and initiative.

## **Why Public Safety?**

Act 190 directs the Agency of Administration to propose a plan to transfer responsibilities and powers of the E-911 Board to one of three state entities: PSD, DPS or a Division for Connectivity, which at the time Act 190 passed did not have definite location specified. All parties the Secretary conferred with agreed, if the oversight and supervision of the statewide enhanced E-911 system is to be relocated from the current quasi-independent Board, the Department of Public Safety is the logical choice. DPS has an overall mission that aligns well with the Enhanced 911 Board's functions. The emergency responders, who ultimately receive the emergency 911 calls, are more functionally aligned with the Department of Public Safety than the Department of Public Service or a Division for Connectivity. DPS has an organizational structure, culture, and capacity that could easily support the delivery of high quality E-911 services, so long as appropriate positions and funding are transferred from the Board.

Considering the 10 classified positions currently employed by the E-911 Board and the existing capacity at the DPS, it is reasonable to conclude that 3-5 of the following positions would not be necessary should the responsibilities of the E-911 Board be transferred to DPS: one IT staffer, one GIS specialist or GIS database supervisor, one public education staffer, one trainer, or one Administrative B staffer. The average state employee total compensation (salary & benefits) in FY 14 was close to \$80,000. Using a more conservative estimate of \$70,000 to cover salary and benefits of a typical employee in this exercise, the ongoing savings range would be between \$210,000 and \$350,000 in year one.

## **Input from State and Local Agencies:**

In addition to numerous staff level meetings between DPS, PSD, E-911, a designee of the Secretary of Administration and other interested parties, the Secretary met with the E-911 Board on two occasions. At those meetings there were representatives from State, county, and municipal law enforcement, representatives of the fire service and EMS communities, as well as public members. A summarization of comments, questions and concerns about transferring E-911 to DPS includes:

Concern about whether services would be staffed adequately and the database kept up.

Will there be public input and oversight?

Would this add more burden on municipalities?

Would county and municipal interests/ control be minimized?

Will something be lost if E-911 becomes part of a much larger organization?

We need to balance efficiency, effectiveness, and quality.

System has run well so far. Why change it?

Do we need more information, such as the total operational costs of running the E-911 system, before making a decision like this?

**Conclusion:**

The Secretary of Administration appreciates the comments and concerns of the parties potentially impacted by this recommendation, but concludes that Vermonters' safety and financial interests would be better served by transferring the responsibilities of the current E-911 Board to the Department of Public Safety and converting the Board to an advisory capacity to the DPS Commissioner, on policy and service level matters related to the operation of the statewide enhanced 911 system. While the current system made sense two decades ago, in today's world where the capacity of DPS is far greater, as exemplified by the development of the Division of Emergency Management and Homeland Security, the expectations of the public for a no-fail and coordinated emergency response system are much higher, and the imperative of stretching our limited funds further is obvious, the current governance model may not be the most suitable one any longer.

Though not tremendous, clearly there would be financial savings by reducing redundancy and taking advantage of the considerable capacity of DPS in telecommunications, IT, emergency services, public education and outreach, and administrative assistance. The mission and day to day work of E-911 is very much compatible with that of DPS. Transferring the responsibilities and powers of the Enhanced 911 Board to the Department of Public Safety, which already handles approximately 75 percent of E-911 calls, will minimize risks and impacts of system failure, and increase the quality of emergency coordination and communications. It will also enhance our ability to strategically rethink how to best provide emergency call taking, dispatching, and coordination of emergency services, in the most effective and efficient fashion.

The following is draft statutory language to facilitate the transfer the responsibilities and powers of the Enhanced 911 Board to the Department of Public Safety: