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4

A Bill

HOUSE BILL 1741

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6 Thompson, B. Wilkins, English, Eubanks, McCrary, D. Altes, Leding, Williams
7 By: Senators Salmon, D. Wyatt
8

For An Act To Be Entitled

10 AN ACT CONCERNING MINIMUM TRAINING STANDARDS FOR 911
11 PUBLIC SAFETY COMMUNICATION CENTER PERSONNEL; AND FOR
12 OTHER PURPOSES.
13
14

Subtitle

15 CONCERNING MINIMUM TRAINING STANDARDS FOR
16 911 PUBLIC SAFETY COMMUNICATION CENTER
17 PERSONNEL.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. Arkansas Code § 12-10-318(c), concerning the Arkansas
24 Emergency Telephone Services Board, is amended to read as follows:

25 (c)(1) There is established the Arkansas Emergency Telephone Services
26 Board consisting of the following:

27 (A) The Auditor of State or his or her designated
28 representative;

29 (B) Two (2) representatives selected by a majority of the
30 commercial mobile radio service providers licensed to do business in the
31 state; and

32 (C) Two (2) 911 system employees selected by a majority of
33 the public safety answering point administrators in the state.

34 (2) The responsibilities of the board shall be as follows:

35 (A) To establish and maintain an interest-bearing account
36 into which will be deposited revenues from the service charges levied under



1 subdivision (b)(1)(A) of this section;

2 (B) To manage and disburse the funds from the account
3 levied under subdivision (b)(1)(A) of this section in the following manner:

4 (i)(a) Not less than eighty-three and five-tenths
5 percent (83.5%) of the total monthly revenues collected and remitted under
6 subdivision (b)(1)(A) of this section shall be distributed on a population
7 basis to each political subdivision operating a 911 public safety
8 communications center that has the capability of receiving commercial mobile
9 radio service 911 calls on dedicated 911 trunk lines for expenses incurred
10 for the answering, routing, and proper disposition of 911 calls, including
11 payroll costs, readiness costs, and training costs associated with wireless,
12 voice over internet protocol, and nontraditional 911 calls.

13 (b) Each state fiscal year, one hundred twenty
14 thousand dollars (\$120,000) of the total monthly revenues collected and
15 remitted under this subdivision (c)(2)(B)(i)(a) shall be transferred and
16 deposited to the credit of the books of the Treasurer of State and the
17 Auditor of State for the Miscellaneous Agencies Fund Account for the Arkansas
18 Commission on Law Enforcement Standards and Training, to be used exclusively
19 for training and all related costs under § 12-10-325;

20 (ii)(a) Not more than fifteen percent (15%) of the
21 total monthly revenues collected and remitted under subdivision (b)(1)(A) of
22 this section shall be held in the interest-bearing account. The board shall
23 report to Legislative Council in the event the sum held under this
24 subdivision (c)(2)(B)(ii)(a) becomes less than three million five hundred
25 thousand dollars (\$3,500,000).

26 (b) These funds may be utilized by the public
27 safety answering points for the following purposes in connection with
28 compliance with the Federal Communications Commission requirements:
29 upgrading, purchasing, programming, installing, and maintaining necessary
30 data, basic 911 GIS mapping, hardware, and software, including any network
31 elements required to supply enhanced 911 phase II cellular, voice over
32 internet protocol, and other nontraditional telephone service.

33 (c) Invoices must be presented to the board in
34 connection with any request for reimbursement and be approved by a majority
35 vote of the board to receive reimbursement.

36 (d) Any invoices presented to the board for

1 reimbursements of costs not described by this section may be approved only by
2 a unanimous vote of the board;

3 (iii) Not more than five-tenths percent (0.5%) of
4 the fees collected under subdivision (b)(1)(A) of this section may be
5 utilized by the board to compensate the independent auditor and for
6 administrative expenses;

7 (iv) All interest received on funds in the interest-
8 bearing account shall be disbursed as prescribed in subdivision (c)(2)(B)(i)
9 of this section; and

10 (v)(a) All cities and counties receiving funds under
11 this section shall submit to the board no later than April 1 of each year an
12 explanation and accounting of the funds received and expenditures of those
13 funds for the previous calendar year, along with a copy of the budget for the
14 previous year and a copy of the year-end appropriation and expenditure
15 analysis of any participating or supporting counties, cities, or agencies.

16 (b)(1) The board may require any other
17 information necessary to ensure that the funds have been properly utilized
18 according to this section.

19 (2) All cities and counties receiving
20 funds under this section ~~shall~~ also shall submit to the board no later than
21 April 1 of each year, a copy of all documents reflecting the 911 funds
22 received for the previous calendar year, including without limitation
23 wireless, wireline, general revenues, sales taxes, and other sources used by
24 the city or county for 911 services.

25 (c) Failure to submit the proper accounting
26 information and failure to utilize the funds in a proper manner may result in
27 the suspension or reduction of funding until corrected;

28 (C)(i) To promulgate ~~regulations~~ rules necessary to
29 perform its duties prescribed by this subchapter.

30 (ii) In determining the population basis for
31 distribution of funds under subdivision (c)(2)(B)(i) of this section, the
32 board shall determine, based on the latest federal decennial census, the
33 population of all unincorporated areas of counties operating a 911 public
34 safety communications center that has the capacity of receiving commercial
35 mobile radio service, voice over internet protocol service, or nontraditional
36 911 calls on dedicated 911 trunk lines, and the population of all

1 incorporated areas operating a 911 public safety communications center that
 2 has the capability of receiving commercial mobile radio service, voice over
 3 internet protocol service, or nontraditional 911 calls on dedicated 911 trunk
 4 lines and compare the population of each of those political subdivisions to
 5 the total population;

6 (D) To submit annual reports to the office of the Auditor
 7 of State outlining fees collected and moneys disbursed to public safety
 8 answering points under subdivision (b)(1)(A) of this section; and

9 (E)(i) To retain an independent third-party auditor for
 10 the purposes of receiving, maintaining, and verifying the accuracy of any
 11 proprietary information submitted to the board by commercial mobile radio
 12 service providers.

13 (ii) Due to the confidential and proprietary nature
 14 of the information submitted by commercial mobile radio service providers,
 15 the information shall be retained by the independent auditor in confidence,
 16 shall be subject to review only by the Auditor of State, and shall not be
 17 subject to the Freedom of Information Act of 1967, § 25-19-101 et seq., nor
 18 released to any third party.

19 (iii) The information collected by the independent
 20 auditor shall be released only in aggregate amounts that do not identify or
 21 allow identification of numbers of subscribers or revenues attributable to an
 22 individual commercial mobile radio service provider.

23 (3) Commercial mobile radio service providers, voice over
 24 internet protocol, or other nontraditional communications providers shall be
 25 entitled to retain one percent (1%) of the fees collected under subdivision
 26 (b)(1)(A) of this section as reimbursement for collection and handling of the
 27 charges.

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 29 SECTION 2. Arkansas Code § 12-10-323(a)(1), concerning authorized
 30 expenditures of revenues, is amended to add a new subdivision to read as
 31 follows:

32 (a)(1) Any revenue generated ~~pursuant to~~ under §§ 12-10-318 – 12-10-
 33 321 may be expended only in direct connection with the provision of 911
 34 services and only for the following purposes:

35 (A) The engineering, installation, and recurring costs
 36 necessary to implement, operate, and maintain a 911 telephone system;

1 (B) The costs necessary for forwarding and transfer
2 capabilities of calls from the 911 public safety communication center to
3 dispatch centers or to other 911 public safety communication centers;

4 (C) Engineering, construction, lease, or purchase costs to
5 lease, purchase, build, remodel, or refurbish a 911 public safety
6 communication center and for necessary emergency and uninterruptable power
7 supplies for the center;

8 (D) Personnel costs, including salary and benefits, of
9 each position charged with supervision and operation of the 911 public safety
10 communication center and system;

11 (E) Purchase, lease, operation, and maintenance of
12 consoles, telephone and communications equipment owned or operated by the
13 political subdivisions and physically located within and for the use of the
14 911 public safety communication center, and radio or microwave towers and
15 equipment with lines ~~which~~ that terminate in the 911 public safety
16 communication center;

17 (F) Purchase, lease, operation, and maintenance of
18 computers, data processing equipment, associated equipment, and leased audio
19 or data lines assigned to and operated by the 911 public safety communication
20 center for the purposes of ~~coordinating, forwarding of calls~~ coordinating or
21 forwarding calls, dispatch, or recordkeeping of public safety and private
22 safety agencies for which the 911 public safety communication center is the
23 public safety answering point and to provide information assistance to those
24 agencies; ~~and~~

25 (G) Supplies, equipment, public safety answering point
26 personnel training, vehicles, and vehicle maintenance, if such items are
27 solely and directly related to and incurred by the political subdivision in
28 mapping, addressing, and readdressing a 911 system; and

29 (H) Training costs and all costs related to training under
30 this subchapter.

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32 SECTION 3. Arkansas Code Title 12, Chapter 10, Subchapter 3 is amended
33 to add an additional section to read as follows:

34 12-10-325. Training standards.

35 (a)(1) A public safety agency, a public safety answering point, a
36 dispatch center, or a 911 public safety communications center may provide

1 training opportunities for 911 public safety communication center personnel
2 through the Arkansas Commission on Law Enforcement Standards and Training and
3 the Arkansas Law Enforcement Training Academy.

4 (2) The Arkansas Law Enforcement Training Academy shall develop
5 training standards for dispatchers and instructors in Arkansas in
6 consultation with the Association of Public-Safety Communications Officials -
7 International and submit the training standards to the Arkansas Commission on
8 Law Enforcement Standards and Training for approval.

9 (3)(A) Training for instructors may include without limitation
10 instructor development, course development, leadership development, and other
11 appropriate 911 instructor training.

12 (B) Training for dispatchers may include without
13 limitation call taking, customer service, stress management, mapping, call
14 processing, telecommunication and radio equipment training, training with
15 devices for the deaf, autism, and other appropriate 911 dispatcher training.

16 (4) An entity that provides training under subdivision (a)(1) of
17 this section may retain training records created under this section.

18 (b) A private safety agency that performs dispatch functions is not
19 eligible for training under this section.

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