

# Statewide Interoperability Governance Board

**Minutes**  
**December 8, 2016**  
**1:30 p.m.**  
**Cogswell Room 151**

## **Members Present:**

Ron Baldwin, SCIO/SITSD, Chairperson

Quinn Ness, MDOA/SITSD, SCIO Alternate

Geoff Feiss, MTA

Clint Loss, MEMSA

Captain Curt Stinson, MACOP

Chief Bob Drake, MSVFA, Alternate

Steve Keller, MDT, Alternate

Doug Russell, MLCT

Chief Mike Doto, MVFA

Major Bob Armstrong, MDOJ/MHP, Alternate

Colonel Tom Butler, MDOJ/MHP

Commissioner Joe Briggs, MACO

## **Staff Present:**

Wendy Jackson, DOA/SITSD; Marilu Hansen DOA/SITSD

## **Guests Present:**

Mike Feldman, MDOJ/MHP; Dan Sullivan, MDOA/SITSD; Sean Gallagher, DNRC; Todd Klemann; DNRC

## **Real-time Communication:**

Mike Raczkowski, MDOC; Brad Steiner, Motorola Solutions; Chris Lounsbury, Missoula County; Adriana Beck, Missoula County; Dale Osborne, DOJ/MHP.

## **Welcome and Introductions**

Ron Baldwin welcomed the board to the December 9, 2016 SIGB meeting. All members and guests were introduced.

## **Minutes**

Mike Doto made a motion to approve the October 13, 2016 meeting minutes. Curt Stinson seconded the motion. Motion passed.

## **Business**

### **FirstNet 2016 Consolation Update**

Dan Sullivan updated the board on the consultation activities of FirstNet. Quinn Ness and Mr. Sullivan attended the Fall 2016 FirstNet Single Point of Contact (SPOC) meeting in Arizona on November 16 and 17. The meeting included general sessions and individual conversations with each state and territory. The main focus of this meeting was preparation for delivery of FirstNet's draft and final deployment plans for the state. FirstNet encouraged each state and territory to develop process that designates key decision makers to advise the governor on acceptance of the plan. Mr. Baldwin and SIGB are the two entities that will make a recommendation to the Governor's Office regarding the FirstNet deployment plan for Montana. The FirstNet statute allows states and territories to opt out of the deployment plan. Approximately eight states are considering the opt out approach. The Montana Information Technology Act prohibits state government from owning telecommunications infrastructure. Therefore, opting out of the FirstNet deployment plan is not a viable option for Montana. The FirstNet deployment plan information will be available through a web portal with multiple viewing levels. The first level may contain sensitive information for the Governor's office only and the other levels could be available to SIGB members and other potential users. The Governor's level will outline where sites are located, backhaul links and projected costs. Users of the Governor's level will be required to sign a non-disclosure agreement. The public facing levels will include coverage areas, anticipated deployment times and service rates. The SLIGP program is also proceeding with FirstNet's request for metro meetings.

Montana's methodology for these metro meetings is being used as a template by FirstNet as a format for other metro meetings nationwide. There are seven cities in Montana with populations over 20,000 where we have proposed that the metro meetings take place. To date there have been meetings held in Bozeman and Billings. Approximately 25 public safety and support groups attended the metro meeting in Billings. Metro meetings in Kalispell and Missoula are tentatively scheduled for January 17 and 18, 2017. Meetings in Great Falls, Butte, and Helena will take place in the spring of 2017.

**Action Item: Mr. Sullivan will provide SIGB with the list of the eight states who are considering opting out of the FirstNet plan.**

### **Statewide LMR System Draft Legislation**

Quinn Ness reviewed the Statewide LMR System legislation draft. The changes discussed in the October 13, 2016 SIGB meeting have been incorporated into the draft legislation including the addition of the Tribal Governments to the draft verbiage. Amendments were also made to revise the LMR legislation to include an executive board. The size of the advisory council was reduced while maintaining representation for the stakeholders. Mr. Ness proposed a seven-member executive board with representatives from each of the emergency response communities, local governments and tribal governments. The advisory council would then create sub-committees. Verbiage from the 911 Bill related to rule making was also included in the LMR draft legislation. Mr. Ness requested guidance from the board concerning next steps for this draft legislation.

Geoff Feiss stated that he recognizes the need to fix the existing system but this bill, specifically referencing Land Mobile Radio, would lock the state into outdated technology. The current network is an isolated silo for a limited number of communication capabilities. Mr. Feiss stated that there is a continuous evolution of telecommunications technology that could provide increased interoperability and capacity using existing network infrastructure. Mr. Feiss recommended that the board find a way to secure the funds necessary to fix the existing system without passing legislation that would lock the state into utilizing a specific technology. Mr. Feiss clarified that he was not suggesting termination of the LMR system, but rather a transition to allow for the incorporation of new technology. Mr. Feiss stated that the verbiage included in the draft legislation is not open ended enough at this time to allow for new technology.

Q: Curt Stinson: This draft legislation puts the administration of the LMR under the Department of Justice (DOJ). Would there be funds available through the DOJ to support the management, infrastructure and staffing of this group?

A: Colonel Tom Butler: The Montana Highway Patrol (MHP) is facing the loss of 27 officers due to budget cuts. Given that issue, DOJ cannot expend political or financial capital in support of the LMR system draft legislation at this time. MHP would consider supporting a bill that allows for a statutory review or study.

Q: Mr. Stinson: Is there another way to approach this that does not require the management and administration of the LMR system to be housed in the DOJ?

A: Mr. Ness: The alternative that I have been discussed would be to avoid establishing a central structure and oversight for the LMR system. This alternative suggests what is needed is funds and the ability to transfer those funds to local governments so decisions can be made on a local level about what systems they are going to invest in. This might be a viable plan to secure broad-based support as it takes first responder communications systems out of state government and agency budgets. The discussion then becomes where to find the required funding. We have considered in the past, securing these funds through a statutory revenue source. For example, every county would receive funds for emergency responder communications and decisions concerning those communications systems would be made locally.

Mr. Feiss commented that there is the potential of locating funds, already targeted for another purpose, and rerouting them to fix the existing LMR system. There is roughly \$4M in the 9-1-1 stranded fund. It is conceivable that \$2M could be diverted to public safety communications. The 9-1-1 Bill, if passed, would include a definition of 9-1-1 systems that includes the emergency communications from beginning to end. It is possible that some of that money could be allocated for maintenance of the LMR system.

Mr. Ness clarified that the 9-1-1 stranded fund is the 9-1-1 wireless enhanced fund that provides 9-1-1 cost recovery for wireless telecommunications providers. The fund has a balance of approximately \$10M. There is a provision in the proposed 9-1-1 bill to convert the stranded fund into a grant program. Local governments

would have the ability to apply for grants for 9-1-1 purposes. A large part of the discussion that will happen after the legislation passes is the definition of 9-1-1 and 9-1-1 systems. Depending on the definition that is agreed upon, there is a possibility of applying for grants to fund the LMR system. In that case, the eligible grant applicant would have to be a local government, not a state agency.

Mr. Drake stated his opinion that it is the responsibility of SIGB to inform the Governor of the critical nature of statewide LMR system. Finding the funding will be the next step.

Commissioner Joe Briggs commented that that SIGB has advised the governor for several years about the severity of the issues with the statewide LMR system.

Mr. Baldwin recommended that the SIGB draft a memorandum to the Governor that indicates the gravity of the situation and the need to sustain the public safety infrastructure. This would include an estimate of the funding needed to maintain the statewide LMR system. The memorandum would also acknowledge the need for an administrative agency to receive and disperse the required funding and a governance body to make recommendations to the administrative agency. This memorandum would communicate to the Governor the desire of the SIGB to pass legislation, during the 2017 legislative session. This memorandum could then be used as a vehicle for suggesting that a study resolution be introduced in the legislative session. Mr. Baldwin recommended that this memorandum be communicated to the SIGB member organizations as well to generate support for the maintenance of the statewide LMR system.

Mr. Ness stated that a study resolution may be a good way to approach this issue. Once a study resolution is passed, it is assigned to an interim committee. The resources of the interim committee could be available to conduct a study. The resources of the legislature could then be available to draft a "committee bill". The involvement of the legislature provides the added benefit of establishing a group of legislators that become aware of the issue, the study and potential draft legislation. Work can be conducted over the interim between legislative sessions. The end result could be an interim committee bill that would be introduced in the 2019 legislative session.

**Mr. Keller moved to table the draft copy of the LMR legislation at this time. Mr. Stinson seconded the motion. Motion passed.**

**Mr. Doto made a motion to draft a communication detailing the current status and needs of the LMR and submit that communication to the Governor and the stakeholders represented by the SIGB. Clint Loss seconded the motion. Motion passed.**

Mr. Baldwin stated that this communication will emphasize the current state of the LMR network and the need to sustain it. The communication will also address the End of Life / End of Support needs that would drive equipment replacement and the costs of equipment replacement as an attachment to that memorandum. This communication would be drafted, reviewed and approved by the board. Mr. Drake commented that this communication should specifically identify the system maintenance needs.

**Mr. Keller made a motion that a House Joint Resolution Study Bill be introduced in the upcoming Legislative Session that would study the future needs, sustainability and modernization of the statewide LMR system. Doto seconded the motion. Motion passed.**

**Action Item: Mr. Ness will draft a communication from the SIGB to the Governor that identifies what the financial requirements are for maintaining the system over the next two years. The communication will also include the recommendation to request a House Joint Resolution Bill studying the operation and maintenance of the statewide LMR system.**

#### **Public Comment**

None

**Next Meeting**

Thursday, January 12, 2017

1:30 PM – 3:30 PM

Cogswell Room 151

**Adjournment**

The meeting was adjourned at 3:30 PM