

**SUBJECT:** Continuing the Commission on State Emergency Communications

**COMMITTEE:** Homeland Security and Public Safety — favorable, without amendment

**VOTE:** 8 ayes — S. Miller, Fletcher, Beck, Burnam, Driver, Flynn, Peña, Walle  
0 nays  
1 absent — Mallory Caraway

**WITNESSES:** For — (*Registered, but did not testify:* Troy Alexander, Texas Medical Association)  
  
Against — None  
  
On — (*Registered, but did not testify:* Paul Mallett, Commission on State Emergency Communications; Faye Rencher, Texas Sunset Advisory Commission)

**BACKGROUND:** Created in 1987, the Commission on State Emergency Communications (CSEC) oversees the 911 emergency communications systems in areas of Texas not served by the 24 emergency communications districts or 27 municipal emergency communications districts. CSEC contracts with 24 regional planning commissions to plan, develop, and operate 911 service in 224 mostly rural counties. About one-third of Texans and two-thirds of the state's land area fall under its jurisdiction.

The commission also administers the Texas Poison Control Network, including funding and overseeing the activities of the six regional poison centers that provide information through a toll-free number about treatment for poisoning or toxic exposure.

The CSEC board consists of nine appointed members who serve six-year staggered terms and three ex officio members representing the Public Utility Commission, Department of Information Resources, and Department of State Health Services. The governor appoints five members, including the chairman, and the lieutenant governor and the House speaker appoint two public members each.

CSEC is funded through wire line and wireless emergency service fees and intrastate long distance fees. CSHB 1 by Pitts, the general appropriations bill, would allocate \$104 million during fiscal 2012-13 to CSEC and would authorize 25 employees.

CSEC last underwent Sunset review in 1999 and was continued by the 76th Legislature. The agency is subject to the Texas Sunset Act and is scheduled to expire September 1, 2011, unless continued by the Legislature.

DIGEST:

HB 1861 would continue the Commission on State Emergency Communications until September 1, 2023. It also would create the Emergency Communications Advisory Committee to help develop a state-level emergency services Internet Protocol network as part of the Texas Next Generation Emergency Communications System or NG 911.

The bill also would include standard Sunset recommendations on implementing negotiated rulemaking and alternative dispute resolution.

**NG911 implementation.** HB 1861 would authorize the CSEC to work with the new advisory committee to coordinate the development, implementation, and management of the state-level emergency system as part of NG911.

The advisory committee would consist of at least one representative from:

- a regional planning commission;
- an emergency communications district that provided 911 service before September 1, 1987; and
- an emergency communication district created under Health and Safety Code, chapter 772.

CSEC would be required to consult with regional planning commissions and emergency communication districts throughout the state and ensure that advisory commission members had appropriate training, experience, and knowledge in 911 systems and management to help implement and operate a complex NG911 system.

The bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2011.

**SUPPORTERS  
SAY:**

HB 1861 appropriately would continue the Commission on State Emergency Communications and its important work in providing 911 emergency communications in rural and lower-populated areas. The mix of state and local management of 911 service has served Texas well because of its large size and population. That organizational structure would be preserved as part of HB 1861. Other state agencies, such as the Public Utilities Commission (PUC), Department of Information Resources (DIR), and Department of Public Safety (DPS), have a role in state telecommunications, and there would be no advantages to consolidating CSEC into these agencies. PUC serves primarily a regulatory function. DIR has technological capacity but lacks the overall programmatic and oversight functions of CSEC. DPS has more expertise in emergency response, rather than the CSEC's more technological focus on call delivery to public safety answering centers. Both PUC and DIR have non-voting representatives on the CSEC board to help provide coordination when needed, and that would continue under HB 1861.

HB 1861 would provide a workable framework of stakeholder representation through the creation of an NG911 advisory committee. The advisory committee would reflect the perspectives of emergency communication districts that serve both urban and rural portions of the state. The Legislature should not provide an overly detailed description of the membership or role of a group that needs to be flexible enough to complete the complex task of providing the next generation of emergency response technology.

CSEC should take the lead role in developing NG911 because of its unique experience and perspective in overseeing the management of existing 911 emergency communications systems. NG911 must be expanded beyond just dialing 911 from a telephone to include transmission of text, images, video, and other data to a 911 answering center. While national standards will guide NG911, a state entity should be responsible for the development and ongoing oversight of the state-level network. HB 1861 would give CSEC the authority to establish the necessary standards and protocols for information and data sharing across regions and minimum network functions needed for statewide interconnections.

**OPPONENTS  
SAY:**

Advisory committees, by their very nature, are passive and consultative entities. They lack the authority and accountability of the ultimate decision makers who can then ignore their recommendations. Not following

technological and programmatic advice could have serious consequences given the life-affecting nature of providing 911 systems.

NOTES:

The companion bill, SB 648 by Whitmire and Hegar, was reported favorably, without amendment, by the Senate Government Organization Committee on March 29.

The Sunset Advisory Commission staff had considered a proposal to consolidate the six interconnected poison control centers, but did not include a recommendation in the CSEC Sunset legislation. The poison centers had been administered jointly by CSEC and the Department of State Health Services until the 81st Legislature enacted HB 1093 by Pickett, which transferred oversight to CSEC on May 1, 2010.

HB 1015 by Harper-Brown, which would consolidate the poison control centers, was heard and left pending in the House Public Health Committee on March 9. Its companion bill, SB 435 by Nelson, was referred to the Senate Health and Human Services Committee.