

State of South Dakota

SEVENTY-FOURTH SESSION
LEGISLATIVE ASSEMBLY, 1999

176C0870

SENATE ENGROSSED NO. **HB1292** - 3/3/99

This bill has been extensively amended (hoghoused) and may no longer be consistent with the original intention of the sponsors.

Introduced by: Representative Eccarius

1 FOR AN ACT ENTITLED, An Act to integrate state telecommunications, to reconstitute and
2 continue the 911 task force, to regulate the forming of new public safety answering points,
3 and to provide for state contracting of certain emergency communication services.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That chapter 1-13 be amended by adding thereto a NEW SECTION to read as
6 follows:

7 The functions of State Radio Communications, including its budget funds and FTE
8 allocation, is hereby transferred from the Office of the Attorney General to the Bureau of
9 Information and Telecommunications.

10 Section 2. That chapter 34-45 be amended by adding thereto a NEW SECTION to read as
11 follows:

12 The State of South Dakota shall by July 1, 2001, integrate telecommunications functions and
13 facilities of those state agencies, which currently operate their own systems, into one cohesive
14 and integrated network. These agencies currently include State Radio Communications; the
15 Bureau of Information and Telecommunications; the Division of Emergency Management in the
16 Department of Military and Veterans Affairs; Public Broadcasting in the Bureau of Information

1 and Telecommunications; the Department of Game, Fish and Parks; the Department of
2 Transportation; the Division of Forestry in the Department of Agriculture; and the Highway
3 Patrol in the Department of Commerce and Regulation. The Bureau of Information and
4 Telecommunications shall be responsible for development of a state agency integration plan by
5 November 1, 1999.

6 Section 3. That chapter 34-45 be amended by adding thereto a NEW SECTION to read as
7 follows:

8 The South Dakota 911 Coordinated Statewide System Task Force created pursuant to § 34-
9 45-18 is hereby continued and shall be expanded to include at least one representative from each
10 of the following groups: the South Dakota Chapter of the Association of Public Safety
11 Communication Officials, the South Dakota Chapter of National Emergency Numbers
12 Association, the South Dakota Emergency Management Association, the South Dakota
13 Emergency Medical Technicians Association, the South Dakota Firefighters Association, the
14 South Dakota Association of County Commissioners, the South Dakota Municipal League, the
15 South Dakota Police Chiefs Association, the South Dakota Sheriffs Association, and at least one
16 member from an operating public safety answering point system. The task force shall conduct
17 public hearings to develop and recommend standards for operation and utilization of public
18 safety answering points.

19 Section 4. That chapter 34-45 be amended by adding thereto a NEW SECTION to read as
20 follows:

21 The task force shall develop a set of minimum technical, operational, and procedural
22 standards for the operation and utilization of a public safety answering point.

23 Section 5. That chapter 34-45 be amended by adding thereto a NEW SECTION to read as
24 follows:

25 Each public safety answering point shall obtain a full audit report on 911 traffic from its

1 telephone service provider and provide that information to the task force for use in the
2 preparation of the standards. Each public safety answering point shall provide the audit report
3 to the task force no later than August 2, 1999.

4 Section 6. That chapter 34-45 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Beginning on the effective date of this Act, no new public safety answering points may be
7 established, unless they include two or more local government entities. Nothing in this section
8 prohibits an unserved area from contracting or joining with an existing public safety answering
9 point.

10 Section 7. That chapter 34-45 be amended by adding thereto a NEW SECTION to read as
11 follows:

12 The state may contract with any existing public safety answering point to provide emergency
13 services pursuant to the joint powers provisions of chapter 1-24.

14 Section 8. That § 1-13-1 be amended to read as follows:

15 1-13-1. ~~The attorney general is authorized and empowered to~~ Bureau of Information and
16 Telecommunications ~~may~~ purchase the necessary apparatus and equipment to construct or
17 establish a ~~radio~~ broadcasting station at the state capitol at Pierre, South Dakota, which
18 broadcasting station shall be used solely for the transmission of state business and information.
19 ~~The attorney general is further authorized and empowered to~~ bureau may also purchase low
20 ~~wave radio~~ receiving sets in such quantities as may be most economical ~~and to equip with low~~
21 ~~wave radio receiving sets all state-owned cars used by the agents in his department, such road~~
22 ~~maintainers as he shall determine advisable, the state penitentiary and such other places as may~~
23 ~~furnish to facilitate~~ the speedy transmission of messages and state information.

24 The ~~attorney general~~ bureau is charged with the operation and maintenance of ~~said radio~~ the
25 broadcasting station.

Section 9. That § 1-13-2 be amended to read as follows:

1-13-2. The ~~attorney general is hereby authorized and empowered to~~ Bureau of Information and Telecommunications may locate, construct, establish, equip and maintain such towers, repeater stations and subheadquarters as may be necessary, and for such purpose may acquire by purchase, lease or condemnation all necessary sites and locations in order to install, establish, and operate a state ~~radio~~ communications system as provided by this chapter.

Section 10. That § 1-13-3 be amended to read as follows:

1-13-3. The ~~attorney general is authorized to~~ Bureau of Information and Telecommunications may employ such ~~radio~~ operators and assistants and such ~~radio~~ equipment ~~as he may deem~~ necessary to carry out the provisions of this chapter. The costs of maintaining and the operation of a state ~~radio~~ communications system and all ~~short wave length radio~~ receiving sets owned or operated by the ~~department of the attorney general~~ bureau shall be paid out of the appropriation for ~~this division of such department~~ bureau.

Section 11. That § 1-13-5 be amended to read as follows:

1-13-5. The ~~attorney general is authorized and empowered to~~ Bureau of Information and Telecommunications may apply for, accept and expend on behalf of the state ~~radio~~ communications system any appropriations, grants, matching funds, or moneys allotted to the state of South Dakota by the federal government pursuant to any act of Congress of the United States. The funds so received by the state of South Dakota shall be administered and expended under the supervision of the ~~attorney general~~ bureau to purchase the necessary apparatus and equipment for new construction and equipment improvements in the state ~~radio~~ communications system. Such funds shall be deposited in the state treasury to be paid out on warrants drawn by the state auditor on vouchers approved by the ~~attorney general~~ commissioner of the bureau.

Section 12. That § 1-13-6 be amended to read as follows:

1-13-6. Each county within the state shall furnish to its sheriff and deputy sheriff a ~~short~~

1 ~~wave length radio~~ receiving set which shall be maintained at the expense of the county, and
2 which shall be paid for and shall be the property of the county. All automobiles used by police
3 officers of any municipality, whether publicly or privately owned, shall be equipped with ~~short~~
4 ~~wave length radio~~ receiving sets at the expense of such municipality. The ~~attorney general shall~~
5 ~~have the authority to~~ Bureau of Information and Telecommunications may sell to any county,
6 municipality ~~short wave length radio~~ receiving sets purchased by ~~his department as hereinbefore~~
7 ~~provided the bureau~~, without any profit to the state or to ~~his department~~ the bureau and the funds
8 received from such sale shall be credited by the state treasurer to the ~~department of the attorney~~
9 ~~general~~ bureau.

10 Section 13. That § 1-13-7 be amended to read as follows:

11 1-13-7. Every sheriff, deputy sheriff, police officer, or other person securing a ~~short wave~~
12 ~~length radio~~ receiving set under the provisions ~~hereof~~ of this chapter, shall make a report to the
13 ~~attorney general~~ Bureau of Information and Telecommunications at such times and containing
14 such information as ~~said attorney general~~ the bureau shall ~~by regulation require~~ require by rules
15 promulgated pursuant to chapter 1-26.

16 Section 14. That § 1-13-8 be amended to read as follows:

17 1-13-8. ~~It shall be the duty of the attorney general to~~ The Bureau of Information and
18 Telecommunications shall broadcast all police dispatches and reports submitted, which ~~in his~~
19 ~~opinion shall~~ have a reasonable relation to, or connection with, the apprehension of criminals,
20 the prevention of crime, or the maintenance of peace and order in the state. ~~He~~ The bureau shall
21 also broadcast any other statement or report upon request of any constitutional officer, or the
22 head of any state department, providing such message relates to state business.

1 **BILL HISTORY**

2 2/1/99 First read in House and referred to committee assignment waived. H.J. 286

3 2/2/99 Referred to State Affairs. H.J. 318

4 2/16/99 Scheduled for Committee hearing on this date.

5 2/16/99 State Affairs Do Pass Amended, Passed, AYES 13, NAYS 0. H.J. 559

6 2/19/99 House of Representatives Placed on Calendar. H.J. 645

7 2/22/99 House of Representatives Do Pass Amended, Failed, AYES 33, NAYS 35. H.J. 678

8 2/22/99 Intent to reconsider. H.J. 678

9 2/22/99 House of Representatives Reconsidered, AYES 43, NAYS 27. H.J. 682

10 2/22/99 House of Representatives Do Pass Amended, Passed, AYES 42, NAYS 28. H.J. 683

11 2/23/99 First read in Senate and referred to State Affairs. S.J. 645

12 2/26/99 Scheduled for Committee hearing on this date.

13 2/26/99 State Affairs Deferred to 41st legislative day, AYES 8, NAYS 1. S.J. 710

14 3/1/99 State Affairs Reconsidered, AYES 6, NAYS 1.

15 3/1/99 State Affairs Do Pass Amended, Passed, AYES 6, NAYS 1. S.J. 715

16 3/3/99 Motion to Amend, Passed.

17 3/3/99 Senate Do Pass Amended, Passed, AYES 26, NAYS 9.

18 3/3/99 Senate Title Amended Passed.