



Federal Communications Commission
Washington, D.C. 20554

Approved by OMB
3060-1122
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hours

Annual Collection of Information

Related to the Collection and Use of 911 and E911 Fees by States and Other Jurisdictions

Pursuant to OMB authorization 3060-1122 , the FCC’s Public Safety and Homeland Security Bureau seeks the following specific information in order to fulfill the Commission’s obligations under Section 6(f)(2) of the NET 911 Act:

A. Filing Information

1. Name of State or Jurisdiction

State or Jurisdiction
North Dakota

2. Name, Title and Organization of Individual Filing Report

Name	Title	Organization
Jason Horning	NG9-1-1 Program Mgr	Emergency Services Communications Coordinating Committee (ESC3)



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B. Overview of State or Jurisdiction 911 System

1. Please provide the total number of active Public Safety Answering Points (PSAPs) in your state or jurisdiction that receive funding derived from the collection of 911/E911 fees during the annual period ending December 31, 2014:

PSAP Type ¹	Total
Primary	22
Secondary	
Total	22

2. Please provide the total number of active telecommunicators² in your state or jurisdiction that were funded through the collection of 911 and E911 fees during the annual period ending December 31, 2014:

Number of Active Telecommunicators	Total
Full-Time	230
Part-time	

3. For the annual period ending December 31, 2014, please provide an estimate of the total cost to provide 911/E911 service in your state or jurisdiction.

¹ A Primary PSAP is one to which 911 calls are routed directly from the 911 Control office. A secondary PSAP is one to which 911 calls are transferred from a Primary PSAP. See National Emergency Number Association, Master Glossary of 9-1-1 Terminology (*Master Glossary*), July 29, 2014, at 118, 126, available at https://c.ymcdn.com/sites/www.nena.org/resource/resmgr/Standards/NENA-ADM-000.18-2014_2014072.pdf.

² A telecommunicator, also known as a call taker or a dispatcher, is a person employed by a PSAP who is qualified to answer incoming emergency telephone calls and/or who provides for the appropriate emergency response either directly or through communication with the appropriate PSAP. See *Master Glossary* at 137.



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Amount (\$)	16,029,376
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3a. If an amount cannot be provided, please explain why.

4. Please provide the total number of 911 calls your state or jurisdiction received during the period January 1, 2014 to December 31, 2014.

Type of Service	Total 911 Calls
Wireline	69190
Wireless	255386
VoIP	1618
Other	
Total	326,194

C. Description of Authority Enabling Establishment of 911/E911 Funding Mechanisms

1. Has your State, or any political subdivision, Indian tribe, village or regional corporation therein as defined by Section 6(f)(1) of the NET 911 Act, established a funding mechanism designated for or imposed for the purposes of 911 or E911 support or implementation (please include a citation to the legal authority for such mechanism)? *Check one.*

- Yes
- No



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1a. If yes, provide a citation to the legal authority for such a mechanism.

Chapter 57-40.6 of the North Dakota Century Code authorizes counties or cities to impose a fee (to be collected by all telecommunication companies) on a per communication device per month basis. The local governing board passes a resolution placing the question of the imposition of this fee on the ballot, upon approval of the electorate it goes into effect. In 2013, effective for CY2014, Chapter 57-40.6 was amended by the Legislature to require “point-of-sale” collection of a 2% gross receipts fee in-lieu of the “per device fee” for pre-paid wireless service only. The pre-paid fee revenue is centrally collected by the State Tax Department and remitted to a joint powers entity consisting of all local 911 jurisdictions for distribution or dedication to statewide 9-1-1 network costs.

1b. If yes, during the annual period January 1 - December 31, 2014, did your state or jurisdiction amend, enlarge, or in any way alter the funding mechanism.

Yes, Chapter 57-40.6 of the North Dakota Century Code was amended during the 63rd Legislative Assembly (2013-2014) to include a funding mechanism for fee collection of pre-paid wireless service at the “point of sale” (57-40.6-14). This legislation became effective January 1, 2014.

2. Which of the following best describes the type of authority arrangement for the collection of 911/E911 fees? *Check one.*

- The State collects the fees
- A Local Authority collects the fees
- A hybrid approach where two or more governing bodies
(e.g., state and local authority) collect the fees

3. Describe how the funds collected are made available to localities.



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As noted in “1a” above, the fees from landline, VoIP, and wireless monthly contracts are imposed by local jurisdictions and remitted by the phone companies directly to those jurisdictions (53 counties and 1 city). The Legislation authorizing the imposition of this fee also regulates the use of the fee revenue. Specifically 57-40.6-05 states that the revenue must be used *“solely for implementing, maintaining, or operating the emergency services communication system.”* Additionally 57-40.6-10 requires that jurisdictions receiving this fee revenue maintain the revenue in a separate fund and; *“ensure that fee proceeds collected under this chapter are expended in accordance with guidelines developed pursuant to section 57-40.6-12 and implement an accounting system sufficient to meet the requirements of section 57-40.6-05.”*

As noted in “1b” above, the pre-paid fee revenue is centrally collected by the State Tax Department and remitted to a joint powers entity consisting of all local 911 jurisdictions for distribution or dedication to statewide 9-1-1 network costs.

D. Description of State or Jurisdictional Authority That Determines How 911/E911 Fees are Spent

1. Indicate which entities in your state have the authority to approve the expenditure of funds collected for 911 or E911 purposes.		
Jurisdiction	Authority to Approve Expenditure of Funds <i>(Check one)</i>	
	Yes	No
State	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Local <i>(e.g., county, city, municipality)</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1b. Please briefly describe any limitations on the approval authority per jurisdiction (e.g., limited to fees collected by the entity, limited to wireline or wireless service, etc.)		



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The State Legislature has created a statutory body, the Emergency Services Communications Coordinating Committee (ESC3), charged with implementing and maintaining expenditure guidelines that detail what is, and is not, allowable under the broader statutory limitation. Each jurisdiction is mandated by 57-40.6-12 to submit a report to the statutory body on the revenues and expenditures related to this fee, and the guidelines and compiles the information for presentation to the Legislature Committee then reviews the reports against. In addition, if a local jurisdiction has a question about a particular expenditure that they don't feel is clearly addressed by the expenditure guidelines; the ESC3 will formally address the question with specific guidance.

2. Has your state established a funding mechanism that mandates *how* collected funds can be used? *Check one.*

- Yes
- No

2a. If you checked YES, provide a legal citation to the funding mechanism of any such criteria.

Each jurisdiction is mandated by 57-40.6-12 to submit a report to the statutory body (ESC3) on the revenues and expenditures related to this fee, and the Committee then reviews the reports against the guidelines and compiles the information for presentation to the Legislature.

2b. If you checked NO, describe how your state or jurisdiction decides how collected funds can be used.



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E. Description of Uses of Collected 911/E911 Fees

- 1. Provide a statement identifying with specificity all activities, programs, and organizations for whose benefit your state, or political subdivision thereof, has obligated or expended funds collected for 911 or E911 purposes and how these activities, programs, and organizations support 911 and E911 services or enhancements of such services.**

Funds are collected and expended locally to support the equipment, staffing, networking, and support services for their 911 public safety answering points. The reporting discussed in "1b" above is summarized biennially for the Legislature, illustrating how the funds generated by the fee authorized by state law have been used to support those PSAPs. This summary follows:

a. Dispatch Staffing/Dispatch Contracts	70%
b. Network Charges	11%
c. Equipment	12%
d. Other Network	3%
e. Other Phone	1%
f. Facility/Utilities/Other	3%



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2. Please identify the allowed uses of the collected funds. Check all that apply.			
Type of Cost		Yes	No
Operating Costs	Lease, purchase, maintenance of customer premises equipment (CPE) (hardware and software)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Lease, purchase, maintenance of computer aided dispatch (CAD) equipment (hardware and software)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Lease, purchase, maintenance of building/facility	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Personnel Costs	Telecommunicators' Salaries	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Training of Telecommunicators	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Administrative Costs	Program Administration	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Travel Expenses	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dispatch Costs	Reimbursement to other law enforcement entities providing dispatch	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	Lease, purchase, maintenance of Radio Dispatch Networks	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Grant Programs		<input type="checkbox"/> If Yes, see 2a.	<input checked="" type="checkbox"/>
2a. During the annual period ending December 31, 2014, describe the grants that your state paid for through the use of collected 911/E911 fees and the purpose of the grant.			



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F. Description of 911/E911 Fees Collected

1. Please describe the amount of the fees or charges imposed for the implementation and support of 911 and E911 services. Please distinguish between state and local fees for each service type.		
Service Type	Fee/Charge Imposed	Jurisdiction Receiving Remittance (e.g., state, county, local authority, or a combination)
Wireline	\$1.00-\$1.50	Local Government (Typically a County)
Wireless	\$1.00-\$1.50	Local Government (Typically a County)
Prepaid Wireless	2% of gross receipts @ point of sale	Office of State Tax Commissioner
Voice Over Internet Protocol (VoIP)	\$1.00-\$1.50	Local Government (Typically a County)
Other	N/A	N/A

2. For the annual period ending December 31, 2014, please report the total amount collected pursuant to the assessed fees or charges described in Question F 1.

Service Type	Total Amount Collected (\$)
Wireline	\$9,998,322
Wireless	



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Voice Over Internet Protocol	
Prepaid Wireless	\$339,585
Other	
Total	\$10,337,907

2a. If an amount cannot be provided, please explain why.

3. Please identify any other sources of 911/E911 funding.

Local city or county property taxes.

Question	Yes	No
<p>4. For the annual period ending December 31, 2014, were any 911/E911 fees that were collected by your state or jurisdiction combined with any federal, state or local funds, grants, special collections, or general budget appropriations that were designated to support 911/E911/NG911 services? Check one.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>4a. If Yes, please describe the federal, state or local funds and amounts that were combined with 911/E911 fees.</p>		
<p>Prepaid wireless revenue collected by the Office of State Tax Commissioner are combined with a percentage of the fee revenue collected locally to cover expenses associated with the state's transition to NG9-1-1.</p>		



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5. Please provide an estimate of the proportional contribution from each funding source towards the total cost to support 911 in your state or jurisdiction.	Percent
State 911 Fees	2%
Local 911 Fees	62%
General Fund - State	0%
General Fund - County	36%
Federal Grants	0%
State Grants	0%



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G. Description of Diversion or Transfer of 911/E911 Fees for Other Uses

Question		Yes	No
1. In the annual period ending December 31, 2014, were funds collected for 911 or E911 purposes in your state or jurisdiction made available or used solely for purposes designated by the funding mechanism identified in Question 5? <i>Check one.</i>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
1a. If No, please identify what amount of funds collected for 911 or E911 purposes were made available or used for any purposes other than the ones designated by the funding mechanism or used for purposes otherwise unrelated to 911 or E911 implementation or support, including any funds transferred, loaned, or otherwise used for the state's general fund. Along with identifying the amount, please include a statement identifying the non-related purposes for which the collected 911 or E911 funds were made available or used.			
Amount of Funds (\$)	Identify the non-related purpose(s) for which the 911/E911 funds were used. <i>(Add lines as necessary)</i>		



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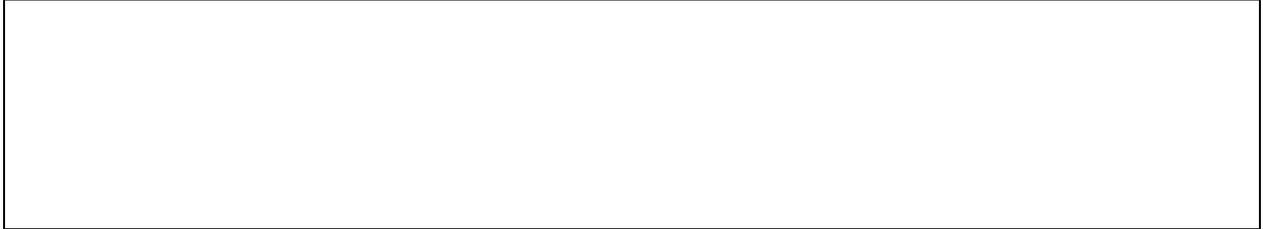
H. Oversight and Auditing of Collection and Use of 911/E911 Fees

Question	Yes	No
1. Has your state established any oversight or auditing mechanisms or procedures to determine whether collected funds have been made available or used for the purposes designated by the funding mechanism or otherwise used to implement or support 911? Check one.	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1a. If yes, provide a description of the mechanisms or procedures and any enforcement or other corrective actions undertaken in connection with such auditing authority, for the annual period ending December 31, 2014. (Enter "None" if no actions were taken.)		
None, no actions taken.		

Question	Yes	No
2. Does your state have the authority to audit service providers to ensure that the amount of 911/E911 fees collected from subscribers matches the service provider's number of subscribers? Check one.	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2a. If yes, provide a description of any auditing or enforcement or other corrective actions undertaken in connection with such auditing authority, for the annual period ending December 31, 2014. (Enter "None" if no actions were taken.)		



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I. Description of Next Generation 911 Services and Expenditures

Question	Yes	No
1. Does your state or jurisdiction classify expenditures on Next Generation 911 as within the scope of permissible expenditures of funds for 911 or E911 purposes? <i>Check one.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
1a. If yes, in the space below, please cite any specific legal authority:		
<p>Chapter 57-40.6 of the North Dakota Century Code authorizes counties or cities to impose a fee for “solely for implementing, maintaining, or operating the emergency services communication system.” Additionally, specific guidelines are set forth by the ESC3 as mentioned in “1b”. As defined within the statute, a component of the emergency services communication system is the “911 system”. The statutorily language was amended in 2015 to refer to a 911 system as “a set of networks, software applications, databases, call answering components, and operations and management procedures required to provide 911 services.” In so doing, the statute no longer refers to specific types of 911 systems (i.e. basic 911, enhanced 911, next generation 911, etc.) within the aforementioned chapter.</p>		

Question	Yes	No
2. In the annual period ending December 31, 2014, has your state or jurisdiction expended funds on Next Generation 911 programs? <i>Check one.</i>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2a. If yes, in the space below, please enter the dollar amount that has been expended.		
Amount (\$)	\$255,750	



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3. For the annual period ending December 31, 2014, please describe the type and number of NG911 Emergency Service IP Network(s) (ESInets) that operated within your state.					
Type of ESInet	Yes	No	If Yes, Enter Total PSAPs Operating on the ESInet	If Yes, does the type of ESInet interconnect with other state, regional or local ESInets?	
				Yes	No
a. A single, state-wide ESInet	<input checked="" type="checkbox"/>	<input type="checkbox"/>	3	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Local (e.g., county) ESInet	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input type="checkbox"/>	<input type="checkbox"/>
c. Regional ESInets	<input type="checkbox"/>	<input checked="" type="checkbox"/>	[If more than one Regional ESInet is in operation, in the space below, provide the total PSAPs operating on each ESInet]	<input type="checkbox"/>	<input type="checkbox"/>
Name of Regional ESInet:				<input type="checkbox"/>	<input type="checkbox"/>



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Name of Regional ESInet:		<input type="checkbox"/>	<input type="checkbox"/>
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4. Please provide a description of any NG911 projects completed or underway during the annual period ending December 31, 2014.

Work in progress on deployment of ESInet connectivity to all of the state’s 22 PSAPs. As of 6/18/2015 15 of 22 PSAPs in the state have been connected to the ESInet. Ongoing development of GIS/MSAG records and removal of a certain number of non-selectively routed originating circuits is presently governing the deployment of ESInet connectivity to 3 of the remaining 7 PSAPs with 4 PSAPs either in the process of moving their CPE location or working to meet ESInet network connectivity prerequisites.

Question	Total PSAPs Accepting Texts
5. During the annual period ending December 31, 2014, how many PSAPs within your state implemented text-to-911 and are accepting texts?	0
Question	Estimated Number of PSAPs that will Become Text Capable
6. In the next annual period ending December 31, 2014, how many PSAPs do you anticipate will become text capable?	5 1 will cover texts for all PSAPs currently not text capable.



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J. Description of Cybersecurity Expenditures

Question	Check the appropriate box		If Yes, Amount Expended (\$)
1. During the annual period ending December 31, 2014, did your state expend funds on cybersecurity programs for PSAPs?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	

Question	Total PSAPs
2. During the annual period ending December 31, 2014, how many PSAPs in your state either implemented a cyber security program or participated in a regional or state-run cyber security program?	N/A

Question	Yes	No	Unknown
3. Does your state or jurisdiction adhere to the National Institute of Standards and Technology <i>Framework for Improving Critical Infrastructure Cybersecurity</i> (February 2014) for networks supporting one or more PSAPs in your state or jurisdiction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



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K. Measuring Effective Utilization of 911/E911 Fees

- 1. Please provide an assessment of the effects achieved from the expenditure of state 911/E911 or NG911 funds, including any criteria your state or jurisdiction uses to measure the effectiveness of the use of 911/E911 fees and charges. If your state conducts annual or other periodic assessments, please provide an electronic copy (*e.g.*, Word, PDF) of the latest such report upon submission of this questionnaire to the FCC or provide links to online versions of such reports in the space below.**

See:

http://www.ndaco.org/image/cache/Leg_Report_2016_V1.doc