

RESOLUTION NO. 10-0409

SUPPORTING 911 PHONE SURCHARGE LEGISLATION

WHEREAS, Wisconsin state statute provides for the phone companies (landline) to *bill and keep* 9-1-1 surcharge fees and use those dollars to provide the infrastructure needed to get landline 9-1-1 calls to the 9-1-1 center (PSAP). No county or municipality receives any of these funds or equipment in their PSAP from the phone companies.

WHEREAS, The recent wireless legislation sunset in November of 2008 and provided “implementation” funds for county PSAPs to begin answering wireless 9-1-1 calls with location data. Currently, the counties are now responsible for the on-going costs associated with wireless 9-1-1 calls because this equipment is not covered under the landline legislation.

WHEREAS, The intent of this proposed “new” legislation is to replace the existing legislation and better reflect current and future technology, as well as address the expectations of the state’s citizens and public safety agencies when 9-1-1 is used to summon assistance. The existing state statute regarding 9-1-1 needs to be updated in order to provide for **technology neutral legislation** that will include a methodology to meet those expectations while providing for standards and a funding source that will meet today’s public safety needs and carry the state into the future.

WHEREAS, Specifically, this legislation will cover certain personnel and equipment/services inside the Designated Primary PSAP and certain LEC costs for the remaining Authorized PSAPs in each county in order to hold them harmless, and follows the same concept that the recent wireless legislation did. It also takes into consideration recent federal legislation designed to prevent raids on 9-1-1 funds, specifically:

WHEREAS, As a result of past state actions (not Wisconsin) to divert 9-1-1 funds for other purposes Congress made it clear that states are ineligible for federal 9-1-1 grant money if the state spends 9-1-1 fees for unintended purposes through adoption of the ENHANCED 911 Act of 2004 (Pub. Law 108-494).

WHEREAS, The NET 911 Improvement Act Of 2008 (Pub. Law 110-283) highlights the need to keep 9-1-1 fees protected for their intended purpose, and makes it clear that states and local governments have the authority to impose 9-1-1 fees on wireless and voice over-IP (VoIP) providers only if the fees are used for their intended purpose.

WHEREAS, The intent of this legislation is to better reflect current and future technology as well as address the expectations of the state’s citizens and public safety agencies when 9-1-1 is used to summon assistance. The current state statute regarding 9-1-1 needs to be updated in order to provide for **technology neutral legislation** that will include a methodology to meet those expectations while providing for standards and a funding source that will meet today’s public safety needs and carry the state into the future.

WHEREAS, this legislation will:

- Be technology neutral so that any device that can access 9-1-1 is treated equally concerning standards and surcharge amount.
- Give some relief to the state’s property taxpayers and help pay for the state’s 9-1-1 systems by having the “user” help pay the costs.
- Provide a method for 9-1-1 Public Safety Answering Points (PSAPs) and service providers to recover their costs.

- Provide standards for 9-1-1 PSAPs and providers to meet.
- Allow the 9-1-1 systems to better meet the expectations of the public by providing a financial incentive for better-trained first responders (the dispatchers).
- Allow the 9-1-1 PSAPs access to the latest technology and a financial incentive to take advantage of that technology.
- Continue the legislative intent on one wireless 9-1-1 PSAP per county while not increasing costs to any existing 9-1-1 centers that just handle landline 9-1-1, and continue the grant concept for PSAPs to recover their approved expenditures.
- Provide for a surcharge on any device that can access 9-1-1 that has a cap, and provides a revenue source for the provider and the State to manage the collection and distribution of those funds.

WHEREA, this legislation will cover certain personnel and equipment/services inside the Designated PSAP and certain LEC costs for the remaining Authorized PSAPs in each county in order to hold them harmless:

- Personnel training costs for call takers and dispatchers
- Equipment purchases and maintenance of equipment within the PSAP
- Phone systems that handle landline, wireless, VoIP, and new technologies
- Voice and Instant recorders used by call takers and dispatchers
- CAD/Computer systems used in the receipt and dispatch of emergency calls
- GIS functions needed in mapping and dispatching of police, fire, and EMS calls for service
- Radios and consoles used by dispatchers in the PSAP
- Security needs for the PSAP and their employees
- Local Exchange Carriers (LEC's) charges and 9-1-1 PSAP trunk, line and data maintenance costs of both the Designated and Authorized PSAPs within a county system and their MSAG provider.
- Surcharge collection and the distribution of those funds will follow the same concept used in the Enhanced Wireless 9-1-1 program that very successfully provided the tools needed by public safety in the "implementation" of wireless 9-1-1 in this state, and caps the surcharge at 75 cents.

NOW THEREFORE, BE IT RESOLVED, by The Iowa County Board of Supervisors, respectfully requests the Wisconsin State Legislature enact a comprehensive 911 Phone Surcharge legislation as described herein that will greatly improve the Iowa County Emergency Dispatch operation in a number of ways; and

BE IT FURTHER RESOLVED that the County Clerk forward a copy of this resolution to the Governor of the State of Wisconsin, Majority Leader of the Wisconsin State Senate, the Speaker of the Wisconsin State Assembly, Assembly member Steve Hilgenberg, State Senator Dale Schultz and the Wisconsin Counties Association.

Dated this 21st day of April 2009.

Respectfully submitted by the Iowa County Administrative Services Committee: