

RESOLUTION 93-39

WHEREAS the 911 Operations and Maintenance Fund has carried forward cash from 1991/92 to 1992/93. Per Florida Statutes 365.171(13)(a)(3) up to 10% of the 911 fee billed in the previous year can be carried forward for capital purchases.

WHEREAS these revenues were not anticipated in the 1992/93 budget for the 911 Operations and Maintenance Fund.

BE IT THEREFORE resolved by the Board of County Commissioners, Nassau County, Florida in regular session, duly assembled on the 23rd day of November, 1992, the following budget amendment pursuant to Florida Statutes Chapter 129.06(2)(d) be adopted:

REVENUE

117-399-999-901	Balance Fwd-Cash	\$ 7,250
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APPROPRIATION

117-999-99-201	Reserve for Capital Outlay	\$ 7,250
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ADOPTED this 23rd day of November, 1992.

ATTEST:


EX-OFFICIO CLERK


CHAIRMAN

NCBCC

Cash Fund - 971 ops + maint
9/30/92

Date 11/10/92	Prepared By g	Work Paper No. P
	Reviewed By	

	1	2
1		
2	Designated Cash Fund	P-2 725016
3	for equipment perf 5,365.17(B)(2)(3)	
4	117-399-999-901 res.	
5	117-999-99-201 res. for cap. outlay	
6		
7		
8	Undesignated	<u>0</u>
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11	Total cash fund	<u>725016</u>
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BA
 11/10/92
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NCBCC

Cash Ewd - Designated

9/30/92

Date	Prepared By	Work Paper No.
	Reviewed By	P-2

1 2

Equipment F.S. 365,171 (13)(6)(3) P-2/1

carryover from 90/91 to 91/92

138761

Equipment Expenses 91/92:

o/c 117-122-64-10 Equipment P-2/3
 -117-122-71-201 Principal
 117-122-72-201 interest

125688
 184658
 6142

616688

90/91 to 91/92 carryover to 92/93 for equipment

22073

carryover from 91/92 to 92/93 (plug)

72943

total carried fwd for capital improvement
 (max 10% of 91/92 revenue of 124,730.52 - o/c 117-342-400-101 which is 12,473.05)

725016

CHAPTER 91-100

House Bill No. 1223

An act relating to the "911" emergency telephone system; amending s. 365.171, F.S.; revising provisions relating to the "911" fee; deleting the requirement for annual approval of a county's recurring fee by the Division of Communications; specifying that a fund be established exclusively for "911" fee revenues and expenditures; requiring that moneys in the fund be used only for specified purposes; requiring an annual financial audit of the fund; providing for carry over of funds; specifying those costs which are eligible for expenditure of "911" fee revenues, including costs for two county positions; prohibiting certain expenditures; establishing legislative goal for the expenditure of fees; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (13) of section 365.171, Florida Statutes, 1990 Supplement, is amended to read:

365.171 Emergency telephone number "911."—

(13) "911" FEE.—

(a) Following approval by referendum as set forth in paragraph (b), or following approval by a majority vote of its board of county commissioners, ~~a county may impose any county incurring recurring or nonrecurring charges for the initial provision or subsequent addition of "911" service features and/or Public Safety Answering Point (PSAP) equipment, as defined in the Florida Public Service Commission's lawfully approved "911" and related tariffs and/or "911" equipment, including ANI controllers, ALI controller, ANI display, ALI display, key equipment, teleprinters, automatic call distributors (ACD), ALI data base information, logging recorders, and instant playback recorders, and recurring charges for the operation and maintenance of such service and equipment, may obtain payment for said service and equipment by imposing a "911" fee to be paid by the local exchange subscribers within its boundaries served by the "911" service. Proceeds from the "911" fee shall be used only for "911" expenditures as set forth in subparagraph 6. The county must submit to the Division of Communications for approval its proposed recurring "911" fee on an annual basis. The manner of imposing and collecting said payment shall be as follows:~~

1. ~~At the request of the county subscribing to "911" service, the telephone company shall spread the payment of the nonrecurring charges for the "911" service and equipment over a period not to exceed 36 months and shall spread the payment of the recurring charges for operation and maintenance of such service and equipment over such period as the "911" service is in operation. Pursuant to such request, the telephone company shall, insofar as is practicable, bill the "911" fee said nonrecurring and recurring charges pro rata to the local exchange subscribers served by the "911" service, on an individual access line basis, at a rate not to exceed 50 cents per month per line (up to a maximum of 25 access lines per account~~

bill rendered) for nonrecurring charges and recurring charges, but in no event shall the total recurring monthly fee exceed the total recurring charges for operation and maintenance of the "911" service features and/or PSAP equipment, as defined in the Florida Public Service Commission's lawfully approved "911" and related tariffs and/or "911" equipment as described in this paragraph. In no case shall the fee collected, for either nonrecurring or recurring charges, or a combination of the two, exceed 50 cents per month per line. A county collecting the fee for the first time may collect the fee for no longer than 36 months without initiating the acquisition of its "911" equipment.

2. Fees collected by the telephone company pursuant to subparagraph 1. shall be returned to the county, less the costs of administration retained pursuant to paragraph (c), for the operation and maintenance of a "911" system. The county shall provide a minimum of 90 days' written notice to the telephone company prior to the collection of any recurring or nonrecurring "911" fees.

3. Any county that currently has an operational "911" system or that is actively pursuing the implementation of a "911" system shall establish a fund to be used exclusively for receipt and expenditure of "911" fee revenues collected pursuant to this section separate audit account specifically for the deposit of funds or fees related to the "911" system. All recurring and nonrecurring fees placed in said fund, and any interest accrued thereupon, account shall be used solely only for "911" costs described in subparagraph 6. The money collected and interest earned in this fund shall be appropriated for "911" purposes by the county commissioners and incorporated into the annual county budget. The county shall annually have a financial audit performed on this fund in accordance with s. 11.45. A report of the audit shall be forwarded to the Division of Communications within 60 days of its completion. A county may carry forward on an annual basis unspent moneys in the fund for expenditures allowed by this section, or it may reduce its fee. However, in no event shall a county carry forward more than 10 percent of the "911" fee billed for the prior year. The amount of moneys carried forward each year may be accumulated in order to allow for capital improvements described in this subsection. The carryover shall be documented by resolution of the board of county commissioners expressing the purpose of the carryover or by an adopted capital improvement program identifying projected expansion or replacement expenditures for "911" equipment and service features, or both. In no event shall the "911" fee carryover surplus moneys be used for any purpose other than for the "911" equipment, service features, and installation charges authorized in subparagraph 6. Nothing in this section shall prohibit a county from using other sources of revenue for improvements, replacements, or expansions of its "911" system. A county may increase its fee for purposes authorized in this section. However, in no case shall the fee exceed 50 cents per month per line. All current "911" fees shall be reported to the Division of Communications within 30 days of the start of each county's fiscal period. Any fee adjustment made by a county shall be reported to the Division of Communications. A county shall give the telephone company a 90-day written notice of such fee adjustment, service features and/or PSAP equipment, as defined in the Florida Public Service Commission's lawfully approved "911" and related tariffs and/or "911" equipment as described in this paragraph. On an annual basis, as established by the Division of Communications of the Department of General Services, the county shall determine if there is a deficit or surplus maintained in said account. If there is a surplus or a deficit, the county shall adjust the monthly "911" fee in order to eliminate the surplus or deficit from said account by the end

of the following 12-month period, provided that such adjusted fee shall not exceed the allowable rate as provided in subparagraph 1. The amount of such fee adjustment shall be reported to the Division of Communications as part of the budgetary information supporting the proposed "911" fee for each succeeding year.

4. The telephone company shall have no obligation to take any legal action to enforce collection of the "911" fee. The telephone company shall provide quarterly to the county a list of the names, addresses, and telephone numbers of any and all subscribers who have identified to the telephone company their refusal to pay the "911" fee.

5. The county subscribing to "911" service shall remain liable ultimately responsible to the telephone company for any all "911" service, equipment, operation, or and maintenance charge owed by the county to the telephone company charges.

As used in this paragraph, "telephone company" means an exchange telephone service provider of "911" service or equipment to any county within its certificated area.

6. It is the intent of the Legislature that the "911" fee authorized by this section to be imposed by counties will not necessarily provide the total funding required for establishing or providing the "911" service. For purposes of this section, "911" service includes the functions of data base management, call taking, location verification, and call transfer. The following costs directly attributable to the establishment and/or provision of "911" service are eligible for expenditure of moneys derived from imposition of the "911" fee authorized by this section: The acquisition, implementation, and maintenance of Public Safety Answering Point (PSAP) equipment and "911" service features, as defined in the Florida Public Service Commission's lawfully approved "911" and related tariffs and/or the acquisition, installation, and maintenance of other "911" equipment, including call answering equipment, call transfer equipment, ANI controllers, ALI controllers, ANI displays, ALI displays, station instruments, "911" telecommunications systems, teleprinters, logging recorders, instant playback recorders, telephone devices for the deaf (TDD) used in the "911" system, PSAP back-up power systems, consoles, automatic call distributors, and interfaces (hardware and software) for computer-aided dispatch (CAD) systems; salary and associated expenses for "911" call takers for that portion of their time spent taking and transferring "911" calls; salary and associated expenses for a county to employ a full-time equivalent "911" coordinator position and a full-time equivalent staff assistant position per county for the portion of their time spent administrating the "911" system; training costs for PSAP call takers in the proper methods and techniques used in taking and transferring "911" calls; and expenses required to develop and maintain all information (ALI and ANI data bases and other information source repositories) necessary to properly inform call takers as to location address, type of emergency, and other information directly relevant to the "911" call-taking and transferring function. The "911" fee revenues shall not be used to pay for any item not listed, including, but not limited to, any capital or operational costs for emergency responses which occur after the call transfer to the responding public safety entity and the costs for constructing buildings, leasing buildings, maintaining buildings, or renovating buildings, except for those building modifications necessary to maintain the security and environmental integrity of the PSAP and "911" equipment rooms.

7. It is the goal of the Legislature that enhanced "911" service be available throughout the state. Expenditure by counties of the "911" fees authorized by this section should support this goal to the greatest extent feasible within the context of local service needs and fiscal capability. Nothing in this section shall be construed to prohibit two or more counties from establishing a combined emergency "911" telephone service by interlocal agreement and utilizing the "911" fees authorized by this section for such combined "911" service.

(b) If a county elects to obtain approval of a "911" fee by referendum, it shall arrange to place a question on the ballot at the next regular or special election to be held within the county, substantially as follows:

.... I am in favor of the "911" emergency telephone system fee.

.... I am against the "911" emergency telephone system fee.

If a majority of the electors voting on the question approve the fee, it may be imposed by the county.

(c) Any county imposing a "911" fee in accordance with the provisions of this subsection shall allow the telephone company to retain as an administrative fee an amount equal to 1 percent of the total "911" fee collected by the telephone company.

Section 2. This act shall take effect October 1, 1991.

Approved by the Governor May 24, 1991.

Filed in Office Secretary of State May 24, 1991.

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