

P.A. 32 COMPLIANCE REVIEW

(updated as of 6/2/10)

Authority

484.1401b Additional charge assessed by county board of commissioners; method; limitation; ...

Sec. 401b. (1) In addition to the charge allowed under section 401a, after June 30, 2008 a county board of commissioners may assess a county 9-1-1 charge to service users located within that county by 1 of the following methods:

(a) Up to \$0.42 per month by resolution.

(b) Up to \$3.00 per month with the approval of the voters in the county.

(c) Any combination of subdivisions (a) and (b) with a maximum county 9-1-1 charge of \$3.00 per month.

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(3) The charge assessed under this section and section 401e shall not exceed the amount necessary and reasonable to implement, maintain, and operate the 9-1-1 system in the county.

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(14) A county 9-1-1 charge assessed under subsection (1) shall be used only to fund costs approved as allowable in a published report by the committee prior to December 1, 2008...

484.1406 Expenditure of funds; accounting, auditing, monitoring, and evaluation procedures provided by PSAP or secondary PSAP; annual audit; authorization or expenditure of increase in charges; receipt of 9-1-1 fund.

Sec. 406. (1) The funds collected and expended under this act shall be expended exclusively for 9-1-1 services and in compliance with the rules promulgated under section 413.

(2) Each PSAP or secondary PSAP shall assure that fund accounting, auditing, monitoring and evaluation procedures are provided as required by this act and the rules promulgated under this act.

(3) An annual audit shall be conducted by an independent auditor using generally accepted accounting principles and copies of the annual audit shall be made available for public inspection.

(4) An increase in the charges allowed under this act shall not be authorized or expended for the next fiscal year unless according to the most recently completed annual audit the expenditures are in compliance with this act.

(5) The receipt of 9-1-1 funds under this act is dependent on compliance with the standards established by the commission under section 413.

484.1408 Collection of service charge by CMRS supplier;...rules to establish standards for receipt and expenditure of funds.

Sec.408 (4) Except as otherwise provided under section 401a(5), all money collected and deposited in the emergency 9-1-1 fund created in section 407 shall be distributed as follows:

(a) 82.5% shall be disbursed to each county that has a final 9-1-1 plan in place. Forty percent of the 82.5% shall be distributed quarterly on an equal basis to each county, and 60% of the 82.5% shall be distributed quarterly based on a population per capita basis. Money received by a county under this subdivision shall only be used for 9-1-1 services as allowed under this act. Money expended under this subdivision for a purpose considered unnecessary or unreasonable by the committee or the auditor general shall be repaid to the fund.

(c) 6.0% shall be available to PSAPs for training personnel assigned to 9-1-1 centers. A written request for money from the fund shall be made by a public safety agency or county to the committee. The committee shall semiannually authorize distribution of money from the fund to eligible public safety agencies or counties. A public safety agency or county that receives money under this subdivision shall create, maintain, and make available to the committee upon request a detailed record of expenditures relating to the preparation, administration, and carrying out of activities of its 9-1-1 training program. Money expended by an eligible public safety agency or county for a purpose considered unnecessary or unreasonable by the committee or the auditor general shall be repaid to the fund. The commission shall consult with and consider the recommendations of the committee in the promulgation of rules under section 413 establishing training standards for 9-1-1 system personnel. Money shall be disbursed on a biannual basis to an eligible public safety agency or county for training of PSAP personnel through courses certified by the committee only for either of the following purposes:

- (i) To provide basic 9-1-1 operations training.
- (ii) To provide in-service training to employees engaged in 9-1-1 service.

484.1413 Rules

Sec. 413 (1) The commission may promulgate rules to establish 1 or more of the following:

(a) Uniform procedures, policies, and protocols governing 9-1-1 services in counties and PSAPs in this state.

(b) Standards for the training of PSAP personnel.

(c) Uniform procedures, policies, and standards for the receipt and expenditure of 9-1-1 funds under sections 401a, 401b, 401c, 401d, 401e, 406, and 408.

(d) The requirements for multiline telephone systems under section 405.

(e) The penalties and remedies for violations of this act and the rules promulgated under this act.

(2) The commission shall consult with and consider the recommendations of the committee in the promulgation of rules under this section.

(3) The commission's rule-making authority is limited to that expressly granted under this section.

(4) The rules promulgated under this section do not apply to service suppliers.

484.1601 Technical assistance and assistance in resolving dispute.

Sec. 601. The emergency 9-1-1 service committee created in section 712, upon request by a service supplier, county, public agency, or public service agency, shall provide, to the extent possible, technical assistance regarding the formulation or implementation, or both, of a 9-1-1 service plan and assistance in resolving a dispute between or among a service supplier, county, public agency, or public safety agency regarding their respective rights and duties under this act.

484.1602 Development of voluntary informal dispute resolution process; hearing dispute as contested case.

Sec. 602. (1) The committee shall develop a voluntary informal dispute resolution process that can be utilized by any party in resolving any dispute involving the formulation, implementation, delivery, and funding of 9-1-1 services in this state.

(2) Except for a dispute between a commercial mobile radio service and a local exchange provider as defined under section 408, a dispute between or among 1 or more service suppliers, counties, public agencies, public service agencies, or any combination of those entities regarding their respective rights and duties under this act shall be heard as a contested case before the public service commission as provided in the administrative procedures act of 1969, 1969 PA 306, MCL 24.201 to 24.328.

484.1712 Emergency 9-1-1 service committee; creation; purpose.

Sec. 712. An emergency 9-1-1 service committee is created within the department of state police to develop statewide standards and model system considerations and make other recommendations for emergency telephone services. The committee shall only have the authority and duties granted to the committee under this act.

484.1714 Duties of committee; staff assistance

Sec. 714 (1) The committee shall do the following:

(d) Provide recommendations to public safety answering points and secondary public safety answering points on statewide technical and operational standards for PSAPs and secondary PSAPs.

(e) Provide recommendations to public agencies concerning model systems to be considered in preparing a 9-1-1-service plan.

(f) Perform all duties as required under this act relating to the development, implementation, operation, and funding of 9-1-1 systems in this state.

(2) The department of state police and the public service commission shall provide staff assistance to the committee as necessary to carry out the committee's duties under this act.

Purpose

1. Insure counties/PSAPs are in compliance with P.A. 32.
2. Validate/dispel allegations of questionable practices.
3. Make recommendations for operational improvement when indicated.

Review Criteria

For cause reviews may be initiated based on reasonable suspicion of questionable practices. Reasonable suspicion is defined as objective and specific facts that are capable of being articulated.

Random reviews will be conducted as determined by the State 9-1-1 Committee (SNC) for the following reasons (through the Certification Subcommittee):

1. To develop best practices regarding the implementation of 9-1-1 services and on-going operational processes.
2. Assure compliance with the emergency services order and this act.

By request reviews are reviews that are requested through a county's chief administrative official, chair of an emergency telephone district board, or other appropriate authority. These reviews may be conducted as deemed appropriate by the SNC's direction.

Process

1. Notify county/PSAP in writing of intent to review.
2. Identify area(s) to be reviewed (i.e.; training funds, wireless surcharge, wireline surcharge, other).
3. Identify time frame the review will cover (i.e.; calendar year, fiscal year, etc.)
4. Request copies of documents for review by SNC prior to an on-site visit.
5. Answer questions, provide additional documentation and/or make available individuals who the SNC desires to speak with regarding the review.

Findings/Recommendations

1. Findings shall be reduced to writing.
2. A preliminary copy will be made available to the county/PSAP for review prior to presentation to the full SNC.
3. Revise written findings as needed and present to the SNC.
4. Make final report available to the county/PSAP along with any recommendations for improvement.
5. Refer any suspected violations of law to an appropriate authority.