A1705202
May 25, 2017

TO THE HONORABLE BOARD OF COMMISSIONERS OF BERRIEN COUNTY, MICHIGAN: Your County Administration Committee respectfully recommends the adoption of the following:

RESOLUTION

WHEREAS, Michigan House Bill 4651 and Senate Bill 400 have been introduced in the Michigan Legislature, which would amend Public Act 32 of 1986 entitled the "Emergency Telephone Service Enabling Act"; and

WHEREAS, these bills would amend the funding system for 9-1-1 so that all communication devices that have access to 9-1-1, including prepaid wireless devices, contribute equally to the funding of 9-1-1 operations; and

WHEREAS, these bills provide a stable funding source for the counties to support their migration to Next Generation 9-1-1 and ongoing operational levels of service for 9-1-1 to its residents; and

WHEREAS, these bills afford the State and Counties collecting 9-1-1 fees a mechanism for court action should any service providers fail to collect and remit the fees; and

WHEREAS, these bills have a mechanism that provides the necessary checks and balances to ensure revenues generated are used for authorized expenditures for 9-1-1 services; and

WHEREAS, these authorized expenditures are limited to those directly related to receiving and processing 9-1-1 calls and the subsequent dispatching of responders via a public safety radio; and

WHEREAS, such limitation of expenditures has historically met the criteria established through the courts to define 9-1-1 surcharge as a fee for service directly related to telephone services; and

WHEREAS, any attempt to amend House Bill 4651 and Senate Bill 400 for other State of Michigan general fund purposes not directly related to 9-1-1 may not meet the criteria of a fee for service and could be viewed as a tax increase for the residents of Berrien County.

NOW, THEREFORE, BE IT HEREBY RESOLVED, that the Berrien County Board of Commissioners does hereby offer our support of House Bill 4651 and Senate Bill 400 as introduced.

BE IT FURTHER RESOLVED that the Berrien County Board of Commissioners opposes amending House Bill 4651and Senate Bill 400 to include any additional State of Michigan taxes on telephone service customers under the guise of 9-1-1 surcharge.

BE IT FURTHER RESOLVED that copies of this resolution shall be forwarded to Governor Richard Snyder and all Senators and Representatives serving Berrien County.

Respectfully submitted,
BERRIEN COUNTY ADMINISTRATION COMMITTEE

R. McKinley Elliott, Chairman

William J. Chickering, Vice-Chairman

Ezra A. Scott

Jeanette Leahey

RESOLUTION APPROVED AS TO FORM
Administrator LW Date 5/27/17