

LEGISLATIVE BRIEF: 911 FUNDS

2009-10 legislative goal

- **E-911 Funds** – Support legislation to preserve county revenue from E-911 charges and allow counties greater flexibility in the use of the funds; and restructure the 911 Board created by G.S. 62A-41 to add additional local government representation.

Background

North Carolina's counties have asked the Legislature, over a number of years, for greater flexibility in allowed uses of E-911 fees. Expanding the use of these funds has been the top Justice and Public Safety goal of the North Carolina Association of County Commissioners since 1995. These funds can only be used for equipment to answer the call, not to process the call or to ensure emergency aid is received.

Citizens pay the 70 cent (60 cents beginning July 1, 2010) monthly E-911 fee, but restrictions on fee use limit the benefit they should derive from their investment. While the current statewide fee of 70 cents per calling device could support more comprehensive technology to improve emergency response, the limited use of fee revenues is leading to an aging and outdated emergency communications system.

Prior to 2007, cities and counties were allowed to set their own 911 service charges for landline phones, while there was a statewide charge of 80 cents per month for wireless phones. The charges for the land lines varied greatly across the state, from 25 cents per month (Wake County) to \$3 (Washington County).

In 2007, the General Assembly voted to do away with local 911 service charges and to combine the wireless and land line charges, and instituted a statewide fee of 70 cents per month. The General Assembly eliminated the Wireless 911 Board and expanded the 911 Board. The 911 Board is charged with overseeing the distribution of the fees back to the Public Safety Answering Points (PSAPs) in accordance with existing law. The 911 Board also has the authority to lower the fee, but not to raise it.

Outlook for 2010

In 2009, the state 911 Board created a subgroup to study and make recommendations to the 911 Board, which in turn reported its findings to the General Assembly. Pasquotank County Manager Randy Keaton, Franklin County 911 Director Christy Shearin, Catawba County Assistant Manager Lee Worsley and NCACC First Vice President Brian McMahan (Jackson County) served on that committee. This subgroup submitted a series of recommendations to the 911 Board. One recommendation called for increased flexibility in the use of the E-911 funds, but only if a PSAP had met certain standards regarding the type of equipment used in the facility.

There has been significant resistance to allowing expanded uses of the E-911 fees from the 911 Board and the telecommunications industry. The 911 Board rejected the subgroup's recommendation combining standards and the expanded use of the fees. The NCACC, however, has promoted the findings of the study group and is promoting the idea to legislative leaders.

The House Select Committee on the Use of 911 Funds met for the first time Jan. 26. The committee was chaired by Rep. Lucy Allen (Franklin), who has since resigned her seat, and Rep. Angela Bryant (Nash). The committee has reviewed the history of 911 in North Carolina and has heard from local governments and telecommunications industry interests. In April, the committee approved recommendations that among other items increased the uses of the funds and increases local representation on the 911 Board. The NCACC supports the recommendations and plans to work during the short session to forward them through the legislative process.