

Resolution No. 2016-123
911 Wireless Fee

WHEREAS, the 1988 Idaho Legislature amended the Idaho Code by creating Title 31, Chapter 48, a chapter entitled the Emergency Communications Act; and

WHEREAS, this chapter provides a means of funding the initiation, maintenance, and enhancement of facilities, equipment, and dispatching services of a county-wide 911 emergency dispatch system; and

WHEREAS, the Board of Kootenai County Commissioners determined on April 5, 1990, through Resolution No. 90-81 that, if voters approved the telephone line user fee in November 1990, General Election Ballot, the amount to be assessed would not exceed one dollar (\$1.00) per month; and

WHEREAS, in the November 1990 General Election, Kootenai County voters approved a telephone line user fee in an amount no greater than one dollar (\$1.00) per month, to be used to fund and finance the maintenance and operation of a 911 emergency communications system; and

WHEREAS, on April 1, 2003, the Kootenai County 911 Communications Center implemented an Enhanced 911 (E911) system, which currently provides Automatic Number Identification (ANI) and Automatic Location Information (ALI) with respect to wireline telephones; and

WHEREAS, a significant percentage of call to the Kootenai County 911 Communications Center come into the Center via wireless telephones, and the number of 911 calls from wireless telephones has continued to increase; and

WHEREAS, the Federal Communications Commission (FCC) has adopted regulations at 47 C.F.R., Part 20, that require wireless carriers to implement Enhanced 911 services; and

WHEREAS, Chapter 48 of Title 31, Idaho Code, was amended by the Idaho Legislature in 2003 to redefine the original telephone line user fee as an emergency communications fee, chargeable to all access lines, including all telephone lines, trunk lines, network access registers, dedicated radio signals, or their equivalent, that provide switched telecommunications access to a consolidated emergency communications system from either a service address or a place of primary use within the State of Idaho, and in the case of wireless technology, all active dedicated telephone numbers, in a uniform amount not to exceed one dollar (\$1.00) per month per access line; and

WHEREAS, the Board of Kootenai County Commissioners finds that it is in the public interest to extend Enhanced 911 services to call that come into the Center via wireless telephones in a manner consistent with FCC regulations, decisions, and directives; and

WHEREAS, the Board of Kootenai County Commissioners finds that the emergency communications fee should be the same for all access lines that fall within the definition of "access line" contained in Idaho Code §31-4802(1), including both wireline and wireless telephones; and

WHEREAS, the Board of Kootenai County Commissioners recognizes the requirement to review the emergency communications fee on an annual basis as contained in Idaho Code §31-4803(7); and

WHEREAS, no modification to the current emergency communications fee is necessary at this time and no further vote is necessary to authorize the emergency communications fee set forth in Chapter 48 of Title 31, Idaho Code, because Kootenai County voters had previously approved a telephone line user fee originally set forth in said chapter;

NOW THEREFORE, BE IT HEREBY RESOLVED, that:

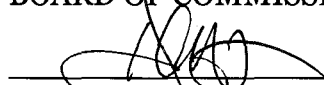
1. All providers of wireless telephone service in Kootenai County shall continue to collect an emergency communications fee in the amount of one dollar (\$1.00) from all wireless telephones in which the place of primary use, as defined in Idaho Code §31-4802(9), is located within Kootenai County, and shall remit the proceeds on a monthly basis to the Kootenai County Treasurer's Office at 451 Government Way, P.O. Box 9000, Coeur d'Alene, Idaho 83816-9000. This remittance shall occur on the last day of the month following the provider's billing cycle.
2. Pursuant to Idaho Code §31-4804 and this Resolution, wireless telephone providers shall continue to be entitled to deduct and retain one percent (1.0%) of the collected telephone line user fee each month as the cost of administration for collection of the charge.
3. That this Resolution shall become effective as of the date signed below.

Upon a motion to adopt the text of the foregoing Resolution made by Commissioner Stewart, seconded by Commissioner Eberlein, the following vote was recorded:

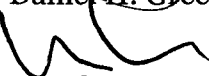
Commissioner Stewart:	Aye
Commissioner Eberlein:	Aye
Chairman Green:	Aye

Upon said roll call, the text of the foregoing was duly enacted as a Resolution of the Board of Commissioners of Kootenai County, Idaho on the 29th day of November, 2016.

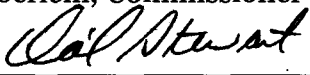
KOOTENAI COUNTY
BOARD OF COMMISSIONERS



Daniel H. Green, Chairman



Marc Eberlein, Commissioner



David Stewart, Commissioner

ATTEST:
JIM BRANNON, CLERK

By: 

Deputy Clerk

