

**JEFFERSON COUNTY
BOARD OF COUNTY COMMISSIONERS**

AGENDA REQUEST

TO: Board of Commissioners
Philip Morley, County Administrator

FROM: Janet Silvus, Director
JeffCom 911

DATE: September 21, 2010

RE: Notice of Public Hearing – Ordinance in the Matter of Amending
the Enhanced 911 Excise Tax

STATEMENT OF ISSUE:

A public hearing is required to decide in the matter of amending the Enhanced 911 Excise Tax. On January 1, 2011 counties may impose and/or amend an E911 excise tax for each switched access line, radio access line, and interconnected voice over internet protocol (VOIP) service line, in the amount not exceeding seventy cents per month. Counties imposing an E911 excise tax must contract with the Department of Revenue for the administration and collection of the tax prior to the effective date of the ordinance imposing the tax. The tax for switched access line and radio access line has remained at fifty cents since 2003, and there has been no tax imposed on VOIP. By imposing this tax, Jefferson County will comply with standards adopted by the Washington State Legislature. Revenue from this tax will be used to fund enhanced 911 communication systems in Jefferson County.

ANALYSIS:

Substitute Senate Bill 6846 passed by the Washington State Legislature and signed by Governor Christine Gregoire on April 13, 2010 provides for the legislative authority of a county to impose, effective as early as January 1, 2011 a county enhanced 911 excise tax. Further, RCW 82.14B.030(5) accords that excise tax may not be distributed to any county that has not imposed the maximum county enhanced 911 excise tax allowed under RCW 82.14B.030(1) and (2).

FISCAL IMPACT:

Jefferson County currently receives almost \$326.305 annually for enhanced 911 services from State funds, for which the County would not be eligible after December 31, 2010 unless it imposes the maximum county enhanced 911 excise tax.

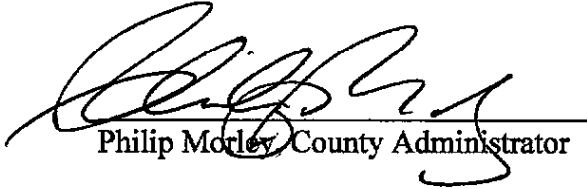
RECOMMENDATION:

Approve the Notice of Public Hearing in the above matter.

DEPARTMENT CONTACT:

Janet Silvus, JeffCom Director, ext. 788

REVIEWED BY:


Philip Morley, County Administrator

9/22/10
Date

Please publish 1 time: September 29, 2010
Bill to Jefferson County Commissioner's Office
1820 Jefferson PO Box 1220
Port Townsend, WA 98368

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that a public hearing is scheduled by the Jefferson County Board of Commissioner for MONDAY, October 11, 2010 at 10:15 a.m. in the Commissioners' Chamber, County Courthouse, 1820 Jefferson Street, Port Townsend, WA 98368.

This public hearing has been scheduled for the Commissioners to take comments for and against a proposed ordinance to increase the Excise Tax on Telephone Switched Access Lines and Radio Access Lines from fifty cents to seventy cents and to impose a seventy cents excise tax on Voice over Internet Protocol as provided below.

JEFFERSON COUNTY BOARD OF COMMISSIONERS

David Sullivan, Chairman

STATE OF WASHINGTON
County of Jefferson

In the Matter of Amending the }
Enhanced 911 Excise Tax on the }
Use of switched access lines, }
Radio access lines, and }
Interconnected Voice Over }
Internet Protocol service lines } ORDINANCE NO. _____

WHEREAS, JEFFERSON County currently collects local enhanced 911 excise tax to be used for an emergency services communication system, which provides for rapid public access for coordinated dispatching of services, personnel, equipment, and facilities for police, fire medical, or other emergency services; and

WHEREAS, since March 1, 1987, the county enhanced 911 excise tax on the use of switched access lines (landlines) in Jefferson County has remained at fifty cents per month for each switched access line, the maximum allowed under State law; and

WHEREAS, since January 1, 2003, the county enhanced 911 excise tax on the use of radio access lines (wireless-cellular) in Jefferson County has remained at fifty cents per month for each radio access line, the maximum allowed under State law; and

WHEREAS, no county enhanced 911 tax on the use of interconnected voice over internet protocol (VoIP) service lines has been imposed to date, although many who call 9-1-1 today are using VoIP service lines to make the call; and

WHEREAS, the Washington State Legislature found that the state and counties should be provided with an additional revenue to continue funding enhanced 911 emergency communications systems throughout the state on a multicounty or countywide basis; and

WHEREAS, the Washington State Legislature further found that the appropriate method of deriving additional revenue for this purpose is to extend the excise tax on the use of switched access lines and radio access lines; and to apply the extended excise tax on the use of interconnected voice over internet protocol service lines; and

WHEREAS, Substitute Senate Bill 6846 passed by the Washington State Legislature and signed by Governor Christine Gregoire on April 13, 2010, provides for the legislative authority of a county to impose, effective as early as January 1, 2011, a county enhanced 911 excise tax on the use of switched access, radio access, and interconnected voice over internet protocol service lines in an amount not exceeding seventy cents per month for each line; and

WHEREAS, in accordance with this new legislation funds generated by the enhanced 911 excise tax imposed by RCW 82.14B.030(5) may not be distributed to any county that has not imposed the maximum county enhanced 911 excise tax allowed under RCW 82.14B.030(1) and (2); and

WHEREAS, Jefferson County currently receives almost \$326,305 annually for enhanced 911 network, database, and language line services from these State funds, for which the County would not be eligible after December 31, 2010 unless it imposes the maximum county enhanced 911 excise tax allowed under RCW 82.14B.030(1) and (2); and

WHEREAS, in accordance with RCW 38.52.510 each county must implement countywide or multicounty-wide enhanced 911 emergency communications systems so that enhanced 911 is available throughout the state and the county must provide funding for the enhanced 911 communications system in the county in an amount equal to the amount the maximum tax under RCW 82.14B.030(1) would generate in the county less any applicable administrative fee charged by the department of revenue or the amount necessary to provide full funding of the system in the county;

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners of Jefferson County, Washington, that effective January 1, 2011 an Excise tax of seventy cents will be imposed for each telephone switched access line and radio access line, and an Excise tax of seventy cents will be imposed on Voice over Internet Protocol.

NEXT GENERATION 911

NG911

What is NG 911?

The State defines it as: Next Generation 9-1-1 (NG911) Network” shall mean the next evolutionary step in the development of the 9-1-1 emergency communications system known as E9-1-1 since the 1970s. NG9-1-1 is a system comprised of managed IP based networks and elements that augment present-day E9-1-1 features and functions and add new capabilities. NG9-1-1 will eventually replace the present E9-1-1 system. NG9-1-1 is designed to provide access to emergency services from all sources, and to provide multimedia data capabilities for PSAPs and other emergency service organizations.

118-66-040

County eligibility for funding.

(1) As required by RCW 38.52.510, each county shall provide funding for the enhanced 9-1-1 emergency communications system in the county in an amount equal to the amount the maximum taxes under RCW 82.14B.030 would generate in the county or the amount necessary to provide full funding of the system in the county.

(2) A county in the state of Washington may be eligible to receive available funds from the enhanced 9-1-1 account (State) for certain eligible enhanced 9-1-1 expenses as described in this chapter only if the county has imposed the maximum county enhanced 9-1-1 tax allowed under RCW 82.14B.030.

**The state has determined that if a PSAP is not willing to impose the additional .20 cent tax to support the estimated 14 million dollar upgrade to NG911, then the funding the PSAP normally would receive to assist in operating costs will go toward the cost of funding the NG911 upgrade. For Jefferson County that amount is around \$280,000.*

***For PSAP's who do impose the tax, it is still estimated that funding will be reduced for those counties receiving state assistance. For Jefferson County it would be around \$87,000 to help cover the cost of the upgrade. The State-wide Prosecuting Attorneys group known as WAPA is working with Lobbyist, Tom McBride to narrow that gap.*

HOW WILL THE CITIZENS OF JEFFERSON COUNTY BENEFIT FROM NEXT GENERATION 911?

The first step in implementing next generation 911 will be in upgrading phone equipment in the PSAP to be able to receive text messages for help if a citizen is unable to make a traditional 911 call. Several scenarios come to mind:

1. A citizen is hard of hearing and cannot use the telephone in the traditional sense; he will be able to text his message for police, fire or medical help to the JeffCom call center instead.
2. If a citizen is at home and hears a prowler inside the residence, traditional communications become very difficult as the sound of the residence voice would give his/her hiding spot away. Whereas by having the ability to text the 911 call taker what the problem is, where the caller is hiding in the house and the location of the intruder, it not only helps to keep the callers location a secret, but aids the responders by being able to gain more information.
3. A teenager or any person of any age is in a vehicle with friends, and the friend is driving reckless or drunk, that person could text the 911 call center for help without the fear of making a call that could be overheard by others in the vehicle.

The current tax of .50 cents has remained the same since January 1, 2003. This new tax will include VOIP (Voice over Internet Protocol) which has never been included in the 911 excise tax.

Substitute Senate Bill 6846 Implementation
10 September 2010
Bob Oenning

There have been a series of questions concerning the application of the new 911 taxes or tax rates and how the State E911 Program will administer related provisions. For all of these questions the Revised Code of Washington is the primary controlling document I as the state E911 Coordinator must follow. The answers below are based on the RCW provisions that will take effect 1 January 2011 as modified by SSB 6846 as approved by the Legislature and signed by the Governor, Chapter 19, Laws of 2010. None of these comments should be taken as a legal opinion.

Q; "Can the counties just continue with the existing tax?"

A; RCW 82.14B.030 was only slightly modified with regard to the authority to impose E911 excise taxes on wireline and wireless services. Therefore it appears that the existing tax would stay in effect. The caveat is that as of 1 January 2011 the funds will be submitted by the carriers to the State Department of Revenue per revised language of this section. RCW 82.14B.060 is also modified to eliminate provisions for the county to establish procedures for the collection of the E911 Taxes.

Q; "What happens if the county doesn't raise its 911 Excise rate to 70¢?"

A; RCW 38.52.540 §(2) reads *[reference clarified]*: "~~Funds generated by the enhanced 911 excise tax imposed by RCW 82.14B.030 (5) [switched access] may not be distributed to any county that has not imposed the maximum county enhanced 911 excise tax allowed under RCW 82.14B.030 (4) [switched access].~~ Funds generated by the enhanced 911 excise tax imposed by RCW 82.14B.030 (6) [wireless] may not be distributed to any county that has not imposed the maximum county enhanced 911 excise tax allowed under RCW 82.14B.030 (2) [wireless]."
Due to this statutory provision, the state may not assist any county that has not imposed the maximum wireline and wireless local excise taxes. This includes any reimbursement by the state for expenses associated with 911 services to any county. How to move the network and database billings to the county will be a challenge since reassigning the bills paid by the state to the county could take months. The Military Department will be looking into options for how to accomplish the movement of costs now paid directly by the state back to counties. It would not be necessary to enter into an operations contract with a county that has not implemented the maximum county enhanced 911 taxes for wireline and wireless.

Q; "Will the delay in tax receipts by the county be accounted for by the state?"

A; There will be a delay in the county receiving 911 excise taxes due to the switch to collection by the Department of Revenue. Several factors impact that delay such as the timing of payment to the state versus payments to the county and the delivery of the subscriber counts to the state that will be used to distribute the funds. The state will continue its policy of counting only revenue received by the county in the reporting month for purposes of reimbursement. The caveat is that at the end of the contract period the accounts must balance with the full extent of county revenue receipts accounted for.

Q; "How will voluntary VoIP contributions be accounted for?"

A; The bill permits Voice over Internet Protocol providers to contribute a voluntary payment to the county until the VoIP excise tax takes effect. These contributions are not taxes and therefore are not counted as revenue to the county for purposes of determining 911 support.

Q; "What is the state going to do with all the new money it receives?"

A; The state E911 excise tax is deposited into an account in the State Treasury. No funds can be spent from that account until they are appropriated by the Legislature. None of the tax increase will be available until after 1 July 2011 and what is appropriated will be based on estimates done in October of

2010 which are generally conservative to the point of assuring that the appropriation will be less than the actual receipts by a comfortable margin since the constitution of the state prohibits appropriations exceeding available funds. The Military Department has requested and received additional appropriation, that is dedicated to supporting the costs of implementing the NG911 networks. Network costs paid by the state in direct benefit to the counties will increase by \$2.2M in fiscal year 2011. The NG911 implementation expense will continue into the next Biennium as the state supports two networks. As the traditional network is phased out it is anticipated that PSAP equipment replacement expenditures will rise due to aging equipment.

Q; "Are there likely changes in the WAC provisions associated with the new tax provisions?"

A; Yes, but minimal at this time. There will be some new requirements associated with the change in statutes and support categories will be cleaned up but the budget doesn't appear to indicate that major opportunities for support modifications can be implemented. Potential revisions are being considered by a sub-committee of the Enhanced 911 Advisory Committee.



GET PEACE OF MIND FOR YOUR BUSINESS



RSS FEEDS MOBILE EDITION NEWSLETTERS SUBSCRIBE NOW PAY BILL CUSTOMER SERVICE CONTACT US ADVERTISE SEARCH NEWSPAPER ADS



Bellingham, WA
Sunny 65°F
Hi/Low: 69°/52°



SIGN IN BECOME A MEMBER

NEWS SPORTS BUSINESS OPINION ENTERTAINMENT PHOTOS OBITUARIES AUTOS JOBS REAL ESTATE CLASSIFIEDS SHOPPING
LOCAL NORTHWEST NATION WORLD ON PATROL TRAFFIC CAMS FORUMS Q&A

Web Search powered by YAHOO! SEARCH Bellinghamherald.com FOR SEARCH

0 Comments

POSTED: Tuesday, Aug. 03, 2010

State says 911 call tax must be raised

By John Trumbo, Herald staff writer

SHARE

BUZZ UPI

E-MAIL

PRINT

REPRINT

TEXT SIZE:

Recommend Be the first of your friends to recommend this.

KENNEWICK — Benton County commissioners heard the message from the state Legislature loud and clear: Raise the 911 emergency call tax or take a \$180,000 cut in funding.

Jim Barber, manager of the Southeast Washington Communications Center, told commissioners Monday that state legislators authorized the county to increase the current 50 cents-per-month 911 tax charged for each phone line and cell phone by 20 cents a month. The money pays for providing emergency 911 dispatching service.

The 40 percent increase would add about \$2.40 to the average customer's annual phone bill if they have one phone line. Each additional line would be another charge.



Cell phone customers also would pay \$2.40 more per year in 911 taxes.

By upping the monthly charge, Benton County would be able to upgrade and add to the emergency phone service and bring in an additional \$400,000 for what is now a \$1.4 million annual budget for running the 911 system.

Barber said the tax has been 50 cents per month since 1992, and raising it to 70 cents would cover the cost of inflation over the past 18 years.

He said the state would receive some of the new tax, but the big hook is that \$180,000 now coming from the state for the 911 program would go away if county commissioners choose not to enact the 20-cent increase.

"This is extortion," said Commissioner Leo Bowman, protesting the state's provision.

"So if we don't do this we get punished. I'm not interested in doing this without having a public hearing, a survey or putting it on the ballot. The state just wants us to pass the misery right on down," Bowman said.

But Barber said the additional tax would help Benton County make 911 service available to people whose phone systems currently are not compatible with the existing emergency communication system.

The state's existing 911 system is 50 years old, he said. That means people who are deaf, hard of hearing or speech-impaired are unable to make 911 calls.

Barber said Benton County is one of eight counties in the state that are part of a pilot project to bring 911 systems to a higher standard of service. Washington is leading the nation in this, he said.

The new revenue will allow the county to add features for 911 to include video streaming, text-messaging and photos.

"It all sounds good, but who is going to pay for this?" Bowman asked.

"I am not interested in a 20-cent increase," said commission Chairman Jim Beaver.

"Olympia has a \$2 billion problem. Apparently taxes on candy, gum, soda and chewing tobacco isn't enough," Beaver added. "The public needs to know the state wants us to raise taxes and then get a piece of the pie," he said.

If commissioners decide by Oct. 15 to enact an ordinance approving the 20-cent increase, the new tax will begin Jan. 1.

Commissioner Max Benitz said he didn't like being forced into approving the new tax, but said commissioners should take a look at the 911 tax to be sure Benton County doesn't lose out.

"I just want the public to be fully aware of this before we implement it," Bowman said.

* John Trumbo: 509-582-1529; jtrumbo@tricityherald.com

RECENT STORIES

Family wants to save others from Gig Harbor teen's fate

OUTSTANDING CBC ALUMNA: West Richland Chamber director honored

Man pleads guilty in deadly Tacoma shooting

Camp Murray gate challenged

Ruston Tunnel to be closed an extra week

What You Should Know About Comments on BellinghamHerald.com - [CLICK HERE](#)



Add New Comment

Required: Please login below to comment.



Type your comment here.

Post as ...

Showing 0 comments

Sort by Newest first Subscribe by email Subscribe by RSS

State Of The Art Dental Care
Schedule your appointment now.
General & Cosmetic Dentistry.
kennebunkdental.com

Spill 911 - Emergency Eyewash
Your source for Emergency Eyewash products plus many other Industrial and MRO
www.spill911.com

Huge Discounts for Drivers over 25
Over 25 Years Old? You could Save up to \$500 on Auto Insurance.
www.netquote.com

Ads by Yahoo!

PUBLIC HEARING Proposed Clallam



Printer Fr

PUBLIC HEARING Proposed Clallam

Web ID: 5097353

Category: LEGALS - Clallam County Legals

Start Date: 6

Views: 5

Description

PUBLIC HEARING Proposed Clallam County Ordinance Repealing Ordinance 474 codified at 5.14 and Ordinance 553 codified at 5.15 and replacing them with a new chapter relating to an excise tax on the use of switched access lines, radio access lines, and interconnected voice over internet protocol service lines as authorized by RCW 82.14B as now or hereafter amended NOTICE IS HEREBY GIVEN that the Clallam County Board of Commissioners will conduct a public hearing on Tuesday, September 28, 2010 at 10:30 a.m., or as soon thereafter as possible in the Commissioners' Meeting Room of the Clallam County Courthouse, 223 East 4th Street, Room 160, Port Angeles, Washington. The purpose of the public hearing is to consider a new ordinance incorporating an excise tax on switched access lines, radio access lines, and interconnected voice over internet protocol service lines. The text of the proposed ordinance is being published in summary and in compliance with RCW 65.16.160 and Clallam County Charter Section 3.10. (NOTE: The full text will be mailed without charge upon request - see "Proponent" below for the address and/or telephone number.) All proposed ordinances are available on the County website at <http://www.clallam.net/bocc/drafts.html> Comments for or against this proposed ordinance are encouraged. Interested persons must either submit their written comments before the hearing is commenced (see Proponent's address below) or present written and/or oral comments in person during the public hearing. In compliance with the Americans with Disabilities Act (ADA), appropriate aids and/or reasonable accommodations will be made available upon request. Requests must be received at least seven (7) days prior to the hearing - see "Proponent" below. The facility is considered "barrier free" and accessible to those with physical disabilities. PROPONENT: Clallam County Board of Commissioners 223 East 4th Street, Suite 4 Port Angeles, WA 98362-3015 Telephone: 360.417.2233 FORMAL IDENTIFICATION: Repealing Ordinance 474 and 553 and creating a new chapter. DESCRIPTIVE TITLE: Increases excise tax on the use of switched access lines and radio access lines by \$0.20 for a total of \$0.70 and institutes a new excise tax on the use of interconnected voice over internet protocol service lines of \$0.70 SECTION-BY-SECTION SUMMARY OF PROPOSED CHANGES: Section 1. Findings Section 2. Conclusions Section 3. Creates new Chapter - Excise Tax for Enhanced 911 Emergency Communications Systems including definitions, tax levied, use of proceeds, tax collection, effective date, and severability Trish Holden, CMC, Clerk of the Board Pub: Sept. 17, 2010

Other Options

[Watch This Ad](#)
[Clip This Ad / View C](#)
[Email to a Friend](#)
[Report As Inappropri](#)
[ShareThis](#)

