

APRIL 7, 2016 - ITEMS OFF-THE-FLOOR

1. Resolution to appoint/reappoint members to the Board of Commissioners for St. Tammany Recreation District No.1, the Council has six (6) appointments. (O'Brien). (Current member Steven Meyer, M.D. has resigned, Rick Danielson has requested appointment, Majure Savell, Bill Matthews, Jeffrey R. Blackman, Daniel Seiden and Todd Richard have requested reappointment.)

2. Resolution to appoint/reappoint members to the Board of Commissioners for St. Tammany Parish Fire Protection District No. 12, the Council has four (4) appointments. (Sharp). (Kenneth Kimberly has resigned, Steven M. Swanson has requested appointment, Ronald W. Garrity, Susan Strain, DVM and Sonny Schwing have requested reappointment)

3. Resolution requesting that the St. Tammany Parish Legislative Delegation support 9-1-1 legislation relative to increasing surcharge fees for new technology for the St Tammany Parish Communications District Number One. (Bellisario)

Resolution requesting that the St. Tammany Parish Legislative Delegation support 9-1-1 legislation relative to increasing surcharge fees on prepaid and postpaid wireless telephone services, and to clarify the authority to assess a surcharge fee for new technology for the St Tammany Parish Communications District Number One during the 2016 Louisiana Legislative Session, and otherwise providing with respect thereto.

ST. TAMMANY PARISH COUNCIL

RESOLUTION

RESOLUTION COUNCIL SERIES NO: C-_____

COUNCIL SPONSOR: MR. BELLISARIO

PROVIDED BY: COUNCIL OFFICE

RESOLUTION REQUESTING THAT THE ST TAMMANY PARISH LEGISLATIVE DELEGATION SUPPORT 9-1-1 LEGISLATION RELATIVE TO INCREASING SURCHARGE FEES ON PREPAID AND POSTPAID WIRELESS TELEPHONE SERVICES AND TO CLARIFY THE AUTHORITY TO ASSESS A SURCHARGE FEE FOR NEW TECHNOLOGY FOR THE ST TAMMANY PARISH COMMUNICATIONS DISTRICT NUMBER ONE DURING THE 2016 LOUISIANA LEGISLATIVE SESSION, AND OTHERWISE PROVIDING WITH RESPECT THERETO. (BELLISARIO)

WHEREAS, the public has high expectations for effective and accessible 9-1-1 emergency services regardless of the communications technology used or the means of purchasing the technology, and the funding of wireless 9-1-1 emergency services is critical to meeting the public's expectations for effective and accessible 9-1-1 emergency services; and

WHEREAS, the St. Tammany Parish Communications District is dedicated to provide such 9-1-1 services for its citizenry and is self-funded solely through the assessment of telephone surcharge fees; and

WHEREAS, L.S.A. R. S. 33:9101 et seq., and Act 1029, which became effective July 9, 1999, specifically addresses the assessment of 9-1-1 surcharge fees on wireless services as defined within 33:9109 stating that the term "wireless" includes service provided by any wireless real time two-way voice communication device, including a radio-telephone communications line used in cellular telephone service, a personal communication service, specialized mobile radio service, or a network radio access line"; and

WHEREAS, in 2009 the Louisiana Legislature passed HB 782, which recognized that prepaid wireless service offerings were growing and becoming a significant part of the wireless telecommunications market, and citizens were migrating their wireless services to prepaid services and as a result, Act 531, became effective January 1, 2010, which allowed for the assessment of 9-1-1 surcharge fees on prepaid wireless services; and

WHEREAS, the public has come to expect that their "telephone" will provide immediate access to emergency services by dialing "9-1-1," that their call will be answered by local personnel, who can dispatch first responders to the scene, and that their location and phone number will be provided automatically and the public does not expect any different level of service because the "telephone", over which the call is made, uses technology other than the traditional wireline communications services; and

WHEREAS, from the perspective of the 9-1-1 caller, all telephones are functionally equivalent, and the expectation is that the level of 9-1-1 service will be the same; and

WHEREAS, wireline revenue has continued to decrease over the past five years due to migration from wireline to postpaid wireless phones to prepaid wireless services and non-traditional devices, and

Whereas, new technology is being utilized by our citizens that can access 9-1-1 services, which are not subject to the assessment of 9-1-1 surcharge fees because their definition of service is outside the statutory authority of communications districts to be able to assess a surcharge fee; and

WHEREAS, technology is constantly evolving and communications districts will need to evolve to keep up with the demands that this new technology will place on 9-1-1 centers, and this new generation of technology of streaming video, texting to 9-1-1 and more reliable location information will be more expensive to acquire and maintain; and

WHEREAS, without increases in surcharge fees, communications districts will continue to experience declining revenue and will be unable to fund their continued viability to support their public safety communications mission; and

WHEREAS, as a matter of policy and fairness any type of device that can access 9-1-1 services and providers of those services, who compete with traditional wireline and wireless communication connection services should contribute on an equitable basis to funding 9-1-1 emergency services;

THE PARISH OF ST. TAMMANY HEREBY RESOLVES that the St. Tammany Parish Legislative Delegation be requested to support 9-1-1 legislation for the purpose of clarifying the Communications District's authority to assess 9-1-1 surcharge fees on new technologies and increase surcharge fees on prepaid wireless services and postpaid wireless at a rate equivalent to parity with all traditional and wireless fees.

THIS RESOLUTION HAVING BEEN SUBMITTED TO A VOTE, THE VOTE THEREON WAS AS FOLLOWS:

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

YEAS: _____

NAYS: _____

ABSTAIN: _____

ABSENT: _____

THIS RESOLUTION WAS DECLARED ADOPTED ON THE 5 DAY OF MAY, 2016, AT A REGULAR MEETING OF THE PARISH COUNCIL, A QUORUM OF THE MEMBERS BEING PRESENT AND VOTING.

MARTY DEAN, COUNCIL CHAIRMAN

ATTEST:

THERESA L. FORD, COUNCIL CLERK