



Legislation Text

File #: Res 0193-2002, **Version:** A

Proposed Res. No. 193-A

Resolution calling on the New York State Legislature to amend the County Law so that the wireless telephone surcharge collected from residents of municipalities and counties that operate their own 911 emergency telecommunications system, such as New York City, be remitted to those municipalities and counties for payment of the costs related to operation of the emergency response system.

By Council Members Vallone Jr., Dilan, Fidler, Monserrate, Nelson, Rivera, Sears, Gentile, Gallagher and The Public Advocate (Ms. Gotbaum); also Council Members Jackson and Sanders Jr.

Whereas, In 1991, the State Legislature amended Article 6 of the County Law to impose a 70-cent per month surcharge on all wireless telephones in the State, which are paid to the New York State Police to offset "costs related to statewide operation of a cellular emergency telecommunications system"; and

Whereas, In 2002, the State Legislature further amended Article 6 of the County Law to impose a \$1.20 per month surcharge on all wireless telephones in the state, which must be distributed pursuant to a new statutory formula, but which includes a significant sum for costs "associated with the design, construction, and operation of the statewide wireless network"; and

Whereas, Since 1991, the Division of State Police has collected well in excess of 162 million dollars in wireless surcharge revenues; and

Whereas, While the New York State Police provide E911 communications services in other jurisdictions, they do not provide such services in New York City, where the New York City Police Department operates the E911 communications system; and

Whereas, For more than ten years, the Division of State Police has collected a significant sum of money from New York City cell phone users for an E911 system that does not service New York City; and

Whereas, Although in 2002 the Legislature allowed New York City to collect 30 cents from wireless phone users to fund the city's public safety communications network, \$1.20 is still collected from city residents and disbursed by the state; and

Whereas, As demonstrated by a 2002 New York State Comptroller report, the fee charged by the state since 1991 has been used to fund state police services that have nothing to do with E911; and

Whereas, All wireless surcharge fees collected from New York City residents should be remitted directly to New York City, for use in developing and enhancing the city's 911 system; and

Whereas, As New York City struggles to build a second Public Safety Answering Center and enhance its 911 services to reflect the newest technology, it is imperative that it have the money necessary to fund such a project, and allocating the wireless surcharge on New York City resident wireless phones will be of great assistance in this effort; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature to amend the County Law so that the wireless telephone surcharge collected from residents of municipalities and counties that operate their own 911 emergency telecommunications system, such as New York City, be remitted to those municipalities and counties for payment of the costs related to operation of the emergency response system.