

**Urging The State To Pass Legislation That Ensures The Surcharge Imposed On Wireless Telephones Is Distributed As Originally Intended**

Referred to: The Law Enforcement and Public Safety Committee (Chairman Richard Parete and Legislators Belfiglio, Ronk, Briggs and Maio)

Legislators Terry L. Bernardo and Kenneth J. Ronk, Jr. offer the following:

WHEREAS, the State of New York imposes a \$1.20 public safety surcharge on all wireless telephones, which was intended to be used toward maintaining and upgrading county 911 dispatch centers, such as improving technology to help find people making emergency calls from cell phones; and

WHEREAS, a 2002 audit by then NYS Comptroller H. Carl McCall revealed most of the money was spent on items other than developing 911 centers; and

WHEREAS, in 2012, an estimated \$190 million was collected by New York State, but only \$9.3 million, less than 5 percent of the total, was dispersed to county governments and the rest went to the State's general fund; and

WHEREAS, this year, it is expected that the surcharge will generate over \$210 million; and

WHEREAS, Emergency Operations, a vital and necessary service for the residents of Ulster County, comes at a multimillion dollar cost; now, therefore, be it

RESOLVED, that the Ulster County Legislature calls upon the State Legislature and the Governor to pass Bill Nos. S.1720 **and** A4357 in the 2013 Legislative Session, which would ensure 58.3 percent of the surcharge revenues are sent as reimbursements to counties or fund grants for operating dispatch centers or developing public safety communication systems and networks that would allow more communication among first responder groups as well as an additional 41.7 percent apportioned jointly to the State Police, New York State Emergency Services Revolving Loan Fund and provide for the costs of debt service; and, be it further

RESOLVED, the Ulster County Legislature calls upon the Division of Homeland Security and Emergency Services to create a multi-year grant application process to simplify and streamline the process for counties; and, be it further

**Resolution No. 27      February 19, 2013**

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RESOLVED, that copies of this resolution shall be forwarded by the Clerk of the Legislature to Governor Andrew M. Cuomo, the members of the New York State Legislature who represent Ulster County, the Commissioner of the Division of Homeland Security and Emergency Services and all others deemed necessary and proper;

and moves its adoption.

ADOPTED AS AMENDED BY THE FOLLOWING VOTE:

AYES: 20

NOES: 1

(Noes: Legislator Provenzano)

(Legislator Briggs left at 10:15 PM)

(Absent: Legislator Lopez)

Passed Committee: Law Enforcement and Public Safety on February 5, 2013

FINANCIAL IMPACT:

NONE

0128

Legislator Ronk motioned, Seconded by Legislator Richard Parete, to add the corresponding Assembly bill number to the first RESOLVED as indicated in bold font.

MOTION ADOPTED BY THE FOLLOWING VOTE:

AYES: 21

NOES: 1

(Noes: Legislator Provenzano)

(Legislator Briggs left at 10:15 PM)

(Absent: Legislator Lopez)

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STATE OF NEW YORK

ss:

COUNTY OF ULSTER

This is to certify that I, the undersigned Clerk of the Legislature of the County of Ulster have compared the foregoing resolution with the original resolution now on file in the office of said clerk, and which was adopted by said Legislature on the 19<sup>th</sup> Day of February, 2013, and that the same is a true and correct transcript of said resolution and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and seal of the County of Ulster this 22<sup>nd</sup> Day of February in the year Two Thousand and Thirteen.

/s/ Victoria A. Fabella  
Victoria A. Fabella, Clerk  
Ulster County Legislature