

NOTICE OF PUBLIC MEETING
of the
CARSON CITY
9-1-1 SURCHARGE ADVISORY COMMITTEE
SPECIAL MEETING

DAY: Thursday
DATE: June 22, 2017
TIME: 8:30 AM
PLACE: Carson City Fire Department
777 S. Stewart Street
Carson City, Nevada

Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the Carson City Fire Department in writing at 777 S. Stewart Street, Carson City, NV 89701, or by calling 775-887-2210 at least 24 hours in advance.

AGENDA

- 1. Call to Order**
- 2. Roll Call and Determination of a Quorum**
- 3. Agenda Management Notice — Items on the agenda may be taken out of order; the public body may combine two or more agenda items for consideration; and the public body may remove an item from the agenda or delay discussion relating to an item on the agenda at any time.**
- 4. Public Comments and Discussion**

The public is invited at this time to comment on and discuss any topic that is relevant to the 9-1-1 Surcharge Advisory Committee. In order for members of the public to participate in the Committee's consideration of an agenda item, the Committee strongly encourages members of the public to comment on an agenda item during the item itself. No action may be taken on a matter raised under public comment unless the item has been specifically included on the agenda as an item upon which action may be taken. Comments may be limited to three minutes per person or topic. If your comment requires extended discussion, please request the Chairperson to schedule the matter for a future meeting.

5. **For Possible Action:** To recommend the Board of Supervisors approve the revised 9-1-1 Surcharge Master Plan.
Summary: The Governor recently signed SB 176 mandating body cameras for uniformed peace officers who routinely interact with the public for certain law enforcement agencies, and certain city and court departments. This will impact the 911 surcharge fund, as the source of revenue to fund this mandate will come from the 911 surcharge. Before an increase in the 911 surcharge can take place, SB 176 requires that the 911 Surcharge Master Plan contain an estimate of costs to implement and maintain these new requirements.
6. **Next Meeting Date: Regular Meeting: September 12, 2017; there may other special meetings as needed.**
7. **Public Comment:** The public is invited at this time to comment on any matter that is not specifically included on the agenda as an action item and allowable under the Open Meeting Law. No action may be taken on a matter raised under this item of the agenda. Comments may be limited to three minutes per person or topic. If your comment requires extended discussion, please request the Chairperson to schedule the matter for a future meeting.
8. **For Possible Action: To adjourn**

The Carson City Fire Department is pleased to make reasonable accommodations for members of the public who wish to attend the meeting and need assistance. If special assistance or arrangements for the meeting are necessary, please notify the Carson City Fire Department by calling (775) 887-2210 or in writing at 777 S. Stewart St., Carson City, Nevada, 89701.

To request a copy of the supporting materials for this meeting contact Shelby Price at sprice@carson.org or call (775) 887-2210.

This agenda and supporting materials are available at www.carson.org and at the Carson City Fire Department located at 777 S. Stewart St., Carson City, Nevada, 89701.

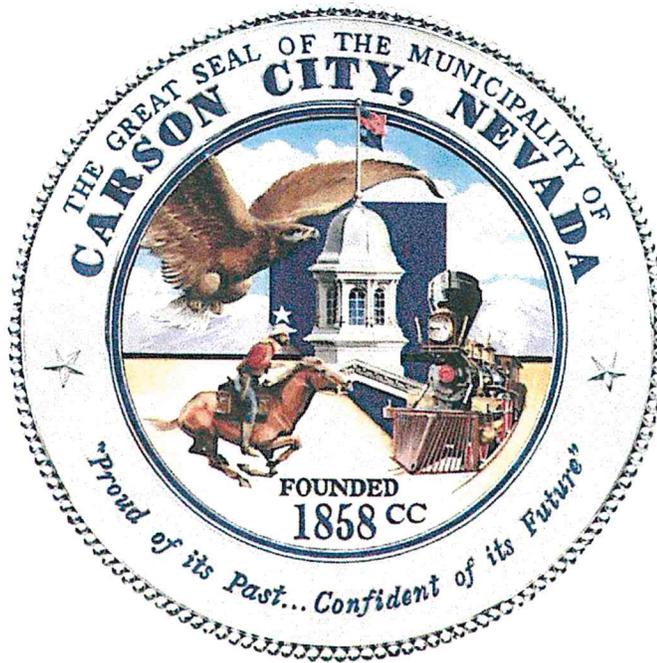
In accordance with NRS 241.020, this notice of agenda was posted at or before 9:00 a.m. on June 19, 2017, at the following locations:

Carson City Manager's Office, 201 N. Carson Street, Carson City, NV
Carson City Community Center, 851 E. William Street, Carson City, NV
Carson City Fire Station No. 51, 777 S. Stewart Street, Carson City, NV
Carson City Library, 900 N. Roop Street, Carson City, NV
Carson City Website, www.carson.org
State of Nevada Public Notice Website, www.notice.nv.gov

911 Surcharge Budget

Proposed Rate: 1.00 1.00 1.00 1.00 1.00 1.00

		FY 15	FY 16	FY 17	FY 18	FY 18	FY 19	FY 20	FY 21	FY 22	FY 23
		Actuals	Actuals	Estimated	Final	Revised	Projected	Projected	Projected	Projected	Projected
Beginning Balance		1,477,020	778,235	408,490	48,500	48,500	36,042	93,558	74,432	45,263	45,552
Revenue											
40-36	Franchise Fees	216,574	212,164	215,000	215,000	430,000	860,000	860,000	860,000	860,000	860,000
01-00	Interest Income	4,504	3,114	2,500	2,500	2,500	2,500	2,500	2,500	2,500	2,500
Total Revenues		221,078	215,278	217,500	217,500	432,500	862,500	862,500	862,500	862,500	862,500
Expenditures											
03-09	Professional Services		525			-	-	-	-	-	-
04-31	Service Agreements	106,093	111,303	130,500	113,728	178,940	174,600	174,600	174,600	174,600	174,600
04-32	Maintenance Service Contracts	12,274	16,319	16,319		98,059	378,682	380,324	390,367	400,909	377,483
06-27	Supplies - Reserves	45,688	81,812	18,188		-	-	-	-	-	-
06-75	Small Furnishings					65,687	5,000	5,000	5,000	5,000	66,256
06-99	Undesignated Projects			154,931		-	50,000	50,000	50,000	10,000	-
09-01	Internal Service Charge					-	9,430	9,430	9,430	9,430	9,430
70-40	Capital Projects/Construction		61,636			-	-	-	-	-	-
new	Radio Infrastructure					-	-	100,000	100,000	100,000	100,000
77-27	Equipment Reserves					-	-	50,000	50,000	50,000	50,000
77-43	Furniture and Fixtures	653,113	210,298	154,329		-	85,000	10,000	10,000	10,000	10,000
Total Expenditures		817,168	481,893	474,267	113,728	342,686	702,712	779,354	789,397	759,939	787,769
Other Financing Sources (Uses)											
01-00	Bond Issue Costs					-	-	-	-	-	-
72-66	Debt Service	102,695	103,130	103,223	102,272	102,272	102,272	102,272	102,272	102,272	102,272
03-00	Debt Issued					-	-	-	-	-	-
Total Charges to the Fund		919,863	585,023	577,490	216,000	444,958	804,984	881,626	891,669	862,211	890,041
Ending Fund Balance		778,235	408,490	48,500	50,000	36,042	93,558	74,432	45,263	45,552	18,011



911 SURCHARGE MASTER PLAN

June 19, 2014 July 6, 2017

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Introduction

A mature, robust, and reliable public safety communications center is the heart of any community’s public safety infrastructure. To accomplish this, there must be adequate funding to insure that the proper equipment and technology are in place to support not only the public safety user, but the community as well. To provide for this, the community, along with the Board of Supervisors, has chosen to support the 911 system infrastructure via a surcharge pursuant to NRS.

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As time and technology have moved forward developed, expanded services and networks are needed to provide 911 services for wireless and Voice over Internet Protocol (VoIP) users who subscribe to services on today’s telephone networks. In addition to currently existing services, emerging technologies will continue to challenge the our community 9-1-1 systems in our community. The City must prepare for the impact that changing technology has on our 9-1-1 services. In order to ensure funding is available and adequate, and must be planned for. The Board of Supervisors chose in 2008 to imposes a service fee is imposed by the Board of Supervisors on telephone lines in accordance with NRS 244A.7641 through NRS 244A.7647. Additionally to insure adequate funding availability. This five-year master plan has been developed to comply with that law NRS 244A.7643.

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The 9-1-1 Surcharge Advisory Committee must also adopts a plans for the accomplishment of the Goals as established in this Master Plan. This document shall serves a dual purpose ass both the Board of Supervisors Master Plan, and as well as the 9-1-1 Surcharge Advisory Committee Plan.

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Vision Purpose

The purpose of this document is to ensure that he vision of this document is to insure that the Carson City 911 system and the associated dispatch and radio infrastructure systems will remain current and reliable so that all the citizens and visitors of Carson City may connect to 911 emergency services using any device from any location, and that public safety entities are equipped as required by law.

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Mission

The mission of this advisory committee is to develop a five-year master plan for the enhancement or improvement of the telephone systems for reporting emergencies in Carson City and to oversee 911 surcharge funds in accordance with Carson City Municipal Code Chapter 4.05, and equipment in accordance with NRS 289.830 inclusive.

Goals: To maintain the 911 surcharge fund with sufficient stable funding to:

1. To assess the technical needs of the 911 system on a regular basis.
2. To ~~insure~~ensure that the 911 equipment is meeting an adequate and proper level of service.
3. To ~~ensure~~insure that the associated radio and dispatch systems are meeting an adequate and proper level of service to ensure delivery of emergency response personnel to 911 calls for service.
4. To ~~insure~~ensure that the technology and equipment ~~is~~are supporting the operations within the communications center and meeting the needs of those using the equipment.
5. To ~~insure~~ensure the proper use of funds collected under the surcharge.
6. To insure compliance with NRS 289.830 for equipping of audio/video devices to public safety entities.

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Attainment of Goals

The goals of the Master Plan will be attained by utilizing staff available through the Fire Department, Sheriff's Department, and other appropriate city agencies. The staff members will work with industry experts and utilize their own knowledge, skills and abilities to assess technical needs and equipment utilization and needs. Staff will make reports to the 9-1-1 Surcharge Advisory Committee as needed to keep committee members informed.

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Review and Update

This plan will be reviewed and updated once each calendar year or at other times when the committee deems appropriate. The Emergency Management Director and the Sheriff are responsible for making recommendations to the committee as they relate to the 911, dispatch, and radio systems, audio/video recording devices, and the applicable surcharge to the fund.

Revenues / Expenditures

Critical to this plan are accurate funding projections on which to build a budget. At each meeting of the committee, city staff will provide the committee with a current budget indicating the revenue that has been collected and the expenses that have been charged against this revenue fund. The five (5) year budget plan is attached and incorporated into this Master Plan as exhibit A.d. Annual revenues are estimated to be at \$220,000. This amount is anticipated to be static since there is little population growth in Carson City. The projected use of these funds is listed below for a five year period.

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Budget Year	Use of Funds	Estimated Cost
FY 2015	911 phone system charges	\$ 110,500.00
	Hardware & Software maintenance	\$ 1,500.00
	Hardware/software upgrades (CAD-System)	\$ 300,000.00
	Debt service payment on Bond	\$ 108,000.00
FY 2016	911 phone system charges	\$ 110,500.00
	Hardware & Software maintenance	\$ 1,500.00

		00	
	Debt service payment on Bond	\$ 108,000.00	Formatted: Font: +Body (Calibri), 12 pt
FY 2017	911 phone system charges	\$ 110,500.00	Formatted: Body Text, Indent: Left: 0.07", Right: 0.13", Space Before: 5.65 pt, Line spacing: Multiple 1.15 li
	Hardware & Software maintenance	\$	Formatted: Font: +Body (Calibri), 12 pt
		1,500.	Formatted: Body Text, Indent: Left: 0.07", Right: 0.13", Space Before: 5.65 pt, Line spacing: Multiple 1.15 li
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	Debt service payment on Bond	\$ 108,000.00	Formatted: Body Text, Indent: Left: 0.07", Right: 0.13", Space Before: 5.65 pt, Line spacing: Multiple 1.15 li
FY 2018	911 phone system charges	\$ 110,500.00	Formatted: Body Text, Indent: Left: 0.07", Right: 0.13", Space Before: 5.65 pt, Line spacing: Multiple 1.15 li
	Hardware & Software maintenance	\$	Formatted: Font: +Body (Calibri), 12 pt
		1,500.	Formatted: Body Text, Indent: Left: 0.07", Right: 0.13", Space Before: 5.65 pt, Line spacing: Multiple 1.15 li
		00	Formatted: Font: +Body (Calibri), 12 pt
	Debt service payment on Bond	\$ 108,000.00	Formatted: Body Text, Indent: Left: 0.07", Right: 0.13", Space Before: 5.65 pt, Line spacing: Multiple 1.15 li
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FY 2019	911 phone system charges	\$ 110,500.00
	Hardware & Software maintenance	\$ 1,500.00
	Debt service payment on Bond	\$ 108,000.00

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~~In the event revenues surpass projected funding or if surplus funds are identified, those funds may be used for any purpose authorized by ordinance or NRS, with the approval of the 911 Surcharge Advisory Committee, to enhance the operation and effectiveness of the 911 system.~~

Capital and Major Project Timeline

~~No major projects or capital expenditures are anticipated beyond those currently underway.~~

Carson City Municipal Code

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Chapter 4.05 SURCHARGE FOR ENHANCEMENT OR IMPROVEMENT OF TELEPHONE SYSTEM USED FOR REPORTING EMERGENCIES

Comment [IY1]: Changes will be made within this chapter consistent with the changes to the ordinance as presented and hopefully approved by the Board of Supervisors.

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4.05.010 Authority and purpose.

1. This chapter is enacted pursuant to NRS 244A.7641 through 244A.7647 for the following purposes:
 - a. To establish an advisory committee to develop a plan for the enhancement or improvement of the telephone system for reporting emergencies in Carson City and to oversee any money allocated for that purpose.
 - b. To impose a surcharge for the enhancement or improvement of ~~the telephone systems~~ for reporting ~~an emergency~~ in Carson City on:
 1. Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in Carson City; and
 2. The mobile telephone service provided to each customer of that service whose place of primary use is in Carson City.

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4.05.020 Definitions.

As used in this chapter, the words and terms defined in this section have the meanings ascribed to them unless the context requires otherwise.

“Incumbent local exchange carrier” has the meaning ascribed to it in 47 U.S.C. § 251(h)(1), as that section existed on October 1, 1999, and includes a local exchange carrier that is treated as an incumbent local exchange carrier pursuant to that section.

“Mobile telephone service” means cellular or other service to a telephone installed in a vehicle or which is otherwise portable.

“Place of primary use” has the meaning ascribed to it in 4 U.S.C. § 124(8), as that section existed on August 1, 2002.

“Supplier” means a person authorized by the Federal Communications Commission to provide mobile telephone service.

“Telephone system” means a system for transmitting information between or among points specified by the user that does not change the form or content of the information regardless of the technology, facilities or equipment used. A telephone system may include, without limitation:

- (a) Wireless or internet technology, facilities or equipment; and
- (b) Technology, facilities or equipment used for transmitting information from an emergency

responder to the user or from the user to an emergency responder.

“Trunk line” means a line that provides a channel between a switchboard owned by a customer of a telecommunications provider and the local exchange of the telecommunications provider.

4.05.030 Establishment of an advisory committee to develop a plan to enhance or improve telephone system for reporting emergency.

1. The board hereby creates an advisory committee called the "9-1-1 surcharge advisory committee" to develop a plan to enhance or improve the telephone system for reporting an emergency in Carson City and to oversee any money allocated for that purpose. The advisory committee shall be comprised of a minimum of five (5) members and a maximum of seven (7) members.

a. Members will serve without compensation.

b. A member appointed to the committee must:

(1) Be a resident of Carson City.

(2) Possess knowledge concerning telephone systems for reporting emergencies; and

(3) Not be an elected public officer.

c. As Carson City has a population of less than 100,000, at least one member of the committee must be a representative of an incumbent local exchange carrier which provides service to persons in Carson City.

2. Members will be selected at large by the board at its discretion.

3. The board must appoint members for a term of two years. In order to stagger the terms, the board must set the appointed members' terms to provide for terms of three of the appointed members to end in odd numbered years. A member may be reappointed to subsequent terms of two years. Any vacancy occurring during a member's term will be filled by the board. A person appointed to fill a vacancy occurring during a term must serve out the unexpired term of the member replaced.

4.05.040 Chairman, election and duties.

1. The committee must elect from its membership a chairman and vice-chairman.

2. The chairman will preside at meetings and be the signatory of any correspondence necessitated by operation of the committee.

3. The vice-chairman will carry out the duties of the chairman in his/her absence.

4.05.050 Rules, regulations and bylaws.

The committee may adopt rules, regulations and/or bylaws regarding its meetings and procedures.

4.05.060 Quorum.

A majority of members of the advisory committee will constitute a quorum. The approval of a majority of all members present to vote is necessary on any action the committee desires to take.

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4.05.070 Meetings.

The committee must hold a public meeting not less than quarterly. Any member of the committee may request a meeting of the committee for special purposes. Such requests shall be made to the chairman, or in his absence, the vice-chairman. Notice of the meetings and the conduct of the meetings of the committee, including the taking of minutes and their transcription and retention, must comply with the provisions of chapter 241 of NRS, Nevada Open Meeting Law.

4.05.080 Imposition of telephone surcharge.

1. For the duration of the imposition of the surcharges, the Board of Supervisors shall, at least annually,

review and if necessary, update the master plan.

2. The board imposes surcharges for the enhancement of the telephone system for reporting an emergency in Carson City on:

- (a) Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in Carson City; and
- (b) The mobile telephone service provided to each customer of that service whose place of primary use is in Carson City.

3. The surcharge on access lines to the local exchange of a telecommunications provider is twenty-five cents **(\$0.25)** per month per line.

4. The surcharge on trunk lines to the local exchange of a telecommunications provider is two dollars and fifty cents **(\$2.50)** per month per line.

5. The surcharge for each telephone number assigned to a customer by a supplier of mobile telephone service is twenty-five cents **(\$0.25)** per month per telephone number.

6. A telecommunications provider that provides access lines or trunk lines in Carson City and a supplier that provides mobile telephone service to customers in Carson City must collect the surcharge from its customers each month. Except as otherwise provided in NRS 244A.7647, each telecommunications provider and supplier must remit the surcharge it collects to the treasurer of the county in which the surcharge is imposed not later than the 15th day of the month after the month it receives payment of the surcharge from its customers. In accordance with NRS 244A.7647, a telecommunications provider or supplier which collects the surcharge imposed pursuant to this section is entitled to retain an amount of the surcharge collected which is equal to the cost to collect the surcharge.

7. The committee or city manager may adopt procedures as necessary to effectuate the provisions of this section.

4.05.090 Creation of special revenue fund; use of money in fund.

1. The board hereby creates a special revenue fund for the deposit of any money collected pursuant to NRS 244A.7643 and CCMC 4.05.080. The money in the fund must be used only for the following purposes:

- (a) To enhance the telephone system for reporting an emergency so that the number and address from which a call received by the system is made may be determined, including only:
 - (1) Paying recurring and nonrecurring charges for telecommunication services necessary for the operation of the enhanced telephone system;
 - (2) Paying costs for personnel and training associated with the routine maintenance and updating of the database for the system;
 - (3) Purchasing, leasing or renting the equipment and software necessary to operate the enhanced telephone system, including, without limitation, equipment and software that

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identify the number or location from which a call is made; and

(4) Paying costs associated with any maintenance, upgrade and replacement of equipment and software necessary for the operation of the enhanced telephone system.

(5) For the purpose of purchasing and maintaining portable event recording devices and vehicular event recording devices, as applicable and as provided for in NRS 244A.7643(3).

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2. If the balance in the fund created pursuant to subsection 1 of this section which has not been committed for expenditure exceeds \$1,000,000 at the end of any fiscal year, the board must reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$1,000,000.

4.05.100 Penalty for failure to remit surcharges

Any telecommunications provider or mobile telephone service supplier that fails to remit surcharges due within 90 days after the date on which the telecommunications provider or supplier must otherwise remit the surcharges to the county treasurer will be subject to a penalty of 5% of the cumulative amount of surcharges owed by the telecommunications provider or supplier.

4.05.110 Dispute of amount of surcharge or designation of place of primary use by customer of supplier of mobile telephone service: Notice by customer; review by supplier; refund, credit or explanation.

1. If a customer of a supplier of mobile telephone service believes that the amount of a surcharge imposed pursuant to NRS 244A.7643 or the designation of a place of primary use is incorrect, the customer may notify the supplier of mobile telephone service in writing of the alleged error. The notice must include:

- (a) The street address for the place of primary use of the customer;
- (b) The account number and name shown on the billing statement of the account for which the customer alleges the error;
- (c) A description of the alleged error; and
- (d) Any other information which the supplier of mobile telephone service may reasonably require to investigate the alleged error.

2. Within 60 days after receiving a notice sent pursuant to subsection 1, the supplier of mobile telephone service shall review the records that the supplier of mobile telephone service uses to determine the place of primary use of its customers.

3. If the review indicates:

- (a) That the alleged error exists, the supplier of mobile telephone service shall correct the error and refund or credit the customer for the amount which was erroneously collected for the applicable period, not to exceed the 24 months immediately preceding the date on which the customer notified the supplier of mobile telephone service of the alleged error.
- (b) That no error exists, the supplier of mobile service shall provide a written explanation to the customer who alleged the error.

4. A customer may not bring a cause of action against a supplier of mobile telephone service for surcharges incorrectly imposed pursuant to NRS 244A.7643 unless he first complies with this section.

NRS 244A.7641 911 SURCHARGE

(this will be modified to reflect the current changes in the chapter)

SURCHARGE FOR ENHANCEMENT OR IMPROVEMENT OF TELEPHONE SYSTEM USED FOR REPORTING EMERGENCY

NRS 244A.7641 Definitions. As used in NRS 244A.7641 to 244A.7647, inclusive, unless the context otherwise requires:

1. "Mobile telephone service" means cellular or other service to a telephone installed in a vehicle or which is otherwise portable.
2. "Place of primary use" has the meaning ascribed to it in 4 U.S.C. § 124(8), as that section existed on August 1, 2002.
3. "Supplier" means a person authorized by the Federal Communications Commission to provide mobile telephone service.
4. "Telephone system" means a system for transmitting information between or among points specified by the user that does not change the form or content of the information regardless of the technology, facilities or equipment used. A telephone system may include, without limitation:
 - (a) Wireless or Internet technology, facilities or equipment; and
 - (b) Technology, facilities or equipment used for transmitting information from an emergency responder to the user or from the user to an emergency responder.

NRS 244A.7643 Surcharge: Imposition; master plan required in certain counties; amount; collection; penalties for delinquent payment.

1. Except as otherwise provided in this section, the board of county commissioners in a county whose population is 100,000 or more but less than 400,000 may by ordinance, for the enhancement of the telephone system for reporting an emergency in the county, impose a surcharge on:

- (a) Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in the county; and
- (b) The mobile telephone service provided to each customer of that service whose place of primary use is in the county.

2. Except as otherwise provided in this section, the board of county commissioners in

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a county whose population is less than 100,000 may by ordinance, for the enhancement or improvement of the telephone system for reporting an emergency in the county, impose a surcharge on:

(a) Each access line or trunk line of each customer to the local exchange of any telecommunications provider providing those lines in the county; and

(b) The mobile telephone service provided to each customer of that service whose place of primary use is in the county.

3. A board of county commissioners may not impose a surcharge pursuant to this section unless the board first adopts a 5-year master plan for the enhancement or improvement, as applicable, of the telephone system for reporting emergencies in the county. The master plan must include an estimate of the cost of the enhancement or improvement, as applicable, of the telephone system and all proposed sources of money for funding those costs. For the duration of the imposition of the surcharge, the board shall, at least annually, review and, if necessary, update the master plan.

4. The surcharge imposed by a board of county commissioners pursuant to this section:

(a) For each access line to the local exchange of a telecommunications provider, must not exceed 25 cents each month;

(b) For each trunk line to the local exchange of a telecommunications provider, must equal 10 times the amount of the surcharge imposed for each access line to the local exchange of a telecommunications provider pursuant to paragraph (a); and

(c) For each telephone number assigned to a customer by a supplier of mobile telephone service, must equal the amount of the surcharge imposed for each access line to the local exchange of a telecommunications provider pursuant to paragraph (a).

5. A telecommunications provider which provides access lines or trunk lines in a county which imposes a surcharge pursuant to this section or a supplier which provides mobile telephone service to a customer in such a county shall collect the surcharge from its customers each month. Except as otherwise provided in [NRS 244A.7647](#), the telecommunications provider or supplier shall remit the surcharge it collects to the treasurer of the county in which the surcharge is imposed not later than the 15th day of the month after the month it receives payment of the surcharge from its customers.

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6. An ordinance adopted pursuant to subsection 1 or 2 may include a schedule of penalties for the delinquent payment of amounts due from telecommunications providers or suppliers pursuant to this section. Such a schedule:

(a) Must provide for a grace period of not less than 90 days after the date on which the telecommunications provider or supplier must otherwise remit the surcharge to the county treasurer; and

(b) Must not provide for a penalty that exceeds 5 percent of the cumulative amount of surcharges owed by a telecommunications provider or a supplier.

7. As used in this section, "trunk line" means a line which provides a channel between a switchboard owned by a customer of a telecommunications provider and the local exchange of the telecommunications provider.

NRS 244A.7645 Establishment of advisory committee to develop plan to enhance or improve telephone system; creation of special revenue fund; use of money in fund.

1. If a surcharge is imposed pursuant to [NRS 244A.7643](#) in a county whose population is 100,000 or more but less than 400,000, the board of county commissioners of that county shall establish by ordinance an advisory committee to develop a plan to enhance the telephone system for reporting an emergency in that county and to oversee any money allocated for that purpose. The advisory committee must consist of not less than five members who:

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- (a) Are residents of the county;
- (b) Possess knowledge concerning telephone systems for reporting emergencies; and
- (c) Are not elected public officers.

2. If a surcharge is imposed pursuant to [NRS 244A.7643](#) in a county whose population is less than 100,000, the board of county commissioners of that county shall establish by ordinance an advisory committee to develop a plan to enhance or improve the telephone system for reporting an emergency in that county and to oversee any money allocated for that purpose. The advisory committee must:

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- (a) Consist of not less than five members who:
 - (1) Are residents of the county;
 - (2) Possess knowledge concerning telephone systems for reporting emergencies; and
 - (3) Are not elected public officers; and

(b) Include a representative of an incumbent local exchange carrier which provides service to persons in that county. As used in this paragraph, "incumbent local exchange carrier" has the meaning ascribed to it in 47 U.S.C. § 251(h)(1), as that section existed on October 1, 1999, and includes a local exchange carrier that is treated as an incumbent local exchange carrier pursuant to that section.

3. If a surcharge is imposed in a county pursuant to [NRS 244A.7643](#), the board of county commissioners of that county shall create a special revenue fund of the county for the deposit of the money collected pursuant to [NRS 244A.7643](#). The money in the fund must be used only:

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(a) In a county whose population is 40,000 or more but less than 400,000, to enhance the telephone system for reporting an emergency, including only:

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(1) Paying recurring and nonrecurring charges for telecommunication services necessary for the operation of the enhanced telephone system;

(2) Paying costs for personnel and training associated with the routine maintenance and updating of the database for the system;

(3) Purchasing, leasing or renting the equipment and software necessary to operate the enhanced telephone system, including, without limitation, equipment and software that identify the number or location from which a call is made; and

(4) Paying costs associated with any maintenance, upgrade and replacement of equipment and software necessary for the operation of the enhanced telephone system.

(b) In a county whose population is less than 400,000, to improve the telephone system for reporting an emergency in the county.

4. If the balance in the fund created in a county whose population is 40,000 or more but less than 400,000 pursuant to subsection 3 which has not been committed for expenditure exceeds \$1,000,000 at the end of any fiscal year, the board of county commissioners shall reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$1,000,000.

5. If the balance in the fund created in a county whose population is less than 40,000 pursuant to subsection 3 which has not been committed for expenditure exceeds \$500,000 at the end of any fiscal year, the board of county commissioners shall reduce the amount of the surcharge imposed during the next fiscal year by the amount necessary to ensure that the unencumbered balance in the fund at the end of the next fiscal year does not exceed \$500,000.

NRS 244A.7645 Requiring deposit of business license fees imposed in county whose population is less than 100,000 on providers of personal wireless service into special revenue fund; exceptions. Repealed. (See chapter 165, [Statutes of Nevada 2007, at page 562.](#))

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NRS 244A.7646 Dispute of amount of surcharge or designation of place of primary use by customer of supplier of mobile telephone service: Notice by customer; review by supplier; refund, credit or explanation.

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1. If a customer of a supplier of mobile telephone service believes that the amount of a

surcharge imposed pursuant to [NRS 244A.7643](#) or the designation of a place of primary use is incorrect, the customer may notify the supplier of mobile telephone service in writing of the alleged error. The notice must include:

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- (a) The street address for the place of primary use of the customer;
- (b) The account number and name shown on the billing statement of the account for which the customer alleges the error;

(c) A description of the alleged error; and

(d) Any other information which the supplier of mobile telephone service may reasonably require to investigate the alleged error.

2. Within 60 days after receiving a notice sent pursuant to subsection 1, the supplier of mobile telephone service shall review the records that the supplier of mobile telephone service uses to determine the place of primary use of its customers.

3. If the review indicates:

(a) That the alleged error exists, the supplier of mobile telephone service shall correct the error and refund or credit the customer for the amount which was erroneously collected for the applicable period, not to exceed the 24 months immediately preceding the date on which the customer notified the supplier of mobile telephone service of the alleged error.

(b) That no error exists, the supplier of mobile service shall provide a written explanation to the customer who alleged the error.

4. A customer may not bring a cause of action against a supplier of mobile telephone service for surcharges incorrectly imposed pursuant to [NRS 244A.7643](#) unless he first complies with this section.

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NRS 244A.7647 Recovering cost of collecting surcharge. A telecommunications provider or supplier which collects the surcharge imposed pursuant to [NRS 244A.7643](#) is entitled to retain an amount of the surcharge collected which is equal to the cost to collect the surcharge.

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