



AMENDMENT #3

OFFERED IN THE HOUSE
TO: CSHB 461(STA)

BY REPRESENTATIVE WOLF

1 Page 1, line 4, through page 2, line 20:

2 Delete all material.

3

4 Page 2, line 21:

5 Delete "Sec. 2"

6 Insert "Section 1"

7

8 Renumber the following bill sections accordingly.

9

10 Page 3, line 21, through page 5, line 14:

11 Delete all material and insert:

12 **** Sec. 3.** AS 29.35.131(a) is amended to read:

13 (a) A municipality may, by resolution or ordinance, elect to provide **an**
14 **emergency services dispatch system or** an enhanced 911 system at public safety
15 answering points, may purchase or lease the enhanced 911 equipment or service
16 required to establish or maintain an enhanced 911 system at public safety answering
17 points from a local exchange telephone company or other qualified vendor, and may
18 impose an enhanced 911 surcharge, in an amount to be determined by the
19 municipality, on all local exchange access lines that provide telephone service to
20 wireline telephones in the area to be served by the enhanced 911 system. A
21 municipality that provides services under an enhanced 911 system may also by
22 resolution or ordinance impose an enhanced 911 surcharge on each wireless telephone
23 number that is billed to an address within the enhanced 911 service area. **An** [FOR A

1 MUNICIPALITY WITH A POPULATION OF 100,000 OR MORE, AN] enhanced
 2 911 surcharge may not exceed \$1 a [50 CENTS PER] month for each wireless
 3 telephone billing statement [NUMBER] or \$1 a [50 CENTS PER] month for each
 4 local exchange billing address [ACCESS LINE] for wireline telephones. [FOR A
 5 MUNICIPALITY WITH FEWER THAN 100,000 PEOPLE, AN ENHANCED 911
 6 SURCHARGE MAY NOT EXCEED 75 CENTS PER MONTH FOR EACH
 7 WIRELESS TELEPHONE NUMBER OR 75 CENTS PER MONTH FOR EACH
 8 LOCAL EXCHANGE ACCESS LINE FOR WIRELINE TELEPHONES.] An
 9 enhanced service area may be all of a city, all of a unified municipality, or all or part
 10 of the area within a borough and may include the extraterritorial jurisdiction of a
 11 municipality in accordance with AS 29.35.020. The governing body of a municipality
 12 shall review an enhanced 911 surcharge annually to determine whether the current
 13 level of the surcharge is adequate, excessive, or insufficient to meet anticipated
 14 enhanced 911 system needs. The municipality may [ONLY] use the enhanced 911
 15 surcharge for the enhanced 911 system and for the actual labor and equipment
 16 used to provide emergency services dispatch, but not for costs of providing the
 17 medical, police, fire, rescue, or other emergency service, or for any other
 18 purpose.

19 * **Sec. 4.** AS 29.35.131(b) is amended to read:

20 (b) A local exchange telephone company providing service in a municipality
 21 that has imposed an enhanced 911 surcharge shall bill each month and collect the
 22 surcharge from customers in the enhanced 911 service area. A wireless telephone
 23 company that provides telephone service to wireless telephone customers with billing
 24 addresses within the enhanced 911 service area shall impose the [AN ENHANCED
 25 911] surcharge each month and collect the surcharge from customers in the enhanced
 26 911 service area. A local exchange telephone customer may not be subject to more
 27 than one enhanced 911 surcharge on a local exchange billing address [ACCESS
 28 LINE] for a wireline telephone. A wireless telephone customer may not be subject to
 29 more than one enhanced 911 surcharge for each billing statement [FOR EACH
 30 WIRELESS TELEPHONE NUMBER. A CUSTOMER THAT HAS MORE THAN
 31 100 LOCAL EXCHANGE ACCESS LINES FROM A LOCAL EXCHANGE

1 TELEPHONE COMPANY IN THE MUNICIPALITY IS LIABLE FOR THE
 2 ENHANCED 911 SURCHARGE ONLY ON 100 LOCAL EXCHANGE ACCESS
 3 LINES].

4 * **Sec. 5.** AS 29.35.131(c) is amended to read:

5 (c) A local exchange telephone company or wireless telephone company shall
 6 include the appropriate enhanced 911 surcharge, stated separately and included in the
 7 total amount owed, in the bills delivered to its customers. The Regulatory
 8 Commission of Alaska may not consider the enhanced 911 surcharge as revenue of the
 9 telephone company [AND HAS NO JURISDICTION OVER AN ENHANCED 911
 10 SYSTEM]. A customer is liable for payment of the enhanced 911 surcharge in the
 11 amounts billed by the telephone company until the amounts have been paid to the
 12 telephone company."

13
 14 Page 5, line 23, through page 6, line 5:

15 Delete all material and insert:

16 ** **Sec. 7.** AS 29.35.133(a) is amended to read:

17 (a) The establishment, funding, use, operation, or maintenance of enhanced
 18 911 or emergency services dispatch systems and all activities associated with those
 19 actions are specifically found to be within the ambit of AS 09.50.250(1) and
 20 AS 09.65.070(d)(6). Except for intentional acts of misconduct or gross negligence, a
 21 service supplier, local exchange telephone company, or wireless telephone company
 22 and their employees and agents are also immune from tort liability that might
 23 otherwise be incurred in the course of installing, training, maintaining, or providing
 24 enhanced 911 systems or transmitting or receiving calls on the system.

25 * **Sec. 8.** AS 42.05 is amended by adding a new section to read:

26 **Sec. 42.05.295. Routing 911 calls.** Notwithstanding AS 42.05.711, to ensure
 27 statewide access by all residents to 911 wireline services, traditional or enhanced, for
 28 areas where there is no local or regional public safety answering point, the state shall
 29 provide a toll-free, statewide default public safety answering point to which each local
 30 exchange telephone company must route all 911 calls originating from within its
 31 customer service base."