

**HOUSE BILL NO. 499**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-THIRD LEGISLATURE - SECOND SESSION

**BY REPRESENTATIVE HEINZE**

**Introduced: 2/16/04**

**Referred: Community and Regional Affairs, Labor and Commerce**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to 911 systems."**

2 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

3 **\* Section 1.** AS 29.35.131(a) is amended to read:

4 (a) A municipality may, by resolution or ordinance, elect to provide an  
5 enhanced 911 system at public safety answering points, may purchase or lease the  
6 enhanced 911 equipment or service required to establish or maintain an enhanced 911  
7 system at public safety answering points from a local exchange telephone company or  
8 other qualified vendor, and may impose an enhanced 911 surcharge, in an amount to  
9 be determined by the municipality, on all local exchange access lines that provide  
10 telephone service to wireline telephones in the area to be served by the enhanced 911  
11 system. A municipality that provides services under an enhanced 911 system may also  
12 by resolution or ordinance impose an enhanced 911 surcharge on each wireless  
13 telephone number that is billed to an address within the enhanced 911 service area.  
14 An [FOR A MUNICIPALITY WITH A POPULATION OF 100,000 OR MORE, AN  
15 ENHANCED 911 SURCHARGE MAY NOT EXCEED 50 CENTS PER MONTH

1 FOR EACH WIRELESS TELEPHONE NUMBER OR 50 CENTS PER MONTH  
 2 FOR EACH LOCAL EXCHANGE ACCESS LINE FOR WIRELINE  
 3 TELEPHONES. FOR A MUNICIPALITY WITH FEWER THAN 100,000 PEOPLE,  
 4 AN] enhanced 911 surcharge may not exceed \$2.00 a [75 CENTS PER] month for  
 5 each wireless telephone number or \$2.00 a [75 CENTS PER] month for each local  
 6 exchange access line for wireline telephones. An enhanced 911 service area may be all  
 7 of a city, all of a unified municipality, or all or part of the area within a borough and  
 8 may include the extraterritorial jurisdiction of a municipality in accordance with  
 9 AS 29.35.020. The governing body of a municipality shall review an enhanced 911  
 10 surcharge annually to determine whether the current level of the surcharge is adequate,  
 11 excessive, or insufficient to meet anticipated enhanced 911 system needs. The  
 12 municipality may only use the enhanced 911 surcharge for the enhanced 911 system.

13 \* **Sec. 2.** AS 29.35.131(b) is amended to read:

14 (b) A local exchange telephone company providing service in a municipality  
 15 that has imposed an enhanced 911 surcharge shall bill each month and collect the  
 16 surcharge from customers in the enhanced 911 service area. A wireless telephone  
 17 company that provides telephone service to wireless telephone customers with billing  
 18 addresses within the enhanced 911 service area shall impose an enhanced 911  
 19 surcharge each month and collect the surcharge from customers in the enhanced 911  
 20 service area. A local exchange telephone customer may not be subject to more than  
 21 one enhanced 911 surcharge on a local exchange access line for a wireline telephone.  
 22 A wireless telephone customer may not be subject to more than one enhanced 911  
 23 surcharge for each wireless telephone number. [A CUSTOMER THAT HAS MORE  
 24 THAN 100 LOCAL EXCHANGE ACCESS LINES FROM A LOCAL EXCHANGE  
 25 TELEPHONE COMPANY IN THE MUNICIPALITY IS LIABLE FOR THE  
 26 ENHANCED 911 SURCHARGE ONLY ON 100 LOCAL EXCHANGE ACCESS  
 27 LINES.]

28 \* **Sec. 3.** AS 29.35.131(c) is amended to read:

29 (c) A local exchange telephone company or wireless telephone company shall  
 30 include the appropriate enhanced 911 surcharge, stated separately and included in the  
 31 total amount owed, in the bills delivered to its customers. The Regulatory Commission

1 of Alaska may not consider the enhanced 911 surcharge as revenue of the telephone  
 2 company [AND HAS NO JURISDICTION OVER AN ENHANCED 911 SYSTEM].  
 3 A customer is liable for payment of the enhanced 911 surcharge in the amounts billed  
 4 by the telephone company until the amounts have been paid to the telephone company.

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

6 (d) A local exchange telephone company or wireless telephone company that  
 7 has collected the enhanced 911 surcharge shall remit the amounts collected to the  
 8 municipality **not** [NO] later than 60 days after the end of the month in which the  
 9 amount was collected. From each remittance made in a timely manner under this  
 10 subsection, the telephone company is entitled to deduct and retain the greater of one  
 11 percent of the collected amount or \$150 as the cost of administration for collecting the  
 12 enhanced 911 surcharge. In addition, a wireless telephone company is entitled to full  
 13 recovery of the recurring and nonrecurring costs associated with implementation and  
 14 operation of Phase I **and Phase II** E911 service as allowed under Federal  
 15 Communications Commission proceedings entitled "Revision of the Commission's  
 16 Rules to Ensure Compatibility with Enhanced 9-1-1 Emergency Calling Systems" (CC  
 17 Docket No. 94-102; RM-8143).

18 \* **Sec. 5.** AS 29.35.131 is amended by adding new subsections to read:

19 (i) A municipality may by ordinance elect to impose a point-of-purchase 911  
 20 surcharge from prepaid wireless telephone accounts not to exceed one percent of the  
 21 purchase value. The surcharge must apply to initial purchases and to subsequent  
 22 purchases of air time. The retailer of the wireless account is responsible for remitting  
 23 the surcharge to the municipality.

24 (j) To enable each municipality to qualify for grant funding, the governor is  
 25 responsible for certifying the collection and use of all 911 surcharges.

26 \* **Sec. 6.** AS 29.35 is amended by adding a new section to read:

27 **Sec. 29.35.134. Multi-line telecommunications systems.** A municipality  
 28 may by ordinance elect to require an enhanced 911 system from a multi-line  
 29 telecommunications system. A multi-line telecommunications system operator must  
 30 arrange to update the automatic location identification database with an appropriate  
 31 master street address guide valid address and callback number for each multi-line

1 telecommunications system telephone, so that the location information specifies the  
 2 emergency response location of the caller. A multi-line telecommunications system  
 3 operator is considered to be in compliance with this section when the multi-line  
 4 telecommunications system complies with E911 generally accepted industry standards  
 5 as defined by the Regulatory Commission of Alaska. For purposes of this section,

6 (1) "call back number" means a number used by the public safety  
 7 answering point to re-contact the location from which a 911 call is placed; the number  
 8 may or may not be the number of the station used to originate the 911 call;

9 (2) "emergency response location" means the location to which a 911  
 10 emergency response team may be dispatched that is specific enough to provide a  
 11 reasonable opportunity for the emergency response team to quickly locate a caller  
 12 anywhere within it;

13 (3) "master street address guide" means a database of formatted street  
 14 names, numerical addresses or address ranges, and other parameters defining valid  
 15 locations and emergency services zones, and their associated emergency services  
 16 numbers, that enables the proper routing and response to 911 calls;

17 (4) "multi-line telephone system" means a system made up of common  
 18 control units, telephone sets, and control hardware and software, including network  
 19 and premises based systems such as Centrex and PBX, Hybrid, and Key Telephone  
 20 Systems, as classified by the Federal Communications Commission under Part 68  
 21 Requirements, and including systems owned or leased by governmental agencies or  
 22 nonprofit entities, as well as for profit entities;

23 (5) "multi-line telephone system operator" means an entity that owns,  
 24 leases, or rents from a third party, and operates a multi-line telephone system through  
 25 which a caller may place a 911 call through a public switched network.

26 \* **Sec. 7.** AS 42.05 is amended by adding a new section to read:

27 **Sec. 42.05.295. Routing 911 calls.** Notwithstanding AS 42.05.711, to ensure  
 28 statewide access by all residents to 911 wireline services, traditional or enhanced, each  
 29 local exchange telephone company that provides wireline service to an area outside a  
 30 municipality must route all 911 calls originating from within its customer service base  
 31 to a public safety answering point. In this section, "municipality" has the meaning

1 given in AS 29.35.137.