

**HOUSE BILL NO. 74**

IN THE LEGISLATURE OF THE STATE OF ALASKA  
 TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE HOLM

Introduced: 1/18/05

Referred: Community and Regional Affairs, Labor and Commerce

**A BILL****FOR AN ACT ENTITLED**

1 **"An Act relating to enhanced 911 surcharges."**

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  
 5 provide an enhanced 911 system at public safety answering points, may purchase or  
 6 lease the enhanced 911 equipment or service required to establish or maintain an  
 7 enhanced 911 system at public safety answering points from a local exchange  
 8 telephone company or other qualified vendor, and may impose an enhanced 911  
 9 surcharge, in an amount to be determined by the municipality, on all local exchange  
 10 access lines that provide telephone service to wireline telephones in the area to be  
 11 served by the enhanced 911 system. A municipality that provides services under an  
 12 enhanced 911 system may also by [RESOLUTION OR] ordinance impose an  
 13 enhanced 911 surcharge on each wireless telephone number that is billed to an address  
 14 within the enhanced 911 service area. **The** [FOR A MUNICIPALITY WITH A  
 15 POPULATION OF 100,000 OR MORE, AN] enhanced 911 surcharge **may only be**

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

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

16 (b) A local exchange telephone company **or a wireless telephone company**  
 17 providing service in a municipality that has imposed an enhanced 911 surcharge shall  
 18 bill each month and collect the surcharge from customers in the enhanced 911 service  
 19 area. [A WIRELESS TELEPHONE COMPANY THAT PROVIDES TELEPHONE  
 20 SERVICE TO WIRELESS TELEPHONE CUSTOMERS WITH BILLING  
 21 ADDRESSES WITHIN THE ENHANCED 911 SERVICE AREA SHALL IMPOSE  
 22 AN ENHANCED 911 SURCHARGE EACH MONTH AND COLLECT THE  
 23 SURCHARGE FROM CUSTOMERS IN THE ENHANCED 911 SERVICE AREA.  
 24 A LOCAL EXCHANGE TELEPHONE CUSTOMER MAY NOT BE SUBJECT TO  
 25 MORE THAN ONE ENHANCED 911 SURCHARGE ON A LOCAL EXCHANGE  
 26 ACCESS LINE FOR A WIRELINE TELEPHONE. A WIRELESS TELEPHONE  
 27 CUSTOMER MAY NOT BE SUBJECT TO MORE THAN ONE ENHANCED 911  
 28 SURCHARGE FOR EACH WIRELESS TELEPHONE NUMBER. A CUSTOMER  
 29 THAT HAS MORE THAN 100 LOCAL EXCHANGE ACCESS LINES FROM A  
 30 LOCAL EXCHANGE TELEPHONE COMPANY IN THE MUNICIPALITY IS  
 31 LIABLE FOR THE ENHANCED 911 SURCHARGE ONLY ON 100 LOCAL

1 EXCHANGE ACCESS LINES.]

2 \* **Sec. 3.** AS 29.35.131 is amended by adding a new subsection to read:

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