

CS FOR HOUSE BILL NO. 249(L&C)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FOURTH LEGISLATURE - FIRST SESSION

BY THE HOUSE LABOR AND COMMERCE COMMITTEE

Offered: 4/26/05

Referred: Rules

Sponsor(s): REPRESENTATIVES HAWKER, Holm, Olson, Lynn, Dahlstrom

A BILL

FOR AN ACT ENTITLED

1 "An Act relating to enhanced 911 systems and enhanced 911 surcharges imposed by a
2 municipality, public municipal corporation, or village."

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

4 * **Section 1.** AS 29.10.200(37) is amended to read:

5 (37) AS 29.35.131 - 29.35.137 [AS 29.35.131] (enhanced 911 system);

6 * **Sec. 2.** AS 29.35.131(a) is amended to read:

7 (a) A municipality may, by resolution or ordinance, elect to provide an
8 enhanced 911 system at public safety answering points **and** [,] may purchase or lease
9 the enhanced 911 equipment or service required to establish or maintain an enhanced
10 911 system at public safety answering points from a local exchange telephone
11 company or other qualified vendor. The municipality [, AND] may impose an
12 enhanced 911 surcharge [, IN AN AMOUNT TO BE DETERMINED BY THE
13 MUNICIPALITY, ON ALL LOCAL EXCHANGE ACCESS LINES THAT
14 PROVIDE TELEPHONE SERVICE TO WIRELINE TELEPHONES IN THE AREA

1 TO BE SERVED BY THE ENHANCED 911 SYSTEM. A MUNICIPALITY THAT
 2 PROVIDES SERVICES UNDER AN ENHANCED 911 SYSTEM MAY ALSO BY
 3 RESOLUTION OR ORDINANCE IMPOSE AN ENHANCED 911 SURCHARGE
 4 ON EACH WIRELESS TELEPHONE NUMBER THAT IS BILLED TO AN
 5 ADDRESS] within the enhanced 911 service area. **An** [FOR A MUNICIPALITY
 6 WITH A POPULATION OF 100,000 OR MORE, AN ENHANCED 911
 7 SURCHARGE MAY NOT EXCEED 50 CENTS PER MONTH FOR EACH
 8 WIRELESS TELEPHONE NUMBER OR 50 CENTS PER MONTH FOR EACH
 9 LOCAL EXCHANGE ACCESS LINE FOR WIRELINE TELEPHONES. FOR A
 10 MUNICIPALITY WITH FEWER THAN 100,000 PEOPLE, AN] enhanced 911
 11 surcharge may not exceed **\$2.00** [75 CENTS] per month for each wireless telephone
 12 number **and \$2.00** [OR 75 CENTS] per month for each local exchange access line for
 13 wireline telephones. **The maximum surcharge amount of \$2.00 provided for in**
 14 **this subsection may be increased above that level if the surcharge amount is**
 15 **approved by the voters of the enhanced 911 service area. The amount of**
 16 **surcharge imposed for each wireless telephone number must equal the amount**
 17 **imposed for each local exchange access line for a wireline telephone.** An enhanced
 18 911 service area may be all of a city, all of a unified municipality, or all or part of the
 19 area within a borough and may include the extraterritorial jurisdiction of a
 20 municipality in accordance with AS 29.35.020. The governing body of a municipality
 21 shall review an enhanced 911 surcharge annually to determine whether the current
 22 level of the surcharge is adequate, excessive, or insufficient to meet anticipated
 23 enhanced 911 system needs. **When a municipality imposes an enhanced 911**
 24 **surcharge or the amount of the surcharge is changed, the municipality shall**
 25 **notify in writing the telephone customers subject to the surcharge and provide an**
 26 **explanation of what the surcharge will be used for. A local exchange telephone**
 27 **company that collects the enhanced 911 surcharge shall distribute the**
 28 **notification. However, the municipality shall pay any reasonable incremental**
 29 **costs associated with the notification** [THE MUNICIPALITY MAY ONLY USE
 30 THE ENHANCED 911 SURCHARGE FOR THE ENHANCED 911 SYSTEM].

31 * **Sec. 3.** AS 29.35.131 is amended by adding new subsections to read:

1 (i) A municipality may only use the enhanced 911 surcharge revenue for those
2 costs of the enhanced 911 system that are authorized in this subsection. The surcharge
3 revenue may not be used for any capital or operational costs for emergency responses
4 that occur after the call is dispatched to the emergency responder. The surcharge
5 revenue may not be used for constructing buildings, leasing buildings, maintaining
6 buildings, or renovating buildings, except for the modification of an existing building
7 to the extent that is necessary to maintain the security and environmental integrity of
8 the public safety answering point and equipment rooms. The surcharge revenue may
9 be used for the following costs to the extent the costs are directly attributable to the
10 establishment, maintenance, and operation of an enhanced 911 system:

11 (1) the acquisition, implementation, and maintenance of public safety
12 answering point equipment and 911 service features;

13 (2) the acquisition, installation, and maintenance of other equipment,
14 including call answering equipment, call transfer equipment, automatic number
15 identification controllers and displays, automatic location identification controllers and
16 displays, station instruments, 911 telecommunications systems, teleprinters, logging
17 recorders, instant playback recorders, telephone devices for the deaf, public safety
18 answering point backup power systems, consoles, automatic call distributors, and
19 hardware and software interfaces for computer-aided dispatch systems;

20 (3) the salaries and associated expenses for 911 call takers for that
21 portion of time spent taking and transferring 911 calls;

22 (4) training costs for public safety answering point call takers in the
23 proper methods and techniques used in taking and transferring 911 calls;

24 (5) expenses required to develop and maintain all information
25 necessary to properly inform call takers as to location address, type of emergency, and
26 other information directly relevant to the 911 call-taking and transferring function,
27 including automatic location identification and automatic number identification
28 databases.

29 (j) If a city in an enhanced 911 service area established by a borough incurs
30 costs described under (i) of this section for the enhanced 911 system, before the
31 borough may use revenue from an enhanced 911 surcharge, the borough and city must

1 execute an agreement addressing the duties and responsibilities of each for the
 2 enhanced 911 system and establishing priorities for the use of the surcharge revenue.
 3 If the Department of Public Safety also provides services as part of the enhanced 911
 4 system or uses the enhanced 911 system in that enhanced 911 service area, the
 5 department must be a party to the agreement.

6 (k) For purposes of (i) of this section, "call taker" means a person employed in
 7 a primary or secondary answering point whose duties include the initial answering of
 8 911 or enhanced 911 calls and routing the calls to the agency or dispatch center
 9 responsible for dispatching appropriate emergency services and a person in a primary
 10 or secondary answering point whose duties include receiving a 911 or enhanced 911
 11 call either directly or routed from another answering point and dispatching appropriate
 12 emergency services in response to the call; the term "call taker" is synonymous with
 13 the term "dispatcher" in that it is inclusive of the functions of both answering the 911
 14 or enhanced 911 calls and dispatching emergency services in response to the calls.

15 * **Sec. 4.** AS 29.35 is amended by adding a new section to read:

16 **Sec. 29.35.134. Multi-line telecommunications systems.** A municipality
 17 may by ordinance elect to require an enhanced 911 system from a multi-line
 18 telecommunications system. A multi-line telecommunications system operator must
 19 arrange to update the automatic location identification database with an appropriate
 20 master street address guide, valid address, and callback number for each multi-line
 21 telecommunications system telephone, so that the location information specifies the
 22 emergency response location of the caller. A multi-line telecommunications system
 23 operator is considered to be in compliance with this section when the multi-line
 24 telecommunications system complies with E911 generally accepted industry standards
 25 as defined by the Regulatory Commission of Alaska. For purposes of this section,

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

29 (2) "emergency response location" means the location to which a 911
 30 emergency response team may be dispatched that is specific enough to provide a
 31 reasonable opportunity for the emergency response team to quickly locate a caller

1 anywhere within it;

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

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

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

15 * **Sec. 5.** AS 29.35 is amended by adding a new section to read:

16 **Sec. 29.35.138. Application.** AS 29.35.131 - 29.35.137 apply to home rule
17 and general law municipalities.

18 * **Sec. 6.** AS 29.35.131(h) is repealed.