

HOUSE BILL NO. 142
IN THE LEGISLATURE OF THE STATE OF ALASKA
EIGHTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVE ULMER

Introduced: 2/10/93

Referred: State Affairs, Labor & Commerce, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to enhanced 911 emergency reporting systems; and providing for**
2 **an effective date."**

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

4 *** Section 1. FINDINGS AND PURPOSE.** (a) The legislature finds that an enhanced 911
5 telephone emergency system provides

- 6 (1) expansion of the benefits of the basic 911 emergency telephone number;
7 (2) faster response time, which minimizes the loss of life and property;
8 (3) automatic routing to the appropriate emergency response unit;
9 (4) immediate visual display of the location and telephone number of the
10 caller; and

11 (5) curtailment of abuses of the emergency system by documenting callers.
12 (b) It is the purpose of this legislation to establish methods for the payment of costs
13 associated with establishing and maintaining enhanced 911 emergency systems.

14 *** Sec. 2.** AS 42.30 is amended by adding new sections to read:

1 local exchange telephone company in the state is liable for the surcharge only on 100
2 local exchange access lines.

3 (d) A local exchange telephone company that has collected the 911 emergency
4 surcharge shall remit the amounts collected to the department each month, no later
5 than 60 days after the end of the month in which the amount was collected. From
6 each remittance made in a timely manner under this subsection, the local exchange
7 telephone company is entitled to deduct and retain, as the cost of administration for
8 collecting the 911 emergency surcharge, the greater of one percent of the amount
9 collected or \$50.

10 (e) The department shall administer and enforce collection of the 911
11 emergency surcharge. The department may, at its own expense, require an annual
12 audit of a local exchange telephone company's books and records concerning the
13 collection and remittance of the 911 emergency surcharge.

14 Sec. 42.30.420. LOCAL 911 SURCHARGE. (a) A municipality served by
15 a local exchange telephone company that has not provided for enhanced 911 system
16 capability in its network may, by resolution or ordinance, elect to provide an enhanced
17 911 emergency system and may impose a local 911 surcharge, in an amount to be
18 determined by the municipality but not to exceed 50 cents per month per local
19 exchange access line, on all local exchange access lines in the area to be served by the
20 system. The municipality may use the local 911 surcharge to pay the cost of providing
21 the network and database capability for enhanced 911 service.

22 (b) A local exchange telephone company providing service in a municipality
23 that has imposed a local 911 surcharge shall bill and collect the local 911 surcharge
24 from customers in the designated 911 service area.

25 (c) A customer that has more than 100 local exchange access lines from a
26 local exchange telephone company in the municipality is liable for the surcharge only
27 on 100 local exchange access lines.

28 (d) A local exchange telephone company that has collected the local 911
29 surcharge shall remit the amounts collected to the municipality each month, no later
30 than 60 days after the end of the month in which the amount was collected. From
31 each remittance made in a timely manner under this subsection, the local exchange

1 telephone company is entitled to deduct and retain one percent of the collected amount
2 as the cost of administration for collecting the local 911 surcharge.

3 (e) The municipality may, at its own expense, require an annual audit of a
4 local exchange telephone company's books and records concerning the collection and
5 remittance of the local 911 surcharge.

6 Sec. 42.30.430. COLLECTION AND ADMINISTRATION OF 911
7 SURCHARGES. (a) A local exchange telephone company shall include the 911
8 surcharges, stated separately and included in the total amount owed, in the bills
9 delivered to its customers. The 911 surcharges may not be considered as revenue of
10 the local exchange telephone company.

11 (b) A local exchange service customer is liable for payment of the 911
12 surcharges in the amounts billed by the local exchange telephone company until the
13 amounts have been paid to the telephone company.

14 (c) A local exchange telephone company is not obligated to take legal action
15 to enforce collection of the 911 surcharges. The company shall annually provide the
16 department with a list of the amounts due for the nonpayment of 911 emergency
17 surcharges, together with the names and addresses of those customers who carry a
18 balance that can be determined by the company to be for the nonpayment of the 911
19 emergency surcharges. In the case of local 911 surcharges imposed by a municipality
20 under AS 42.30.420, the company shall provide the information to the municipality.
21 The company is not liable for uncollected amounts.

22 Sec. 42.30.440. ENHANCED 911 FUND. (a) There is created in the general
23 fund the enhanced 911 fund, to be administered by the department. Subject to
24 appropriation by the legislature, the fund consists of money collected by the
25 department for the 911 emergency surcharge.

26 (b) The enhanced 911 fund shall reimburse municipalities that choose to
27 participate in the fund for the cost of purchasing or leasing equipment necessary to
28 provide enhanced 911 emergency services in a designated 911 service area.

29 (c) The department shall report to the legislature each year as to the status of
30 the fund and whether the current level of the 911 emergency surcharge is adequate,
31 excessive, or insufficient to meet anticipated needs.

1 (A) selectively route incoming 911 calls to the appropriate
2 public safety answering point operating in a 911 service area; and

3 (B) automatically display the name, address, and telephone
4 number of an incoming 911 call on a video monitor at the appropriate public safety
5 answering point;

6 (7) "enhanced 911 equipment" means the customer premises equipment
7 directly related to the operation of an enhanced 911 system, including automatic
8 number identification or automatic location identification controllers and display units,
9 printers, cathode ray tubes, and software associated with call detail recording;

10 (8) "fund" means the enhanced 911 fund created in AS 42.30.440;

11 (9) "local 911 surcharge" means the additional charge imposed by a
12 municipality served by a local exchange telephone company that has not otherwise
13 provided for enhanced 911 capability in its network in order to provide funding for the
14 municipality to pay for development of the network and database;

15 (10) "local exchange access line" means a telephone line that connects
16 a local exchange service customer to the local switching office and has the capability
17 of reaching local public safety agencies, but does not include a line used by a carrier
18 to provide interexchange services;

19 (11) "local exchange service" means the transmission of two-way
20 interactive switched voice communications furnished by a telecommunications
21 company within a local exchange area, including access to enhanced 911 systems; in
22 this paragraph, "local exchange area" means a geographic area encompassing one or
23 more political subdivisions as described in maps, tariffs, or rate schedules filed with
24 the commission, where local exchange rates apply;

25 (12) "local exchange telephone company" means a telephone utility
26 certificated to provide local exchange service;

27 (13) "public safety answering point" means a 24-hour local jurisdiction
28 communications facility that receives 911 service calls and directly dispatches
29 emergency response services or that relays calls to the appropriate public or private
30 safety agency.

31 * **Sec. 3.** This Act takes effect immediately under AS 01.10.070(c).