

SB

97

Alaska State Legislature

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Anchorage, Alaska 99503
(907) 561-2038



During Session:
P.O. Box V
Juneau, Alaska 99811
(907) 465-4993

Senator Drue Pearce
District G

Sponsor Statement for CS for Senate Bill 97 (L&C)

Mr. Chairman and members of the Committee ... the Work Draft for Committee Substitute for Senate Bill 97 will enable emergency dispatchers to better assist people who call 911 when they find themselves in life threatening situations. Victims of crime, the young, and the elderly are often unable to give adequate directions when they dial 911. If enacted, SB-97 would create a mechanism to fund enhanced 911 emergency reporting systems. The bill is permissive.

Enhanced 911 emergency reporting systems provide an expansion of the benefits of the basic 911 emergency telephone number. Among the benefits are:

- 1) Immediate visual display of the location and telephone number of the caller.
- 2) Automatic routing to the appropriate emergency response unit.
- 3) Faster response time.
- 4) Curtailment of abuses of the emergency system by documenting callers.

This bill gives immunity from liability, except for intentional acts of misconduct or gross negligence, to municipalities and their suppliers of 911 services. The bill, for the purposes of a dispatcher furnishing name and address information to emergency response units, waives the telephone customer's privacy rights normally afforded by unlisted phone numbers.

SPONSOR STATEMENT

Alaska State Legislature

Senator Tim Kelly, Chair
Senator Steve Rieger, Vice Chair
Senator Drue Pearce
Senator Judy Salc
Senator Georgianna Lincoln



SENATE LABOR AND COMMERCE
COMMITTEE

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SECTIONAL ANALYSIS OF THE WORK DRAFT CS SB 97 (L&C): ENHANCED 911 EMERGENCY SYSTEM

Section 1: Findings & Purpose.

Section 2:

Amends AS 09.25.120, PUBLIC RECORDS; EXCEPTIONS; CERTIFIED COPIES, so that records or information provided in the course of an enhanced 911 call, including the recording of the call, are protected from release to the public. This section also makes some technical changes making the section easier to read.

Section 3:

Amends AS 09.65.070(d), SUITS AGAINST INCORPORATED UNITS OF LOCAL GOVERNMENT, to provide municipalities immunity from suit for the exercise of a duty in connection with an enhanced 911 system.

Section 4:

Amends AS 29.10.200, LIMITATION OF HOME RULE POWERS, to add AS 29.35.131, ENHANCED 911 SYSTEM, as a new paragraph. This provides that the Enhanced 911 System provisions apply to home rule municipalities as a prohibition on acting otherwise than as provided for in AS 29.35.131.

Section 5:

Amends AS 29.35, MUNICIPAL POWERS AND DUTIES, by adding 5 new sections:

- 29.35.131 - 911 Surcharge;
- 29.35.133 - Immunity;
- 29.35.135 - Waiver of Privacy By Local Exchange Telephone Company Subscribers;
- 29.35.137 - Definitions.

SECTIONAL ANALYSIS

29.35.131: 911 Surcharge

Allows municipalities to elect to provide an enhanced 911 system and impose a surcharge, collectable through the local telephone exchange's billing system, to meet only the costs of the system. This surcharge is capped at 50 cents for municipalities with 100,000 or more people, and 75 cents for municipalities with fewer than 100,000 people.

In a municipality which has elected to provide this system, the local exchange telephone company shall bill and collect the surcharge, which shall be paid to the municipality no later than 60 days from the end of the month in which it is collected. The surcharge may not be considered revenue of the local exchange company. If a customer only pays a portion of his or her bill, the amount paid shall be prorated between the surcharge and telephone bill. From each remittance to the municipality, the local exchange company may deduct the greater of one percent of the collected amount or \$150 for the cost of collection.

A local exchange company is not legally obligated to take legal action to enforce collection of the surcharge, but if the company is attempting to collect an unpaid debt from a customer, it shall also attempt to collect any unpaid 911 surcharge.

29.35.133: Immunity

Except for intentional acts of misconduct or gross negligence, a service supplier, local exchange telephone company, and their employees and agents, are immune from liability.

29.35.135: Waiver of Privacy By Local Telephone Company Subscribers

Local telephone subscribers waive the privacy afforded by unlisted or unpublished phone numbers to the extent that the name and address may be furnished to the enhanced 911 system for routing and response.

29.35.137: Definitions

Section 6: Effective Date.

LETTERS OF SUPPORT FOR SB 97

ANCHORAGE POLICE DEPARTMENT

ANCHORAGE TELEPHONE UTILITY

MUNICIPALITY OF ANCHORAGE

ALASKA FIRE CHIEF'S ASSOCIATION



TOM FINK
MAYOR

ANCHORAGE POLICE DEPARTMENT

4501 SOUTH BRAGAW STREET • ANCHORAGE, ALASKA 99507-1599
TELEPHONE (907) 788-8500



February 11, 1993

The Honorable Drue Pearce
Alaska State Legislature
Senate
P.O. Box V
Juneau, Alaska 99811

Dear Senator Pearce,

The Anchorage Police Department supports Senate Bill 97. This bill will allow all Alaskans to receive efficient and effective access to emergency service agencies via Enhanced 911 Systems.

Senate Bill 97 provides stable funding for Enhanced 911 Systems throughout the State, thus allowing all jurisdictions the option to provide faster and more effective emergency services to citizens. Any person who dials 911 will receive an appropriate emergency response. These enhanced 911 systems will also provide access to the speech and hearing impaired through the incorporation of Terminal Devices for the Deaf (TDD).

Senate Bill 97 also provides immunity from liability associated with the installation, operation and maintenance of Enhanced 911 Systems for telephone companies and emergency services telephone operators and dispatchers. This immunity is required, in our opinion, for efficient operation of Enhanced 911 Systems.

We sincerely appreciate your support.

Sincerely,

Kevin M. O'Leary
Chief of Police

ANCHORAGE POLICE DEPARTMENT
LETTER OF SUPPORT



Anchorage Telephone Utility

Executive Offices

February 24, 1993

Honorable Tim Kelly
Alaska State Senate
Pouch V
Juneau, AK 99811

Dear Senator Kelly:

Your question regarding Section 2 (Public Records; Exceptions; Certified Copies) of CSSB97, An Act relating to enhanced 911 emergency reporting systems, was passed on to me by Senator Pearce's office.

That language was requested by the Anchorage Police Department. As I understand it, it is simply an issue of privacy. It is their position that a person involved in an emergency situation involving the use of 911 should be entitled to a degree of privacy regarding that situation. Naturally, if a crime is found to have been committed and/or an arrest is made in conjunction with a 911 call, then that information would become public.

Thank you for your support of this legislation. I hope this answers your question. If you need additional information, please do not hesitate to call.

Sincerely,

ANCHORAGE POLICE DEPARTMENT



Gordon Parker
Director, Carrier Relations & Public Policy

cc: Senator Pearce

1:CRPP-011

MUNICIPALITY OF ANCHORAGE
1993 LEGISLATIVE PROGRAM

LEGISLATIVE ISSUES

TITLE: Statewide 911 Legislation

The Municipality of Anchorage would support a bill that provided as a local government option a mechanism for local telephone companies to collect for 911 services areawide.

The cost of the 911 system in Anchorage is born by the taxpayers of the Anchorage Police Service Area (APSA), which currently does not include the Hillside/South Anchorage area. In the past, the Alaska State Troopers have relied upon the Anchorage Police Department's (APD) 911 system in order to provide emergency telephone service to these areas, and have been billed for the services proportionate to calls received for their agency. The Troopers recently notified the Municipality that it will no longer pay these costs and wished to withdraw from 911 participation.

This is an important issue to the MOA, because we do not have a source of revenue to fund the 911 system outside the APSA. Clearly, we cannot provide free emergency communications services to some residents of the Municipality while taxing other residents for the same service. In addition, the Municipality cannot provide 911 services free of charge to the State.

The Municipality also favors eliminating liability for information regarding unlisted phone numbers.

Contact: Larry D. Crawford, Municipal Manager
Phone: 343-4433

Introduced by: Alaska Fire Chief's Association
Date: September 25, 1992

RESOLUTION 92-02J

A RESOLUTION REQUESTING THAT THE ALASKA STATE LEGISLATURE PROVIDE SOURCES OF FUNDING FOR THE ENHANCED 911 SYSTEM SIMILAR TO LEGISLATION INTRODUCED DURING THE SECOND SESSION OF THE SEVENTEENTH ALASKA STATE LEGISLATURE.

WHEREAS, expansion of the benefits of the basic 911 emergency telephone number provides faster response time, which minimizes the loss of fire and property, and


WHEREAS, automatic routing to the appropriate emergency response unit occurs, and

WHEREAS, immediate visual display of the location and telephone number of the caller appears which curtails the abuses of the emergency system by documenting callers.

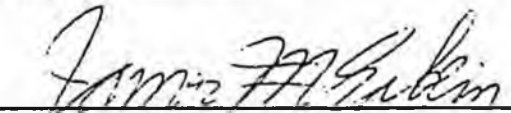
NOW, THEREFORE, BE IT RESOLVED BY THE ALASKA FIRE CHIEF'S ASSOCIATION AND ALASKA STATE FIREFIGHTER'S ASSOCIATION:

- 1) that the Alaska State Legislature is urged to provide funding sources, either through local user fees, or surcharges, to fund the enhanced 911 systems statewide.

ADOPTED, this 25th day of September, 1992.

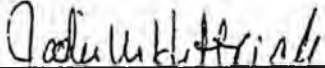


Andy Postishek, President AFCA



James Eakin, President ASFA

ATTEST:



Jodie Hettrick, Secretary

RESOLUTION OF SUPPORT FROM THE
ALASKA FIRE CHIEF'S ASSOCIATION