

HB

461

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By: Bonnie Williams
Randy Frank
Garry Hutchison
Introduced: 03/11/04
Adopted: 03/11/04

FAIRBANKS NORTH STAR BOROUGH

RESOLUTION NO. 2004 - 23

A RESOLUTION SUPPORTING HB 461 AN ACT RELATING TO ENHANCED 911 SURCHARGES AND TO EMERGENCY SERVICES DISPATCH SYSTEMS OF MUNICIPALITIES, CERTAIN VILLAGES, AND PUBLIC CORPORATIONS ESTABLISHED BY MUNICIPALITIES

WHEREAS, 911 is the official national emergency number in the United States and Canada; and

WHEREAS, the 911 network is a vital part of our nation's emergency response and disaster preparedness system. Enhanced 911 (E911) systems now automatically report the telephone number and location of 911 calls made from wireline phones; and

WHEREAS, the Federal Communications Commission (FCC) has established a program requiring wireless telephone carriers to provide E911 capability. When implemented, wireless E911 will provide the precise location of 911 calls from wireless phones; and

WHEREAS, municipalities have no way to fully cover the costs of this essential dispatch service. Currently AS 29.35 gives a municipality the ability to cover the cost of the E911 equipment through a surcharge of only sixty-five cents; and


WHEREAS, HB 461 will shift some of the costs to the users of this service and provide substantial relief to stretched municipal budgets. Municipalities will have the option to charge phone users through a surcharge on their phone bill allowing them to respond to the needs of their communities; and

NOW, THEREFORE, BE IT RESOLVED that the Assembly of the Fairbanks North Star Borough supports HB 461.

BE IT FURTHER RESOLVED of copies of this resolution shall be sent to the Alaska Interior Delegation.

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PASSED AND APPROVED THIS 11th DAY OF MARCH 2004.


Hank Bartos
Presiding Officer

ATTEST:


Mona Lisa Drexler, CMC
Municipal Borough Clerk

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49
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51
52

Ayes: Romans, Hutchison, Sattley, Rex, Henry, Williams, Beck, Frank, Aldridge, Cummings,
Bartos
Noss: None

FAX

Fairbanks North Star Borough Assembly
clerks@co.fairbanks.ak.us

Date 3/12/04

Number of pages including cover sheet 3

To: Interior Delegation Members

From: Hank Bartos, Presiding Officer,
FNSB Assembly

c/o Mona Lisa Drexler, Clerk's Office

Phone (907) 459-1402

Fax Phone (907) 459-1224

CC:

REMARKS

Urgent For your review Reply ASAP Please comment

The Fairbanks North Star Borough Assembly recently adopted the following resolution(s). A copy is attached to this fax for your information.

RESOLUTION NO. 2004 - 23

A RESOLUTION SUPPORTING HB 461 AN ACT RELATING TO ENHANCED 911 SURCHARGES AND TO EMERGENCY SERVICES DISPATCH SYSTEMS OF MUNICIPALITIES, CERTAIN VILLAGES, AND PUBLIC CORPORATIONS ESTABLISHED BY MUNICIPALITIES

Amendments to 461

Sec. ⁵ 29.35.131

(c) A local exchange telephone company or wireless telephone company shall include the appropriate enhanced 911 surcharge, stated separately and include in the total amount owed, in the bills delivered to its customers. The Regulatory Commission of Alaska may not consider the enhanced 911 surcharge as revenue of the telephone company **[AND HAS NO JURISDICTION OVER AN ENHANCED 911 SYSTEM]**.

A customer is liable for payment of the enhanced 911 surcharge in the amounts billed by the telephone company until the amounts have been paid to the telephone company.

Sec. 4 AS 29.35.131 (b)

Line 31 Delete **[A CUSTOMER THAT HAS MORE THAN 100 LOCAL EXCHANGE ACCESSLINES FROM LOCAL EXCHANGE TELEPHONE COMPANY IN THE MUNICIPALITY IS LIABLE FO THE ENHANCED 911 SURCHARGE ONLY ON 100 EXCHANGE ACCESS LINES]**.

Sec. 7 AS 42.05 is amended by adding a new section to read

Sec. 42.05.295 Routing 911 calls. Notwithstanding as 42.05.711, to ensure statewide access by all residents to 911 wireline services, traditional or enhanced, each local exchange telephone company that provides wireline service to an area outside a municipality must route all 911 calls originating from within its customer service base to a public safety answering point. In this section, "municipality" has the meaning given in as 29.35.137

UB 461 - New Changes

SI Wolf's office

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

April 5, 2004

SUBJECT: Sectional summary (CSHB 461()); Draft Version "Q")

TO: Representative Kelly Wolf
Attn: Rex Weimer

FROM: Tamara Brandt Cook
Director

TBC

Sec. 1. Adds to list of judicial actions that may not be brought against a municipality an action based on the exercise of a duty in connection with an emergency services dispatch system.

Sec. 2. Permits a municipality to provide an emergency services dispatch system. Existing law permits enhanced 911 systems. Increases the enhanced 911 surcharge maximum to \$1 per month for each wireless telephone billing statement or \$1 per month for each local exchange access line for wireline telephones. Deletes the distinction in surcharges that is in existing law based on municipal population. Permits the surcharge to be used for labor and equipment used to provided emergency services dispatch, but not for cost of providing the emergency service.

Sec. 4. Provides that a wireless telephone customer may not be subject to more than one enhanced 911 surcharge for each billing statement. The existing provision applies to telephone numbers rather than billing statements.

Sec. 5. Permits a municipality to impose a point-of-purchase 911 surcharge from prepaid wireless telephone accounts, limited to one percent of the purchase value. Makes the governor responsible for certifying the collection and use of 911 surcharges.

Sec. 6. Adds emergency services dispatch to the existing immunity provision applicable to enhanced 911 systems.

TBC:lmb
04-102.lmb

CS FOR HOUSE BILL NO. 461()

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-THIRD LEGISLATURE - SECOND SESSION

BY

**Offered:
Referred:**

Sponsor(s): REPRESENTATIVE HOLM

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to enhanced 911 surcharges and to emergency services dispatch**
2 **systems of municipalities, certain villages, and public corporations established by**
3 **municipalities."**

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

5 *** Section 1. AS 09.65.070(d) is amended to read:**

6 (d) An action for damages may not be brought against a municipality or any of
7 its agents, officers, or employees if the claim is based on

8 (1) [IS BASED ON] a failure of the municipality, or its agents,
9 officers, or employees, when the municipality is neither owner nor lessee of the
10 property involved, to

11 (A) [TO] inspect property for a violation of any statute,
12 regulation, or ordinance, or a hazard to health or safety;

13 (B) [TO] discover a violation of any statute, regulation, or
14 ordinance, or a hazard to health or safety if an inspection of property is made;

1 or

2 (C) [TO] abate a violation of any statute, regulation, or
3 ordinance, or a hazard to health or safety discovered on property inspected;

4 (2) [IS BASED UPON] the exercise or performance or the failure to
5 exercise or perform a discretionary function or duty by a municipality or its agents,
6 officers, or employees, whether or not the discretion involved is abused;

7 (3) [IS BASED UPON] the grant, issuance, refusal, suspension, delay,
8 or denial of a license, permit, appeal, approval, exception, variance, or other
9 entitlement, or a rezoning;

10 (4) [IS BASED ON] the exercise or performance during the course of
11 gratuitous extension of municipal services on an extraterritorial basis;

12 (5) [IS BASED UPON] the exercise or performance of a duty or
13 function upon the request of, or by the terms of an agreement or contract with, the
14 state to meet emergency public safety requirements; or

15 (6) [IS BASED ON] the exercise or performance of a duty in
16 connection with an emergency services dispatch system or enhanced 911 emergency
17 system and is not based on an intentional act of misconduct or on an act of gross
18 negligence.

19 * Sec. 2. AS 29.10.200(37) is amended to read:

20 (37) AS 29.35.131 (emergency services dispatch system and
21 enhanced 911 system);

22 * Sec. 3. AS 29.35.131(a) is amended to read:

23 (a) A municipality may, by resolution or ordinance, elect to provide an
24 emergency services dispatch system or an enhanced 911 system at public safety
25 answering points, may purchase or lease the enhanced 911 equipment or service
26 required to establish or maintain an enhanced 911 system at public safety answering
27 points from a local exchange telephone company or other qualified vendor, and may
28 impose an enhanced 911 surcharge, in an amount to be determined by the
29 municipality, on all local exchange access lines that provide telephone service to
30 wireline telephones in the area to be served by the enhanced 911 system. A
31 municipality that provides services under an enhanced 911 system may also by

1 resolution or ordinance impose an enhanced 911 surcharge on each wireless telephone
2 number that is billed to an address within the enhanced 911 service area. An [FOR A
3 MUNICIPALITY WITH A POPULATION OF 100,000 OR MORE, AN] enhanced
4 911 surcharge may not exceed \$1 a [50 CENTS PER] month for each wireless
5 telephone billing statement [NUMBER] or \$1 a [50 CENTS PER] month for each
6 local exchange access line for wireline telephones. [FOR A MUNICIPALITY WITH
7 FEWER THAN 100,000 PEOPLE, AN ENHANCED 911 SURCHARGE MAY NOT
8 EXCEED 75 CENTS PER MONTH FOR EACH WIRELESS TELEPHONE
9 NUMBER OR 75 CENTS PER MONTH FOR EACH LOCAL EXCHANGE
10 ACCESS LINE FOR WIRELINE TELEPHONES.] An enhanced service area may be
11 all of a city, all of a unified municipality, or all or part of the area within a borough
12 and may include the extraterritorial jurisdiction of a municipality in accordance with
13 AS 29.35.020. The governing body of a municipality shall review an enhanced 911
14 surcharge annually to determine whether the current level of the surcharge is adequate,
15 excessive, or insufficient to meet anticipated enhanced 911 system needs. The
16 municipality may [ONLY] use the enhanced 911 surcharge for the enhanced 911
17 system and for the actual labor and equipment used to provide emergency
18 services dispatch, but not for costs of providing the medical, police, fire, rescue,
19 or other emergency service, or for any other purpose.

20 * Sec. 4. AS 29.35.131(b) is amended to read:

21 (b) A local exchange telephone company providing service in a municipality
22 that has imposed an enhanced 911 surcharge shall bill each month and collect the
23 surcharge from customers in the enhanced 911 service area. A wireless telephone
24 company that provides telephone service to wireless telephone customers with billing
25 addresses within the enhanced 911 service area shall impose the [AN ENHANCED
26 911] surcharge each month and collect the surcharge from customers in the enhanced
27 911 service area. A local exchange telephone customer may not be subject to more
28 than one enhanced 911 surcharge on a local exchange access line for a wireline
29 telephone. A wireless telephone customer may not be subject to more than one
30 enhanced 911 surcharge for each billing statement [FOR EACH WIRELESS
31 TELEPHONE NUMBER]. A customer that has more than 100 local exchange access

1 lines from a local exchange telephone company in the municipality is liable for the
2 enhanced 911 surcharge only on 100 local exchange access lines.

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

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

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

11 * Sec. 6. AS 29.35.133(a) is amended to read:

12 (a) The establishment, funding, use, operation, or maintenance of enhanced
13 911 or emergency services dispatch systems and all activities associated with those
14 actions are specifically found to be within the ambit of AS 09.50.250(1) and
15 AS 09.65.070(d)(6). Except for intentional acts of misconduct or gross negligence, a
16 service supplier, local exchange telephone company, or wireless telephone company
17 and their employees and agents are also immune from tort liability that might
18 otherwise be incurred in the course of installing, training, maintaining, or providing
19 enhanced 911 systems or transmitting or receiving calls on the system.



ANCHORAGE POLICE DEPARTMENT



4501 Bragaw Street • Anchorage, Alaska 99507-1599

Telephone (907) 786-8500

<http://www.muni.org>

Mark Begich
Mayor

March 16, 2004

Representative Carl Morgan
State Capitol, Room 408
Juneau, AK 99801-1182

Dear Representative Morgan:

The Anchorage Police Department (APD) and the Municipality of Anchorage are endorsing House Bill 499 ("An Act Relating to 911 Systems") and are asking for your support of this legislation. APD and our neighboring public safety agencies have worked consistently with the Alaska Chapter of the National Emergency Number Association (NENA) to assist in drafting the language before you.

HB 499 provides for an increase in the allowable 9-1-1 surcharge, removes a prohibition from the Regulatory Commission of Alaska to assist local agencies in negotiating with telecommunications carriers in the deployment of 9-1-1 services, and implements increased accountability for the provision of wireless 9-1-1 location capability by wireless carriers.

The need for these changes is based primarily on the inability of local agencies to fully fund 9-1-1 services. The costs of these services include twenty-four hour staffing, call taker training, technology and database contracts with local carriers, and the effort required to provide accurate address information. The deployment of wireless 9-1-1 location capability is likewise an expensive undertaking with significant benefits for the public in improving our ability to find callers in distress.

The Municipality of Anchorage's recent 9-1-1 system contract with Alaska Communications Systems reflects the increasing cost of these services. Although diligently negotiated, the current contract represents a three-fold increase in our recurring costs of 9-1-1 infrastructure. Without the ability to collect additional 9-1-1 surcharges, we face a significant shortfall in funding the operational costs of call taking and database maintenance.

Other provisions of this bill enable local jurisdictions to adopt rules for the owners of Multi-Line Telecommunications Systems (i.e., PBXs) to provide location information with 9-1-1 calls. Currently, many of these calls do not provide a call-back number or location information that would enable first responders to find the caller. We are severely impacted due to the significant number of these installations within the Municipality.

The benefits to the residents and visitors of Alaska of this legislation include the adequate funding of effective 9-1-1 call taking services, the ability to find 9-1-1 callers using cellular telephones, and the consistent application of 9-1-1 to summon public safety assistance.

We would appreciate your support and vote on this matter. If you have any questions, please call me or Deputy Chief Rob Heun at (907) 786-8553.

Sincerely,

Walt Monegan
Chief of Police

cc: Representative Heinze

Subject: HB461

Date: Tue, 6 Apr 2004 16:49:07 -0800

From: "Jim Rowe" <jrowe@arctic.net>

To: <Rex_Weimer@legis.state.ak.us>

Rex,

Thanks for forwarding the drafts to me earlier today. Sorry it has taken me so long to reply.


Here is the excerpt on Section that went to the Speaker's office and some others. I'll attach a draft (see attachment) that I think addresses it better.

We would like to address the concerns of rural communities where there is no local PSAP and where there is not even a distant PSAP designated to accept an emergency call. Section 7 of HB499 attempts to address this by providing that "each local exchange company that provides wire service to an area outside a municipality must route all 911 calls originating from within its customer service base to a public safety answering point." A local wireline telephone company can only provide local service. If the PSAP is not local – which is the case in most rural communities – the call can only be delivered to a long distance carrier. Technically and legally, we cannot deliver a 911 call to a non-local PSAP.

Following is an excerpt from the Federal Communications Commission (FCC 01-351, paragraph 27, released <?xml:namespace prefix = st1 ns = "urn:schemas-microsoft-com:office:smarttags" />12/11/01):

While we fully expect States and localities to designate appropriate local emergency authorities to

Rural phone companies and rural Alaskans need a manned default PSAP to which 911 calls can be routed when there is no local or regional PSAP. A 911 call – a notification of an emergency situation – should not go unreported. None of these three bills addresses that or its costs.

 HB499AmendDraftv1.doc	<p>Name: HB499AmendDraftv1.doc Type: WINWORD File (application/msword) Encoding: base64 Download Status: Not downloaded with message</p>
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Alaska Telephone Association

Greg Berberich
President

201 E. 56th, Suite 114
Anchorage, AK 99518
(907) 563-4000
FAX (907) 562-3776
www.alaskatel.org

James Rowe
Executive Director
jrowe@arctic.net

March 25, 2004

Hon. Carl Morgan
Alaska State Legislature
State Capitol
Juneau, Alaska 99801-1182

RE: E911 Proposed Legislation

Dear Rep. Morgan:

The Alaska Telephone Association represents fourteen rural, essentially wireline, local exchange telephone companies, each of which is absolutely dedicated to providing high quality service to all of its customers. We support emergency services, but are very concerned with legislation introduced this session; HB499 and HB461 and its companion, SB335.

Of foremost concern to local telephone companies is the customer perception that local telephone rates are increasing by up to \$2.25 (HB461) or \$1.25 (HB499); this at a time when the Regulatory Commission of Alaska is considering changes that will add to each end-user's bill and interstate assessment increases are also likely to impact the end user. These combined increases have a real impact on the customer least able to afford a higher monthly phone bill.

Although uncomfortable with any increase in charges to the local telephone customer, we cannot tell if the proposed amounts are excessive or even sufficient to accomplish their stated tasks. We are curious why the most urban community needs a 400 percent increase in assessment while communities with lesser populations need "only" a 167 percent increase (HB499). Such disparity is not the case in the alternative bill, HB461, where the Anchorage surcharge cap would be \$1.85 and other municipal caps would be \$3.00. Additionally, HB499 seeks an E911 (PSAP) increase of \$1.50 in

Anchorage while HB461 leaves the E911 (PSAP) charge in Anchorage at 50 cents while seeking an increase from 75 to 85 cents in the rest of the state.

ATA would be interested to know the potential revenues to be collected for each municipality and see a breakdown of the amounts anticipated to be collected by each of the companies. We believe that our customers who will see this on their bills each month also deserve some assurance that a new assessment is necessary.

Is the contribution scheme equitable when a single residential customer contributes more per telephone number to emergency services than a business or state agency with more than 100 lines (HB461)? That seems like regressive taxation. How much less would the individual surcharge be if every line contributed equally?

Perhaps not immediately recognized is that the "nominal" per month increase of \$1.50 (Anchorage, HB499) or \$1.25 (municipalities with a population less than 100,000, HB499) or \$2.25 (municipalities with a population with less than 100,000, HB461) escalates rapidly in homes with a wireline phone, fax and two or three cell phones in the family.

In their titles, HB461 and SB335 include "certain villages" as entities to which the legislation would apply, yet no villages are identified in the proposed legislation. More varied input at an earlier stage of this effort would surely have brought greater clarity to the proposed legislation and perhaps more support for additional financing of emergency services.

We would like to address the concerns of rural communities where there is no local PSAP and where there is not even a distant PSAP designated to accept an emergency call. Section 7 of HB499 attempts to address this by providing that "each local exchange company that provides wire service to an area outside a municipality must route all 911 calls originating from within its customer service base to a public safety answering point." A local wireline telephone company can only provide local service. If the PSAP is not local – which is the case in most rural communities – the call can only be delivered to a long distance carrier. Technically and legally, we cannot deliver a 911 call to a non-local PSAP.

Following is an excerpt from the Federal Communications Commission (FCC 01-351, paragraph 27, released 12/11/01):

While we fully expect States and localities to designate appropriate local emergency authorities to receive 911 calls in virtually all areas in accordance with one of the above procedures, we cannot preclude the possibility of areas where there is no PSAP, no statewide default answering point, and the State or local authorities have not selected an appropriate local emergency authority. As a last resort, in order to avoid the blocking of 911 calls in those areas, we require carriers to make a reasonable judgment as where to deliver 911 calls, and complete all translation and routing necessary to deliver 911 calls to such authority no later than nine months from the release date of this Order. We find that this requirement is consistent with section 3(a) of the 911 Act, which requires us to provide an appropriate period for transition to the use of 911 in those areas where it is not in use as an emergency number on the date of enactment of the 911 Act, and with the concerns expressed by Congress concerning the ability of emergency services personnel to respond quickly and effectively, particularly in rural areas. To assist carriers in this determination, we require them to initiate contact with the entity to be designated by the State's Governor pursuant to section 3(b) of the 911 Act. We also encourage carriers to notify the Governor's designated entity as soon as practicable once they are aware that no appropriate local emergency authority has been selected and to allow at least 15 days for a response before proceeding to select an answering point. Discussions with public safety organizations such as NENA and APCO also may be appropriate. Finally, Commission staff will assist carriers in resolving unanticipated difficulties, to the extent proper and necessary. Thus, due to the overriding public interest for all emergency calls to be completed and not dropped for any reason, this requirement will ensure that there is a destination to which emergency calls can be delivered.

Rural phone companies and rural Alaskans need a manned default PSAP to which 911 calls can be routed when there is no local or regional PSAP. A 911 call – a notification of an emergency situation – should not go unreported. None of these three bills addresses that or its costs.

Proposal

These 911, enhanced 911, public safety answering point and dispatch issues are important and complex. These issues should be addressed comprehensively, but likely differently in various parts of the state. We propose a 10 cent increase in the surcharge on each wireline and wireless local access line to be used to fund a statewide 911 coordinator. Additionally, a task force including emergency services personnel and industry representatives should be established to determine the resources, needs and funding opportunities available to best serve both urban and rural Alaskans. The task force report should be presented to the Twenty Fourth Alaska State Legislature no later than January 31, 2005.

The members of the Alaska Telephone Association look forward to working with the legislature, emergency services personnel and all Alaskans to determine these needs and facilitate the solutions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Jim Rowe", with a long horizontal flourish extending to the right.

Jim Rowe

~~House~~
~~Bill~~
~~461~~
approved to go w/ bill

CS FOR HOUSE BILL 461 (STA)

Letter of Intent

It is the intent of the Alaska State Legislature that a Statewide "911" Coordinator be established ~~within the Division of Homeland Security, in the Department of Military and Veterans Affairs~~ to coordinate and facilitate the implementation and operation of enhanced 911 emergency communications systems throughout the state and enable the receipt of federal funds.

panel

AMENDMENT 1

Offered in the House

By Representative Holm

TO: CSHB 461(CRA) Version "Z"

- 1 Page 3, Line 22
- 2 Delete "resolution or"
- 3 Page 3, Line 31
Delete "resolution or"

pernel

AMENDMENT 2

Offered in the House

By Representative Holm

TO: CSHB 461(CRA) Version "Z"

- 1 Page 3, Line 26
- 2 Insert after company ", competitive local exchange company"
- 3 Page 4, Line 21
- 4 Insert after company ", or a competitive local exchange company"

passed

AMENDMENT 3

Offered in the House

By Representative Holm

TO: CSHB 461(CRA) Version "Z"

- 1 Page 5, Line 26
- 2 Insert after company "competitive local exchange company, wireless reseller,

passed

AMENDMENT 7

Offered in the House

By Representative Holm

TO: CSHB 461(CRA) Version "Z"

- 1 Page 5, Line 24
- 2 Delete "(1)"
- 3 Insert "(6)"

James

AMENDMENT 5

Offered in the House

By Representative Holm

TO: CSHB 461(CRA) Version "Z"

- 1 Page 4, Line 28
- 2 Delete "address"
- 3 Insert "statement" — *and make it consistent throughout bill*

passed

AMENDMENT 6

Offered in the House

By Representative Holm

TO: CSHB 461(CRA) Version "Z"

- 1 Page 4, Line 24
- 2 Insert after company "or wireless reseller,"

Conceptual Amend. passed.

#7 define term emergency service dispatch

**CITY OF FAIRBANKS***Steve M. Thompson, Mayor*800 CUSHMAN STREET
FAIRBANKS, ALASKA 99701-4615

OFFICE: 907-459-6793

FAX: 907-459-6787

smthompson@ci.fairbanks.ak.us

April 30, 2004

Interior Delegation
Alaska Legislature
State Capitol, Room 102
Juneau, AK 99801-1182**RE: House Bill 461, E911 Emergency Services Dispatch**

Dear Senators and Representatives:

The City of Fairbanks supports House Bill 461 as passed out of the State Affairs Committee.

Our city was hard hit by the elimination of municipal funding. HB 461 will authorize (not require) local governments to provide for a surcharge on wire line telephone and wireless cell phones to provide enhanced 911 service and to pay the direct costs of maintaining an emergency dispatch center.As passed out of State Affairs, each community may enact an ordinance (after public hearing) to set the surcharge. I urge you to support local control. If you must set a "cap" on the surcharge, set the cap high enough to give each community the tools to meet local needs.

In addition, please let each municipality set the appropriate surcharge for wire lines and wireless. The cost of wire less (cell phone) E-911 may be higher than the cost for wire lines.

Thank you all for your hard work for our community and state.

Sincerely,

A handwritten signature in cursive script that reads "Steve M. Thompson".

Steve M. Thompson
City Mayor

Cc: Honorable Jim Whittaker, Borough Mayor

Jeff Jacobson, North Pole Mayor
Fairbanks City Council Members

CITY OF FAIRBANKS



WARREN B. CUMMINGS

Fire Chief

656 7th Avenue
Fairbanks, Alaska 99701-4578
wcummings@ci.fairbanks.ak.us

Office (907) 450-6604
Fax: (907) 450-6666

ALASKA
FIRE STANDARDS COUCNIL
Full One Year Budget Estimate

Budget Line Items	Phase I	Phase II	Phase III	TOTAL
PERSONNEL				
Administrative Clerk III, Range 10		\$42,000.00	\$0.00	\$42,000.00
Progrm Administrator, Range 21	\$94,000.00		\$0.00	\$94,000.00
TOTAL PERSONNEL				\$136,000.00
TRAVEL				
Meeting Expense	\$24,000.00	\$0.00	\$4,000.00	\$28,000.00
Certifying Officer Program	\$10,000.00	\$0.00	\$10,000.00	\$20,000.00
Administrative Travel	\$6,000.00	\$3,000.00	\$4,200.00	\$13,200.00
TOTAL TRAVEL				\$61,200.00
CONTRACTUAL				
Curriculum Development	\$10,000.00	\$10,000.00	\$20,000.00	\$40,000.00
Rentals Leases	\$20,000.00	\$0.00	\$0.00	\$20,000.00
Communications	\$7,400.00	\$0.00	\$0.00	\$7,400.00
Other Contractual	\$5,000.00	\$0.00	\$6,900.00	\$11,900.00
TOTAL CONTRACTUAL				\$79,300.00
SUPPLIES				
Supplies	\$2,000.00	\$2,000.00	\$1,600.00	\$5,600.00
TOTAL SUPPLIES				\$5,600.00
EQUIPMENT				
Computers/Equipment	\$2,500.00	\$2,500.00	\$2,000.00	\$7,000.00
Furniture	\$2,500.00	\$2,500.00	\$0.00	\$5,000.00
TOTAL EQUIPMENT				\$12,000.00
PHASE TOTALS	\$183,400.00	\$62,000.00	\$48,700.00	\$294,100.00

PHASE I \$183,400.00
 PHASE I & II \$245,400.00
 PHASE I, II & III \$294,100.00

STATE OF ALASKA
Boards and Commissions

FIRE STANDARDS COUNCIL

BOARD: Alaska Fire Standards Council

BOARD IDENTIFICATION NUMBER: 202

DEPARTMENT: Department of Public Safety

AUTHORITY: AS 18.70.320

STATUS: Active

SUNSET DATE:

REQUIREMENTS: No Legislative Confirmation or Financial Disclosure required

PROHIBITIONS: Members may not serve beyond the time the member holds the office that established eligibility for appointment.

TERM: 4 years

DESCRIPTION: 11 members - 10 appointed by the Governor: 2 chief administrative officers or fire chiefs of local governments (only one of these may be from a local government where the fire department consists entirely of paid employees); 4 representatives of fire fighters, including at least one fire fighter administrative officer from the Alaska State Fire Fighters Association (these members may not, while serving on the council, be a fire chief); 2 volunteer fire fighters, one from a community with a population of 2,500 or less and one from a community with a population greater than 2,500; and 2 members of the public at large with at least one member from a community with a population of 2,500 or less. In addition, the state fire marshal or a designee of the state fire marshal shall serve on the council during his or her continuance in office.

FUNCTION: The council may adopt regulations for the administration of AS 18.70.320-18.70.369 including establishing minimum training and performance standards for certification of fire services personnel; establish minimum fire training curriculum requirements for certification of training programs that are designed to enable trainees to meet these standards; govern the procedure for certification of fire services training programs that meet the minimum curriculum requirements; govern the procedure for certification of individuals who satisfy the minimum training and performance standards; govern the procedure for revocation of the certificate of a person or program; consult and cooperate with municipalities, agencies of the state, other governmental agencies, universities, colleges, and other institutions concerning the development of fire services training schools and programs offered in the state; employ an administrator and other persons necessary to carry out its duties and charge and collect fees determined by the council to be necessary.

CHAIR: Council selects.

SPECIAL FACTS:

COMPENSATION: Standard Travel and Per Diem.

MEETINGS: At least two meetings per year.

FOR FURTHER INFORMATION CONTACT:

Mr. Mark Barker
Fire Service Training Supervisor
DPS; Division of Fire Prevention
5700 East Tudor Road
Anchorage, AK 99507-1225
Phone: (907) 269-5491, FAX: (907) 338-4375
E-MAIL ADDRESS: mark_barker@dps.state.ak.us

**ALASKA FIRE CHIEFS ASSOCIATION
04-01**

**RESOLUTION IN SUPPORT OF AMENDMENT OF THE ALASKA STATUTES TO
AUTHORIZE MUNICIPALITIES TO INCREASE THE PHONE SURCHARGE TO PAY
THE COSTS OF EMERGENCY SERVICES DISPATCH**

WHEREAS, dispatch centers are an essential part of providing emergency police, fire, and emergency medical services; and

WHEREAS, Alaska Statutes section 29.35.131 authorizes smaller Alaskan municipalities to enact a surcharge of up to \$0.75 per month upon telephone lines to pay for the expense of enhanced 911 services; and


WHEREAS, as currently written, AS 29.35.131 does not authorize a surcharge for the operating costs of emergency dispatch centers; and

WHEREAS, authorization for municipalities to increase the phone surcharge to pay the cost of dispatch centers in an appropriate amount will provide desperately needed revenue to operate dispatch centers.


NOW, THEREFORE, BE IT RESOLVED THAT THE ALASKA FIRE CHIEFS ASSOCIATION SUPPORTS AMENDMENT OF STATE LAW TO AUTHORIZE A COMMUNITY OPTION FOR LOCAL INCREASE OF THE TELEPHONE SURCHARGE TO PAY THE COST OF OPERATION OF DISPATCH CENTERS UP TO THE AMOUNT ALLOWED BY STATE LAW.

BE IT FURTHER RESOLVED, THAT THE ALASKA FIRE CHIEFS SUPPORTS HOUSE BILL 461 AS PROPOSED BY REPRESENTATIVE JIM HOLM, WHICH WOULD AUTHORIZE AN INCREASED SURCHARGE.

ADOPTED, THIS 10TH DAY OF FEBRUARY, 2004



Dave Tyler, President
Alaska Fire Chiefs Association



Warren B. Cummings,
Attest, First Vice-President

STATE OF ALASKA

Interim:

119 North Cushman, Rm. 205
Fairbanks, Alaska 99701
(907) 456-7423
Fax: (907) 451-9293

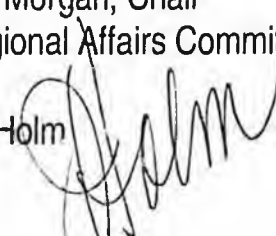
Session:

State Capitol Building
Juneau, Alaska 99801
(907) 465-3466
Fax: (907) 465-2937

REPRESENTATIVE JIM HOLM DISTRICT 9

DATE: February 20th, 2004

TO: Representative Carl Morgan, Chair
Community and Regional Affairs Committee

FROM: Representative Jim Holm 

RE: HB 461

Please schedule HB 461, EMERGENCY SERVICES DISPATCH/911 SURCHARGE, for hearing in the Community and Regional Affairs Committee at your earliest convenience. Back-up material is attached.

Thank you very much for your help with this bill.

STATE OF ALASKA

Interim:

119 North Cushman, Rm. 205
Fairbanks, Alaska 99701
(907) 456-7423
Fax: (907) 451-9293

Session:

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REPRESENTATIVE JIM HOLM DISTRICT 9

HB 461

"EMERGENCY SERVICES DISPATCH/911 SURCHARGE"

Sponsor Statement

19 February

Enhanced 9-1-1 technology is sweeping the nation. This enhanced emergency service provides a faster, more efficient means of rescue to the citizens of Alaska. Enhanced 9-1-1 immediately provides the dispatcher with the identity and physical location of a caller. Bottom line: Enhanced 9-1-1 can save lives.

Municipalities have no way to fully cover the costs of this essential dispatch service. Currently AS 29.35 gives a municipality the ability to cover the cost of the Enhanced 9-1-1 equipment through a surcharge of only sixty-five cents. This does not cover the cost of the dispatch or the labor. The burden of the cost for this service is borne by local property taxes and state revenues.

This bill will shift some of the costs to the users of this service and provide substantial relief to stretched municipal budgets. Municipalities will have the option to charge phone users through a surcharge on their phone bill. Local governments are more capable of responding to the specific needs of their community. These adjustments will be a great stride toward the goal of local control for city and borough governments.

LEGAL SERVICES

DIVISION OF LEGAL AND RESEARCH SERVICES
LEGISLATIVE AFFAIRS AGENCY
STATE OF ALASKA

(907) 465-3867 or 465-2450
FAX (907) 465-2029
Mail Stop 3101

State Capitol
Juneau, Alaska 99801-1182
Deliveries to: 129 6th St., Rm. 329

MEMORANDUM

February 18, 2004

SUBJECT: Sectional summary (HB 461)

TO: Representative Jim Holm
Attn: Matthew Rudig

FROM: Tamara Brandt Cook
Director *TBC*

Sec. 1. Prevents an action from being brought against a municipality based on the exercise of a duty in connection with an emergency services dispatch system unless the action is also based on an intentional act of misconduct or on an act of gross negligence. Note that under existing law "municipality" is defined to include a public corporation established by a municipality and a village.

Sec. 2. Technical change to list of home rule limitations to accommodate changes made in bill sections 3 - 8.

Sec. 3. Permits a municipality to provide an emergency services dispatch system and impose a surcharge for that service. Increases enhanced 911 surcharges that a municipality may impose.

Secs. 4 - 9. Treats emergency services dispatch service areas, surcharges, and collections in the way the existing provisions cover enhanced 911 service areas, surcharges, and collections. Permits a telephone company to retain an amount of the collected emergency services dispatch surcharge for costs of the collection under the same terms that now apply to enhanced 911 collections.

Sec. 10. Adds a definition of "emergency services dispatch."

TBC:med
04-204.med

Proposed Telephone Surcharge Amendment		
January 28, 2004		
	Current Fairbanks E-911 Surcharge:	Proposed Current E-911 Surcharge plus Dispatch Surcharge
Surcharge Income		
E-911 monthly surcharge per line	\$ 0.65	\$ 0.75
Proposed new Dispatch surcharge		\$ 1.45
Total	0.65	\$ 2.20
ACS Lines	47,000	
GCI Lines	9,500	
Cell Phones	28,500	
Total Lines	85,000	
Monthly Income	\$ 55,250.00	\$ 187,000.00
less rebate to providers	\$ 552.50	\$ 1,870.00
Net per month	\$ 54,697.50	\$ 185,130.00
Net per year	\$ 656,370.00	\$ 2,221,560.00
Total Income	\$ 656,370.00	\$ 2,221,560.00
Expenses		
<i>E-911 System Expenses</i>		
Annual E-911 tech & system costs	\$ (350,000)	\$ (350,000)
Annual set aside for equipment replacement	\$ (250,000)	\$ (250,000)
<i>Dispatch Centers Expense</i>		
City of Fairbanks Center	\$ (1,200,000)	\$ (1,200,000)
AST (est)	\$ (1,100,000)	\$ (1,100,000)
UAF	\$ (600,000)	\$ (600,000)
North Pole*	\$ (175,000)	\$ (175,000)
Fairbanks Int'l Airport	\$ (175,000)	\$ (175,000)
Local Annual set-aside for equipment**	\$ (830,000)	\$ (830,000)
Total Expense***	\$ (4,680,000)	\$ (4,680,000)
Net Local Share of Costs	\$ (4,023,630)	\$ (2,458,440)
*North Pole and Fairbanks considering contractual arrangement		
**Grants have in the past covered this cost, no guarantee of future funding.		
***Includes state funds used at Fairbanks AST and Fairbanks Int'l Airport		
Note: Interior Agencies are considering a combined Regional Dispatch Center to reduce expenses.		

FISCAL NOTE

STATE OF ALASKA
2004 LEGISLATIVE SESSION

Fiscal Note Number: _____
 Bill Version: HB 461
 () Publish Date: _____

Revision Date/Time (Note if correction): _____ Dept. Affected: DCED
 Title Emergency Services Dispatch/911 RDU Regulatory Commission of Alaska (399)
Surcharge Component Regulatory Commission of Alaska
 Sponsor Representative Holm
 Requester House Community & Regional Affairs Component No. 2417

Expenditures/Revenues (Thousands of Dollars)

Note: Amounts do not include inflation unless otherwise noted below.

OPERATING EXPENDITURES	FY 2005	FY 2006	FY 2007	FY 2008	FY 2009	FY 2010
Personal Services						
Travel						
Contractual						
Supplies						
Equipment						
Land & Structures						
Grants & Claims						
Miscellaneous						
TOTAL OPERATING	0.0	0.0	0.0	0.0	0.0	0.0

CAPITAL EXPENDITURES						
-----------------------------	--	--	--	--	--	--

CHANGE IN REVENUES ()						
-------------------------------	--	--	--	--	--	--

FUND SOURCE (Thousands of Dollars)

1002 Federal Receipts						
1003 GF Match						
1004 GF						
1005 GF/Program Receipts						
1037 GF/Mental Health						
Other (Specify Type--Do not abbreviate)						
TOTAL	0.0	0.0	0.0	0.0	0.0	0.0

Estimate of any current year (FY2004) cost: 0.0
 Mark this box (X) if funding for this bill is included in the Governor's FY 2005 budget proposal:

POSITIONS

Full-time						
Part-time						
Temporary						

ANALYSIS: (Attach a separate page if necessary)

This legislation would allow municipalities, certain villages and public corporations established by municipalities to expand an enhanced 911 system to also provide and charge for an emergency dispatch system.

This legislation has no impact on the operations of the Regulatory Commission of Alaska.

Prepared by: Mark K. Johnson, Commissioner, Chair Phone (907) 276-6222
 Division Regulatory Commission of Alaska Date/Time 3/1/04 3:01 PM
 Approved by: Edgar Blatchford, Commissioner Date 3/1/2004
 Agency Department of Community & Economic Development

ALASKA FIRE CHIEFS ASSOCIATION

04-01

**RESOLUTION IN SUPPORT OF AMENDMENT OF THE ALASKA STATUTES TO
AUTHORIZE MUNICIPALITIES TO INCREASE THE PHONE SURCHARGE TO PAY
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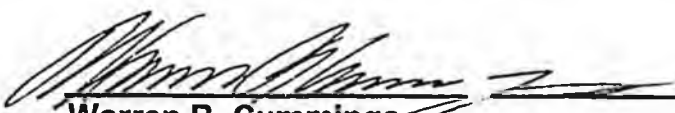
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ADOPTED, THIS 10TH DAY OF FEBRUARY, 2004



**Dave Tyler, President
Alaska Fire Chiefs Association**



**Warren B. Cummings,
Attest, First Vice President**

Introduced by:

Mayor Thompson
Council Member Johnson
Date: February 23, 2004

RESOLUTION NO. 4112

**A RESOLUTION IN SUPPORT OF HOUSE BILL 461 AND
SENATE BILL 335, WHICH WOULD ALLOW MUNICIPALITIES
TO LEVY A MONTHLY SURCHARGE ON TELEPHONE
SERVICES TO PAY FOR GENERAL EMERGENCY SERVICES
DISPATCHING AND FOR ENHANCED 911 SERVICE**

WHEREAS, public safety is one of the mandates in the state; and

WHEREAS, an enhanced 911 automatically provides dispatchers with the identity and location of callers; and

WHEREAS, local dispatch centers are now paid mostly through local taxes; and

WHEREAS, it is common around the Country for 911 dispatch centers to be funded by telephone surcharges.

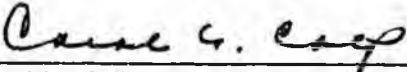
NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Fairbanks that the City Council supports passage of House Bill 461 and Senate Bill 335.

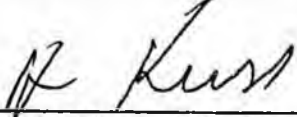
Passed, Approved and Effective this 23rd day of February, 2004


Steve M. Thompson, City Mayor

ATTEST:

APPROVED AS TO FORM


Carol L. Colp, City Clerk


Herbert P. Kuss, City Attorney

