

Submitted by: Chair of the Assembly at the
Request of the Mayor

Prepared by: Department of Law

For reading: August 9, 2005

CLERK'S OFFICE

APPROVED

Date: 8-23-05

ANCHORAGE, ALASKA

AO No. 2005-103

1 AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 26.65.050 TO
2 INCREASE THE 911 SURCHARGE TO ONE DOLLAR AND FIFTY CENTS (\$1.50) AS
3 AUTHORIZED BY 2005 AMENDMENTS TO ALASKA STATUTE 29.35.131.
4

5
6 WHEREAS, State of Alaska Committee Substitute for House Bill 249, amending Alaska
7 Statute 29.35.131(a) relating to enhanced 911 surcharges imposed by a municipality, was approved by the
8 Alaska Legislature, signed into law on June 24, 2005, with an effective date of September 22, 2005; and
9

10 WHEREAS, a municipality is authorized to impose a maximum surcharge amount not to exceed \$2.00
11 per month for each wireline and wireless telephone number; and
12

13 WHEREAS, a municipality is required to notify telephone customers subject to the surcharge, in writing,
14 when the surcharge amount is changed, and provide an explanation of the use of the surcharge; and
15

16 WHEREAS, Municipality of Anchorage has determined an increase in the 911 surcharge, from \$0.50 to
17 \$1.50 covers the basic cost of operating and maintaining the enhanced 911 program;
18

19 NOW, THEREFORE,
20

21 THE ANCHORAGE ASSEMBLY ORDAINS:
22

23 **Section 1.** Anchorage Municipal Code section 26.65.050 is hereby amended to read as follows:
24

25 **26.65.050** **Customer surcharge.**
26

27 A. A surcharge of \$1.50 [0.50 CENTS] per month per local access line and for each wireless
28 telephone number that is billed or sold to customer with an address within the
29 municipality shall be collected to fund the enhanced 911 system. This surcharge shall be
30 reviewed annually to determine whether the level of surcharge is adequate, excessive or
31 insufficient to meet the anticipated enhanced 911 system needs. A wireline telephone or
32 wireless telephone customer may not be subject to more than one surcharge per local
33 access line or wireless telephone number. A customer with [THAT HAS] more than 100
34 local exchange access lines from a wireline telephone company in the municipality is
35 liable for the surcharge only on 100 local exchange access lines.
36

37 B. The telephone companies shall bill and collect the surcharge from its wireline and
38 wireless telephone customers. Funds collected shall be accounted separately from other
39 utility revenues.
40

41 C. The telephone companies shall remit the [THAT] portion of the surcharge receipts
42 allocable to public safety answering point costs no later than sixty (60) days after the end

of the month in which the amount was collected. From each remittance made in a timely manner, each telephone company is entitled to deduct, as the cost of administration for collecting the surcharge, the greater of:

- 1. O [o]ne percent (1%) of the amount collected; or
- 2. A [a] total of \$150.00 per month [AS THE COST OF ADMINISTRATION FOR COLLECTING THE SURCHARGE].

The telephone companies [company] shall annually furnish a complete list of amounts due for nonpayment of surcharges, together with the names and addresses of those customers who carry a balance that [what] can be determined by the company to be for nonpayment of the surcharge.

D. The Municipality may, at its own expense, require an annual audit of a telephone company's books and records concerning billing, collection and remittance of the surcharge.

E. A wireless or wireline telephone customer is liable for payment of the surcharge in the amounts billed by the telephone company until the amounts have been paid to the telephone company.

(AO No. 93-109, § 1, 7-20-93; AO 2001-176, § 8, 12-1-01)
State law references: Surcharge authorized, AS 29.35.131.

Section 2. The Municipality shall notify telephone customers subject to the surcharge in writing, and provide an explanation of the use of the increased surcharge amount.

Section 3. This ordinance shall be effective on September 22, 2005.

PASSED AND APPROVED by the Anchorage Assembly this 23rd day of August, 2005.

Anna L Fairclough
Chair of the Assembly

ATTEST:

Barton E. Duester
Municipal Clerk

MUNICIPALITY OF ANCHORAGE
Summary of Economic Effects -- General Government

AO Number: 2005- 103

Title: AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE SECTION 26.65.050 TO INCREASE THE 911 SURCHARGE TO ONE DOLLAR AND FIFTY CENTS (\$1.50) AS AUTHORIZED BY 2005 AMENDMENTS TO ALASKA STATUTE 29.35.131.

Sponsor: Anchorage Police Department
 Preparing Agency: Office of Management and Budget
 Others Impacted: Anchorage Fire Department

CHANGES IN EXPENDITURES AND REVENUES:	(In Thousands of Dollars)				
	FY05	FY06	FY07	FY08	FY09
Operating Expenditures					
1000 Personal Services					
2000 Non-Labor					
3900 Contributions					
4000 Debt Service					
TOTAL DIRECT COSTS:	\$ -	\$ -	\$ -	\$ -	\$ -
Add: 6000 Charges from Others	\$ -	\$ -	\$ -	\$ -	\$ -
Less: 7000 Charges to Others					
FUNCTION COST:	\$ -	\$ -	\$ -	\$ -	\$ -
REVENUES:	\$ 750	\$ 3,760	\$ 3,760	\$ 3,760	\$ 3,760
CAPITAL:					
POSITIONS: FT/PT and Temp					

PUBLIC SECTOR ECONOMIC EFFECTS:

The Anchorage Police Department and Anchorage Fire Department incur more than \$6 million in annual costs to operate and maintain the Emergency 911 system. These costs are currently supported by a combination of surcharge revenues and property taxes. It is estimated an additional \$3.76 million will be generated annually by increasing the E911 surcharge from \$.50 per line per month to \$1.50 per line per month. Total annual surcharge revenues are estimated to increase from the current level of \$2.01 million to \$5.77 million.

PRIVATE SECTOR ECONOMIC EFFECTS:

All individuals and businesses with telephones within the Municipality of Anchorage will pay an additional \$1.00 per line per month (wireline and wireless numbers) to support the emergency 911 system.

The \$3.76 million additional revenue collected from the surcharge will offset \$3.76 million in property tax contribution to support the E911 system.

MUNICIPALITY OF ANCHORAGE

ASSEMBLY MEMORANDUM

No. AM 553 -2005

Meeting Date: August 9, 2005

1 **From:** MAYOR

2
3
4 **Subject:** AN ORDINANCE AMENDING ANCHORAGE MUNICIPAL CODE
5 SECTION 26.65.050 TO INCREASE THE 911 SURCHARGE TO ONE DOLLAR
6 AND FIFTY CENTS (\$1.50) AS AUTHORIZED BY 2005 AMENDMENTS TO
7 ALASKA STATUTE 29.35.131.
8

9 The Municipality of Anchorage requests approval of an amendment to Anchorage Municipal Code
10 section 26.65.050, Customer Surcharge, to increase the 911 surcharge to \$1.50 as authorized by the
11 State of Alaska. Committee Substitute for House Bill 249, amending Alaska Statute 29.35.131, was
12 approved by the Alaska Legislature and signed into law on June 24, 2005. Alaska Statute 29.35.131
13 authorizes a municipality to impose a maximum surcharge amount not to exceed \$2.00 per month for
14 each wireline and wireless telephone number. The estimated \$3.76 million additional revenue collected
15 from the surcharge increase will offset \$3.76 million in property tax contribution and support the E911
16 system operation and maintenance.
17

18 The code amendment will:

- 19
- 20 • Increase the surcharge from \$.50 to \$1.50 per month per local access wireline or
21 wireless telephone number billed to a customer with an address within the enhanced 911
22 service area, effective September 22, 2005.
 - 23 • Cover the basic cost of operation and maintenance of the Anchorage Police Department
24 enhanced 911 program.
 - 25 • Cover a portion of the costs incurred by the Anchorage Fire Department in answering
26 and dispatching E911 calls.
27

28 THE ADMINISTRATION RECOMMENDS APPROVAL OF THE ORDINANCE AMENDING
29 ANCHORAGE MUNICIPAL CODE SECTION 26.65.050.
30

31 Prepared by: Stephen W. Miko, Resource Manager, APD
32 Approved by: Walt Monegan, Chief of Police
33 Concur: Jeffrey E. Sinz, Chief Fiscal Officer
34 Concur: Denis C. LeBlanc, Municipal Manager
35 Respectfully submitted: Mark Begich, Mayor
36



LAWS OF ALASKA

2005

Source
CSHB 249(RLS)

Chapter No.

AN ACT

Relating to enhanced 911 systems and enhanced 911 surcharges imposed by a municipality, public municipal corporation, or village.

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

THE ACT FOLLOWS ON PAGE 1

Enrolled HB 249

AN ACT

1 Relating to enhanced 911 systems and enhanced 911 surcharges imposed by a municipality,
2 public municipal corporation, or village.

3

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 [75 CENTS] per month for each wireless telephone
12 number and \$2 [OR 75 CENTS] per month for each local exchange access line for
13 wireline telephones. The maximum surcharge amount of \$2 provided for in this
14 subsection may be increased above that level if the surcharge amount is approved
15 by the voters of the enhanced 911 service area. The amount of surcharge
16 imposed for each wireless telephone number must equal the amount imposed for
17 each local exchange access line for a wireline telephone. An enhanced 911 service
18 area may be all of a city, all of a unified municipality, or all or part of the area within a
19 borough and may include the extraterritorial jurisdiction of a municipality in
20 accordance with AS 29.35.020. The governing body of a municipality shall review an
21 enhanced 911 surcharge annually to determine whether the current level of the
22 surcharge is adequate, excessive, or insufficient to meet anticipated enhanced 911
23 system needs. When a municipality imposes an enhanced 911 surcharge or the
24 amount of the surcharge is changed, the municipality shall notify in writing the
25 telephone customers subject to the surcharge and provide an explanation of what
26 the surcharge will be used for [THE MUNICIPALITY MAY ONLY USE THE
27 ENHANCED 911 SURCHARGE FOR THE ENHANCED 911 SYSTEM].

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

29 (i) A municipality may only use the enhanced 911 surcharge revenue for those
30 costs of the enhanced 911 system that are authorized in this subsection. The surcharge
31 revenue may not be used for any capital or operational costs for emergency responses

1 that occur after the call is dispatched to the emergency responder. The surcharge
2 revenue may not be used for constructing buildings, leasing buildings, maintaining
3 buildings, or renovating buildings, except for the modification of an existing building
4 to the extent that is necessary to maintain the security and environmental integrity of
5 the public safety answering point and equipment rooms. The surcharge revenue may
6 be used for the following costs to the extent the costs are directly attributable to the
7 establishment, maintenance, and operation of an enhanced 911 system:

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

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

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

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

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

26 (j) If a city in an enhanced 911 service area established by a borough incurs
27 costs described under (i) of this section for the enhanced 911 system, before the
28 borough may use revenue from an enhanced 911 surcharge, the borough and city must
29 execute an agreement addressing the duties and responsibilities of each for the
30 enhanced 911 system and establishing priorities for the use of the surcharge revenue.
31 If the Department of Public Safety also provides services as part of the enhanced 911

1 system or uses the enhanced 911 system in that enhanced 911 service area, the
2 department must be a party to the agreement.

3 (k) For purposes of (i) of this section, "call taker" means a person employed in
4 a primary or secondary answering point whose duties include the initial answering of
5 911 or enhanced 911 calls and routing the calls to the agency or dispatch center
6 responsible for dispatching appropriate emergency services and a person in a primary
7 or secondary answering point whose duties include receiving a 911 or enhanced 911
8 call either directly or routed from another answering point and dispatching appropriate
9 emergency services in response to the call; the term "call taker" is synonymous with
10 the term "dispatcher" in that it is inclusive of the functions of both answering the 911
11 or enhanced 911 calls and dispatching emergency services in response to the calls.

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

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

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

26 (2) "emergency response location" means the location to which a 911
27 emergency response team may be dispatched that is specific enough to provide a
28 reasonable opportunity for the emergency response team to quickly locate a caller
29 anywhere within it;

30 (3) "master street address guide" means a database of formatted street
31 names, numerical addresses or address ranges, and other parameters defining valid

1 locations and emergency services zones, and their associated emergency services
2 numbers, that enables the proper routing and response to 911 calls;

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

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

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

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

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

Content Information**Content ID :** 003126**Type:** Ordinance-InvolvingFunds - AO**Title:** An Ordinance Amending AMC 26.65.050 to Increase 911 Surcharge**Author:** curtiscr2**Initiating Dept:** APD**Review Depts:** AFD**Description:** An Ordinance Amending AMC 26.65.050 to Increase 911 Surcharge**Date Prepared:** 7/29/05 8:46 AM**Assembly Meeting Date**
MM/DD/YY: 8/9/05**Public Hearing Date**
MM/DD/YY: 8/23/04M.O.A.
2005 AUG - 1 AM 11:41
CLERKS OFFICE**Workflow History**

<u>Workflow Name</u>	<u>Action Date</u>	<u>Action</u>	<u>User</u>	<u>Security Group</u>	<u>Content ID</u>
AllFundOrdinanceWorkflow	7/29/05 8:53 AM	Checkin	smiko	Public	003126
APD_SubWorkflow	7/29/05 9:00 AM	Approve	wmonegan	Public	003126
AFD_SubWorkflow	7/29/05 9:14 AM	Approve	fullenwiderjh	Public	003126
OMB_SubWorkflow	7/29/05 9:32 AM	Approve	mitsonjl	Public	003126
CFO_SubWorkflow	7/29/05 9:54 AM	Approve	richardsdm	Public	003126
Legal_SubWorkflow	7/29/05 2:19 PM	Approve	fehlenrl	Public	003126
MuniManager_SubWorkflow	7/29/05 2:24 PM	Checkin	curtiscr2	Public	003126
MuniManager_SubWorkflow	7/29/05 2:26 PM	Approve	leblancdc	Public	003126
MuniMgrCoord_SubWorkflow	7/29/05 3:26 PM	Approve	abbottmk	Public	003126