

HOUSE BILL No. 6189

June 13, 2006, Introduced by Rep. Cushingberry and referred to the Committee on Energy and Technology.

A bill to amend 1986 PA 32, entitled
"Emergency telephone service enabling act,"
by amending section 102 (MCL 484.1102), as amended by 1999 PA 80,
and by adding section 408a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 102. As used in this act:

2 (a) "Automatic location identification" or "ALI" means a 9-1-1
3 service feature provided by the service supplier that automatically
4 provides the name and service address or, for a CMRS service
5 supplier, the location associated with the calling party's
6 telephone number as identified by automatic number identification
7 to a 9-1-1 public safety answering point.

8 (b) "Automatic number identification" or "ANI" means a 9-1-1

1 service feature provided by the service supplier that automatically
2 provides the calling party's billing telephone number to a 9-1-1
3 public safety answering point.

4 (c) "Commercial mobile radio service" or "CMRS" means
5 commercial mobile radio service regulated under section 3 of title
6 I and section 332 of title III of the communications act of 1934,
7 chapter 652, 48 Stat. 1064, 47 ~~U.S.C.~~ **USC** 153 and 332, and the
8 rules of the federal communications commission or provided pursuant
9 to the wireless emergency service order. Commercial mobile radio
10 service or CMRS includes all of the following:

11 (i) A wireless 2-way communication device, including a radio
12 telephone used in cellular telephone service or personal
13 communication service.

14 (ii) A functional equivalent of a radio telephone
15 communications line used in cellular telephone service or personal
16 communication service.

17 (iii) A network radio access line.

18 (d) "CMRS connection" means each number assigned to a CMRS
19 customer.

20 (e) "Consolidated dispatch" means a countywide or regional
21 emergency dispatch service that provides dispatch service for 75%
22 or more of the law enforcement, fire fighting, emergency medical
23 service, and other emergency service agencies within the
24 geographical area of a 9-1-1 service district or serves 75% or more
25 of the population within a 9-1-1 service district.

26 (f) "Database service provider" means a service supplier who
27 maintains and supplies or contracts to maintain and supply an ALI

1 database or a MSAG.

2 (g) "Direct dispatch method" means that the agency receiving
3 the 9-1-1 call at the public safety answering point decides on the
4 proper action to be taken and dispatches the appropriate available
5 public safety service unit located closest to the request for
6 public safety service.

7 (h) "Emergency response service" or "ERS" means a public or
8 private agency that responds to events or situations that are
9 dangerous or that are considered by a member of the public to
10 threaten the public safety. An emergency response service includes
11 a police or fire department, an ambulance service, or any other
12 public or private entity trained and able to alleviate a dangerous
13 or threatening situation.

14 (i) "Emergency service zone" or "ESZ" means the designation
15 assigned by a county to each street name and address range that
16 identifies which emergency response service is responsible for
17 responding to an exchange access facility's premises.

18 (j) "Emergency telephone charge" means emergency telephone
19 operational charge and emergency telephone technical charge.

20 (k) "Emergency telephone district" or "9-1-1 service district"
21 means the area in which 9-1-1 service is provided or is planned to
22 be provided to service users under a 9-1-1 system implemented under
23 this act.

24 (l) "Emergency telephone district board" means the governing
25 body created by the board of commissioners of the county or
26 counties with authority over an emergency telephone district.

27 (m) "Emergency telephone operational charge" means a charge

1 for nonnetwork technical equipment and other costs directly related
2 to the dispatch facility and the operation of 1 or more PSAPs
3 including, but not limited to, the costs of dispatch personnel and
4 radio equipment necessary to provide 2-way communication between
5 PSAPs and a public safety agency. Emergency telephone operational
6 charge does not include non-PSAP related costs such as response
7 vehicles and other personnel.

8 (n) "Emergency telephone technical charge" means a charge for
9 the network start-up costs, customer notification costs, billing
10 costs including an allowance for uncollectibles for technical and
11 operational charges, and network nonrecurring and recurring
12 installation, maintenance, service, and equipment charges of a
13 service supplier providing 9-1-1 service under this act.

14 (o) "Exchange access facility" means the access from a
15 particular service user's premises to the telephone system.
16 Exchange access facilities include service supplier provided access
17 lines, PBX trunks, and centrex line trunk equivalents, all as
18 defined by tariffs of the service suppliers as approved by the
19 public service commission. Exchange access facilities do not
20 include telephone pay station lines or WATS, FX, or incoming only
21 lines.

22 (p) "Final 9-1-1 service plan" means a tentative 9-1-1 service
23 plan that has been modified only to reflect necessary changes
24 resulting from any exclusions of public agencies from the 9-1-1
25 service district of the tentative 9-1-1 service plan under section
26 306 and any failure of public safety agencies to be designated as
27 PSAPs or secondary PSAPs under section 307.

1 (q) "Master street address guide" or "MSAG" means a perpetual
2 database that contains information continuously provided by a
3 service district that defines the geographic area of the service
4 district and includes an alphabetical list of street names, the
5 range of address numbers on each street, the names of each
6 community in the service district, the emergency service zone of
7 each service user, and the primary service answering point
8 identification codes.

9 (r) "Obligations" means bonds, notes, installment purchase
10 contracts, or lease purchase agreements to be issued by a public
11 agency under a law of this state.

12 (s) "Person" means an individual, corporation, partnership,
13 association, governmental entity, or any other legal entity.

14 (t) "Primary public safety answering point", "PSAP", or
15 "primary PSAP" means a communications facility operated or answered
16 on a 24-hour basis assigned responsibility by a public agency or
17 county to receive 9-1-1 calls and to dispatch public safety
18 response services, as appropriate, by the direct dispatch method,
19 relay method, or transfer method. It is the first point of
20 reception by a public safety agency of a 9-1-1 call and serves the
21 jurisdictions in which it is located and other participating
22 jurisdictions, if any.

23 (u) "Prime rate" means the average predominant prime rate
24 quoted by not less than 3 commercial financial institutions as
25 determined by the department of treasury.

26 (v) "Private safety entity" means a nongovernmental
27 organization that provides emergency fire, ambulance, or medical

1 services.

2 (w) "Public agency" means a village, township, charter
3 township, or city within the state and any special purpose district
4 located in whole or in part within the state.

5 (x) "Public safety agency" means a functional division of a
6 public agency, county, or the state that provides fire fighting,
7 law enforcement, ambulance, medical, or other emergency services.

8 (y) "Qualified obligations" means obligations that meet 1 or
9 more of the following:

10 (i) The proceeds of the obligations benefit the 9-1-1 district,
11 and for which all of the following conditions are met:

12 (A) The proceeds of the obligations are used for capital
13 expenditures, costs of a reserve fund securing the obligations, and
14 costs of issuing the obligations. The proceeds of obligations shall
15 not be used for operational expenses.

16 (B) The weighted average maturity of the obligations does not
17 exceed the useful life of the capital assets.

18 (C) The obligations shall not in whole or in part appreciate
19 in principal amount or be sold at a discount of more than 10%.

20 (ii) The obligations are issued to refund obligations that meet
21 the conditions described in subparagraph (i) and the net present
22 value of the principal and interest to be paid on the refunding
23 obligations, excluding the cost of issuance, will be less than the
24 net present value of the principal and interest to be paid on the
25 obligations being refunded, as calculated using a method approved
26 by the department of treasury.

27 (z) "Relay method" means that a PSAP notes pertinent

1 information and relays it by telephone, radio, or private line to
2 the appropriate public safety agency or other provider of emergency
3 services that has an available emergency service unit located
4 closest to the request for emergency service for dispatch of an
5 emergency service unit.

6 (aa) "Secondary public safety answering point" or "secondary
7 PSAP" means a communications facility of a public safety agency or
8 private safety entity that receives 9-1-1 calls by the transfer
9 method only and generally serves as a centralized location for a
10 particular type of emergency call.

11 (bb) "Service supplier" means a person providing a telephone
12 service or a CMRS to a service user in this state.

13 (cc) "Service user" means an exchange access facility or CMRS
14 service customer of a service supplier within a 9-1-1 system.

15 (dd) "Tariff" means the rate approved by the public service
16 commission for 9-1-1 service provided by a particular service
17 supplier. Tariff does not include a rate of a commercial mobile
18 radio service by a particular supplier.

19 (ee) "Tentative 9-1-1 service plan" means a plan prepared by 1
20 or more counties for implementing a 9-1-1 system in a specified 9-
21 1-1 service district.

22 (ff) "Transfer method" means that a PSAP transfers the 9-1-1
23 call directly to the appropriate public safety agency or other
24 provider of emergency service that has an available emergency
25 service unit located closest to the request for emergency service
26 for dispatch of an emergency service unit.

27 (GG) **"UNIVERSAL BASIC HUMAN NEEDS NUMBER SERVICE" OR "2-1-1**

1 SERVICE" MEANS PUBLIC TELEPHONE SERVICE THAT PROVIDES SERVICE USERS
2 WITH THE ABILITY TO ACCESS INFORMATION REGARDING CRITICAL HEALTH
3 AND HUMAN SERVICES AVAILABLE IN THEIR COMMUNITY BY DIALING THE
4 DIGITS "2-1-1".

5 (HH) ~~—(gg)—~~ "Universal emergency number service" or "9-1-1
6 service" means public telephone service that provides service users
7 with the ability to reach a public safety answering point by
8 dialing the digits "9-1-1".

9 (II) ~~—(hh)—~~ "Universal emergency number service system" or "9-
10 1-1 system" means a system for providing 9-1-1 service under this
11 act.

12 (JJ) ~~—(ii)—~~ "Wireless emergency service order" means the order
13 of the federal communications commission, FCC docket No. 94-102,
14 adopted June 12, 1996 with an effective date of October 1, 1996.

15 SEC. 408A. A SERVICE CHARGE OF 10 CENTS PER MONTH SHALL BE
16 IMPOSED FOR EACH TELEPHONE LINE WITH ACCESS TO A 2-1-1 SYSTEM. THE
17 SERVICE CHARGE SHALL BE LISTED AS A SEPARATE LINE ITEM ON EACH BILL
18 AND SHALL BE DESIGNATED AS THE "OPERATIONAL 2-1-1 CHARGE".