



# SENATE BILL No. 849

September 23, 1993, Introduced by Senators EHLERS, EMMONS, HART and GOUGEON and referred to the Committee on Technology and Energy.

A bill to amend the title and sections 102, 201, 205, 301, 303, 308, 318, 401, 403, 405, 501, 602, 702, 703, 704, and 707 of Act No. 32 of the Public Acts of 1986, entitled as amended "Emergency telephone service enabling act," sections 102 and 401 as amended by Act No. 196 of the Public Acts of 1991 and sections 602 and 704 as amended by Act No. 36 of the Public Acts of 1989, being sections 484.1102, 484.1201, 484.1205, 484.1301, 484.1303, 484.1308, 484.1318, 484.1401, 484.1403, 484.1405, 484.1501, 484.1602, 484.1702, 484.1703, 484.1704, and 484.1707 of the Michigan Compiled Laws; to add sections 201a, 320, and 321; to repeal certain parts of the act; and to repeal certain parts of the act on specific dates.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. The title and sections 102, 201, 205, 301, 303,  
2 308, 318, 401, 403, 405, 501, 602, 702, 703, 704, and 707 of Act

1 No. 32 of the Public Acts of 1986, sections 102 and 401 as  
2 amended by Act No. 196 of the Public Acts of 1991 and  
3 sections 602 and 704 as amended by Act No. 36 of the Public Acts  
4 of 1989, being sections 484.1102, 484.1201, 484.1205, 484.1301,  
5 484.1303, 484.1308, 484.1318, 484.1401, 484.1403, 484.1405,  
6 484.1501, 484.1602, 484.1702, 484.1703, 484.1704, and 484.1707 of  
7 the Michigan Compiled Laws, are amended and sections 201a, 320,  
8 and 321 are added to read as follows:

9 TITLE

10 An act to provide for the establishment of ~~universal~~ emer-  
11 gency telephone districts; to provide for the installation, oper-  
12 ation, modification, and maintenance of universal emergency  
13 ~~telephone~~ NUMBER SERVICE systems; to provide for the imposition  
14 and collection of certain charges; to provide the powers and  
15 duties of certain state agencies, local units of government,  
16 public officers, telephone service suppliers, and others; to  
17 create an emergency telephone service committee; to provide reme-  
18 dies; to provide penalties; and to repeal certain parts of this  
19 act on specific dates.

20 Sec. 102. As used in this act:

21 (a) "Automatic location identification" or "ALI" means a  
22 9-1-1 service feature in which the service supplier automatically  
23 forwards the name or address, or both, associated with the call-  
24 ing party's telephone number as identified by automatic number  
25 identification, to the public safety answering point.

26 (b) "Automatic number identification" or "ANI" means a 9-1-1  
27 service feature in which the service supplier automatically

1 forwards the calling party's billing telephone number to the  
2 public safety answering point for display.

3 (C) "CONSOLIDATED DISPATCH" MEANS A COUNTYWIDE OR REGIONAL  
4 EMERGENCY DISPATCH SERVICE THAT PROVIDES DISPATCH SERVICE FOR 75%  
5 OR MORE OF THE LAW ENFORCEMENT, FIRE FIGHTING, EMERGENCY MEDICAL  
6 SERVICE, AND OTHER EMERGENCY SERVICE AGENCIES WITHIN THE GEO-  
7 GRAPHICAL AREA OF A 9-1-1 SERVICE DISTRICT OR SERVICE 75% OR MORE  
8 OF THE POPULATION WITHIN A 9-1-1 SERVICE DISTRICT.

9 (D) ~~-(e)-~~ "Direct dispatch method" means the method of  
10 responding to a telephone request for ~~-emergency-~~ PUBLIC SAFETY  
11 service whereby the ~~-person-~~ AGENCY receiving the call at the  
12 public safety answering point decides on the proper action to be  
13 taken and dispatches the appropriate available ~~-emergency-~~ PUBLIC  
14 SAFETY service unit located closest to the request for  
15 ~~-emergency-~~ PUBLIC SAFETY service.

16 (E) ~~-(d)-~~ "Emergency telephone charge" means emergency tele-  
17 phone operational charge and emergency telephone technical  
18 charge.

19 (F) "EMERGENCY TELEPHONE DISTRICT" OR "9-1-1 SERVICE  
20 DISTRICT" MEANS THE AREA IN WHICH 9-1-1 SERVICE IS PROVIDED OR IS  
21 PLANNED TO BE PROVIDED TO SERVICE USERS UNDER A 9-1-1 SYSTEM  
22 IMPLEMENTED PURSUANT TO THIS ACT.

23 (G) "EMERGENCY TELEPHONE DISTRICT BOARD" MEANS THE GOVERNING  
24 BODY CREATED BY THE BOARD OF COMMISSIONERS OF THE COUNTY OR COUN-  
25 TIES WITH AUTHORITY OVER AN EMERGENCY TELEPHONE DISTRICT AS PRE-  
26 SCRIBED BY THE COUNTY OR COUNTIES THAT CREATED THE BOARD.

1       (H) ~~-(e)-~~ "Emergency telephone operational charge" means a  
2 charge for nonnetwork technical equipment and other costs  
3 directly related to the operation of ~~-a PSAP-~~ 1 OR MORE PSAPS  
4 including, but not limited to, dispatch personnel, costs associ-  
5 ated with non-PSAP operation such as response vehicles and per-  
6 sonnel shall not be included in those assessments levied under  
7 this act.

8       (I) ~~-(f)-~~ "Emergency telephone technical charge" means a  
9 charge for the network start-up costs, customer notification  
10 costs, billing costs including an allowance for uncollectibles  
11 FOR TECHNICAL AND OPERATIONAL CHARGES, and network nonrecurring  
12 and recurring installation, maintenance, service, and equipment  
13 network charges of a service supplier providing 9-1-1 service  
14 pursuant to this act.

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

23       (K) ~~-(h)-~~ "Final 9-1-1 service plan" means a tentative 9-1-1  
24 service plan that has been modified only to reflect necessary  
25 changes resulting from any exclusions of public agencies from the  
26 9-1-1 service district of the tentative 9-1-1 service plan  
27 pursuant to section 306 and any failure of public safety agencies

1 to be designated as PSAPs or secondary PSAPs pursuant to section  
2 307.

3 (I) ~~(i)~~ "Person" means any individual; firm; partnership;  
4 joint venture; association; cooperative organization; corpora-  
5 tion, whether or not organized for profit; municipal corporation;  
6 state or other governmental entity; agency; body; department;  
7 commission; board; bureau; fraternal organization; nonprofit  
8 organization; estate; trust; business or common law trust;  
9 receiver; assignee for the benefit of creditors; trustee; or  
10 trustee in bankruptcy.

11 (M) "PRIMARY PUBLIC SAFETY ANSWERING POINT", "PSAP", OR  
12 "PRIMARY PSAP" MEANS A COMMUNICATIONS FACILITY OPERATED OR  
13 ANSWERED ON A 24-HOUR BASIS, ASSIGNED RESPONSIBILITY BY A PUBLIC  
14 AGENCY OR COUNTY TO RECEIVE 9-1-1 CALLS AND, AS APPROPRIATE, TO  
15 DIRECTLY DISPATCH EMERGENCY RESPONSE SERVICES, OR TO TRANSFER OR  
16 RELAY EMERGENCY 9-1-1 CALLS TO OTHER PUBLIC SAFETY AGENCIES. IT  
17 IS THE FIRST POINT OF RECEPTION BY A PUBLIC SAFETY AGENCY OF A  
18 9-1-1 CALL AND SERVES THE JURISDICTIONS IN WHICH IT IS LOCATED  
19 AND OTHER PARTICIPATING JURISDICTIONS, IF ANY.

20 (N) ~~(j)~~ "Prime rate" means the average predominant prime  
21 rate quoted by not less than 3 commercial financial institutions  
22 as determined by the department of treasury.

23 (O) ~~(k)~~ "Private safety entity" means a ~~private entity~~  
24 ~~which~~ NONGOVERNMENTAL ORGANIZATION THAT provides emergency fire,  
25 ambulance, or medical services.

26 (P) ~~(l)~~ "Public agency" means any village, township,  
27 charter township, or city within the state, and any special

1 purpose district located in whole or in part within the state. —  
2 ~~which provides or has authority to provide fire fighting, law~~  
3 ~~enforcement, ambulance, medical, or other emergency services.~~

4 (Q) ~~(m)~~ "Public safety agency" means a functional division  
5 of a public agency, county, or the state of Michigan, which pro-  
6 vides fire fighting, law enforcement, ambulance, medical, or  
7 other emergency services.

8 ~~(n) "Public safety answering point" or "PSAP" means a com-~~  
9 ~~munications facility operated or answered on a 24 hour basis,~~  
10 ~~assigned responsibility by a public agency or county to receive~~  
11 ~~9-1-1 calls and, as appropriate, to directly dispatch emergency~~  
12 ~~response services, or to transfer or relay emergency 9-1-1 calls~~  
13 ~~to other public safety agencies. It is the first point of recep-~~  
14 ~~tion by a public safety agency of a 9-1-1 call, and serves the~~  
15 ~~jurisdictions in which it is located and other participating~~  
16 ~~jurisdictions, if any.~~

17 (R) ~~(e)~~ "Relay method" means the method of responding to a  
18 telephone request for emergency service whereby a PSAP notes per-  
19 tinent information and relays it by telephone, radio, or private  
20 line to the appropriate public safety agency or other provider of  
21 emergency services that has an available emergency service unit  
22 located closest to the request for emergency service for dispatch  
23 of an emergency service unit.

24 (S) ~~(p)~~ "Secondary public safety answering point" or  
25 "secondary PSAP" means a communications facility of a public  
26 safety agency or private safety entity which receives 9-1-1 calls

1 by the transfer method only and generally serves as a centralized  
2 location for a particular type of emergency call.

3 (T) ~~(s)~~ "Service supplier" means any person providing  
4 telephone services to a service user in this state.

5 (U) ~~(r)~~ "Service user" means any exchange access facility  
6 customer of a service supplier within a 9-1-1 system.

7 (V) ~~(s)~~ "Tariff" ~~rate~~ means the rate approved by the  
8 public service commission for 9-1-1 service provided by a partic-  
9 ular service supplier.

10 (W) ~~(t)~~ "Tentative 9-1-1 service plan" means a plan  
11 PREPARED BY A COUNTY for implementing a 9-1-1 system in a speci-  
12 fied 9-1-1 service district. ~~, after consultation with the~~  
13 ~~director of the department of state police or his or her desig-~~  
14 ~~nated representative, which complies with chapter II, and which~~  
15 ~~addresses the following system considerations:~~

16 ~~(i) Technical considerations of the service supplier includ-~~  
17 ~~ing system equipment for facilities that would be used in provid-~~  
18 ~~ing emergency telephone service.~~

19 ~~(ii) Operational considerations including the designation of~~  
20 ~~PSAPs and secondary PSAPs and the manner in which 9-1-1 calls~~  
21 ~~would be processed, dispatch functions performed, and information~~  
22 ~~systems utilized.~~

23 ~~(iii) Managerial considerations including the organizational~~  
24 ~~form and agreements which would control technical, operational,~~  
25 ~~and fiscal aspects of the emergency telephone service.~~

1       ~~(iv) Fiscal considerations including projected nonrecurring~~  
2 ~~and recurring costs with a financial plan for implementing and~~  
3 ~~operating the system.~~

4       ~~(v) The tentative 9-1-1 service plan shall require each~~  
5 ~~public agency and county operating a PSAP under the 9-1-1 system~~  
6 ~~to pay directly for all installation and recurring charges for~~  
7 ~~terminal equipment, including customer premises equipment, asso-~~  
8 ~~ciated with the public agency's or the county's PSAP, and may~~  
9 ~~require each public agency and county operating a PSAP under the~~  
10 ~~9-1-1 system to pay directly to the service supplier all instal-~~  
11 ~~lation and recurring charges for all 9-1-1 exchange and tie lines~~  
12 ~~associated with the public agency's or the county's PSAP.~~

13       (X) ~~(u)~~ "Transfer method" means the method of responding  
14 to a telephone request for emergency service whereby a PSAP  
15 transfers the call directly to the appropriate public safety  
16 agency or other provider of emergency service that has an avail-  
17 able emergency service unit located closest to the request for  
18 emergency service for dispatch of an emergency service unit.

19       (Y) ~~(v)~~ "Universal emergency number service" or "9-1-1  
20 service" means public telephone service which provides service  
21 users with the ability to reach a public safety answering point  
22 by dialing the digits "9-1-1".

23       ~~(w) "Universal emergency number service district" or "9-1-1~~  
24 ~~service district" means the area in which 9-1-1 service is pro-~~  
25 ~~vided or is planned to be provided to service users under a 9-1-1~~  
26 ~~system implemented pursuant to this act.~~



1 (Z) ~~(x)~~ "Universal emergency number service system" or  
2 "9-1-1 system" means a system for providing 9-1-1 service  
3 pursuant to this act.

4 Sec.201. A ~~9-1-1~~ UNIVERSAL EMERGENCY NUMBER SERVICE  
5 system shall not be implemented pursuant to this act unless a  
6 ~~9-1-1~~ tariff ~~rate~~ exists for each service supplier designated  
7 by the final 9-1-1 service plan to provide 9-1-1 service in the  
8 ~~9-1-1~~ UNIVERSAL EMERGENCY NUMBER system.

9 SEC. 201A. A COUNTY OR GROUP OF COUNTIES MAY CREATE A UNI-  
10 VERSAL EMERGENCY NUMBER SERVICE SYSTEM UNDER THIS ACT.

11 Sec. 205. (1) A 9-1-1 system established pursuant to this  
12 act shall be capable of transmitting requests for law enforce-  
13 ment, fire fighting, and emergency medical and ambulance services  
14 to 1 or more public safety agencies which provide the requested  
15 service to the place where the call originates.

16 (2) A 9-1-1 system shall process all 9-1-1 calls originating  
17 from telephones ~~served by the central office serving the receiv-~~  
18 ~~ing PSAP, whether or not the calling telephone is situated within~~  
19 ~~the geographical boundaries of the 9-1-1 service district~~ WITHIN  
20 AN EXCHANGE ANY PART OF WHICH IS WITHIN THE EMERGENCY TELEPHONE  
21 DISTRICT SERVED BY THE SYSTEM. THIS REQUIREMENT DOES NOT APPLY  
22 TO ANY PART OF AN EXCHANGE NOT LOCATED WITHIN THE COUNTY OR COUN-  
23 TIES THAT ESTABLISHED THE 9-1-1 SYSTEM IF THAT PART HAS BEEN  
24 INCLUDED IN AN IMPLEMENTED 9-1-1 SYSTEM FOR THE COUNTY WITHIN  
25 WHICH THAT PART IS LOCATED.

26 (3) A 9-1-1 system may provide for transmittal of requests  
27 for other emergency services, such as poison control, suicide

1 prevention, and civil defense. Conferencing capability with  
2 counseling, aid to handicapped, and other services as considered  
3 necessary for emergency response determination may be provided by  
4 the 9-1-1 system.

5       Sec. 301. (1) The board of commissioners of a county may  
6 establish an emergency telephone district within all or part of  
7 the county and may cause 9-1-1 service to be implemented within  
8 such emergency telephone district pursuant to this act.

9       (2) The board of commissioners of a county all or part of  
10 which is operating an existing emergency telephone service may  
11 modify the existing emergency telephone service or may alter the  
12 scope or method of financing of 9-1-1 service within all or part  
13 of the county by establishing an emergency telephone district and  
14 causing 9-1-1 service to be implemented within such emergency  
15 telephone district pursuant to this act.

16       (3) THE BOARD OF COMMISSIONERS OF A COUNTY MAY CREATE AN  
17 EMERGENCY TELEPHONE DISTRICT BOARD AND DELEGATE CERTAIN POWERS TO  
18 THE BOARD.

19       (4) IF THE BOARD OF COMMISSIONERS OF A COUNTY HAS CREATED  
20 MULTIPLE EMERGENCY TELEPHONE DISTRICTS PRIOR TO THE EFFECTIVE  
21 DATE OF THIS SUBSECTION, THE EMERGENCY TELEPHONE DISTRICTS CRE-  
22 ATED SHALL RECEIVE ALL OPERATIONAL FUNDS COLLECTED BY THE SERVICE  
23 SUPPLIER OF THE DISTRICT AND OPERATE THE SYSTEMS AS PROVIDED BY  
24 THIS ACT.

25       Sec. 303. (1) To establish an emergency telephone district  
26 and to cause 9-1-1 service to be implemented within such  
27 emergency telephone district, the board of commissioners of a

1 county shall first adopt a tentative 9-1-1 service plan by  
2 resolution. ~~A tentative 9-1-1 service plan may specify whether~~  
3 ~~telecommunication equipment for the deaf or severely hearing~~  
4 ~~impaired is being considered and which 9-1-1 service features,~~  
5 ~~including ANI and ALI, are being considered for the emergency~~  
6 ~~telephone district.~~

7 (2) A TENTATIVE 9-1-1 SERVICE PLAN SHALL COMPLY WITH CHAPTER  
8 II AND SHALL ADDRESS AT A MINIMUM ALL OF THE FOLLOWING:

9 (A) TECHNICAL CONSIDERATIONS OF THE SERVICE SUPPLIER,  
10 INCLUDING BUT NOT LIMITED TO, SYSTEM EQUIPMENT FOR FACILITIES TO  
11 BE USED IN PROVIDING EMERGENCY TELEPHONE SERVICE.

12 (B) OPERATIONAL CONSIDERATIONS, INCLUDING BUT NOT LIMITED  
13 TO, THE DESIGNATION OF PSAPS AND SECONDARY PSAPS, THE MANNER IN  
14 WHICH 9-1-1 CALLS WILL BE PROCESSED, THE DISPATCH FUNCTIONS TO BE  
15 PERFORMED, PLANS FOR DOCUMENTING CLOSET CAR DISPATCHING REQUIRE-  
16 MENTS, HOW MICHIGAN STATE POLICE PERSONNEL WILL BE DISPATCHED,  
17 AND IDENTIFYING INFORMATION SYSTEMS TO BE UTILIZED.

18 (C) MANAGERIAL CONSIDERATIONS INCLUDING THE ORGANIZATIONAL  
19 FORM AND AGREEMENTS THAT WOULD CONTROL TECHNICAL, OPERATIONAL,  
20 AND FISCAL ASPECTS OF THE EMERGENCY TELEPHONE SERVICE.

21 (D) FISCAL CONSIDERATIONS INCLUDING PROJECTED NONRECURRING  
22 AND RECURRING COSTS WITH A FINANCIAL PLAN FOR IMPLEMENTING AND  
23 OPERATING THE SYSTEM.

24 (3) THE TENTATIVE 9-1-1 SERVICE PLAN SHALL REQUIRE EACH  
25 PUBLIC AGENCY OPERATING A PSAP UNDER THE 9-1-1 SYSTEM TO PAY  
26 DIRECTLY FOR ALL INSTALLATION AND RECURRING CHARGES FOR TERMINAL  
27 EQUIPMENT, INCLUDING CUSTOMER PREMISES EQUIPMENT, ASSOCIATED WITH

1 THE PUBLIC AGENCY'S PSAP, AND MAY REQUIRE EACH PUBLIC AGENCY  
2 OPERATING A PSAP UNDER THE 9-1-1 SYSTEM TO PAY DIRECTLY TO THE  
3 SERVICE SUPPLIER ALL INSTALLATION AND RECURRING CHARGES FOR ALL  
4 9-1-1 EXCHANGE AND TIE LINES ASSOCIATED WITH THE PUBLIC AGENCY'S  
5 PSAP.

6       Sec. 308. The clerk of each county which has adopted a ten-  
7 tative 9-1-1 service plan pursuant to section 303 shall give  
8 notice by publication of the hearing on the final 9-1-1 service  
9 plan to be held pursuant to section 309. The notice shall be  
10 published twice in a newspaper of general circulation within the  
11 county, the first publication of the notice occurring at least 30  
12 days prior to the date of the hearing. The notice shall state  
13 all of the following:

14       (a) The time, date, and place of the hearing.

15       (b) A description of the boundaries of the 9-1-1 service  
16 district of the final 9-1-1 service plan as determined at the  
17 expiration of the time for filing a notice of exclusion from  
18 9-1-1 service district pursuant to section 306.

19       (c) That if the board of commissioners of the county, after  
20 a hearing, adopts the final 9-1-1 service plan pursuant to this  
21 act, an emergency telephone TECHNICAL charge AND, IF AN EMERGENCY  
22 TELEPHONE OPERATIONAL CHARGE HAS BEEN APPROVED, AN EMERGENCY  
23 TELEPHONE OPERATIONAL CHARGE shall be collected on a uniform  
24 basis from all service users within the 9-1-1 service district.

25       Sec. 318. A ~~county or~~ public agency may enter into an  
26 agreement with a public safety agency of another ~~county or~~  
27 public agency, or of the state, to serve as a PSAP or secondary

1 PSAP for such ~~county or~~ public agency in a 9-1-1 system  
2 implemented pursuant to this act.

3 SEC. 320. (1) IF A COUNTY CREATES A CONSOLIDATED DISPATCH  
4 WITHIN AN EMERGENCY TELEPHONE DISTRICT, THE COUNTY SHALL CREATE  
5 AN EMERGENCY TELEPHONE DISTRICT BOARD.

6 (2) THE MEMBERSHIP OF THE BOARD AND THE BOARD'S POWERS AND  
7 DUTIES SHALL BE DETERMINED BY THE COUNTY BOARD OF COMMISSIONERS.  
8 HOWEVER, THE MEMBERSHIP OF THE BOARD SHALL INCLUDE A REPRESENTA-  
9 TIVE OF THE MICHIGAN STATE POLICE DESIGNATED BY THE DIRECTOR OF  
10 THE MICHIGAN STATE POLICE AND THE SHERIFF OF THE COUNTY. IF THE  
11 EMERGENCY TELEPHONE DISTRICT CONSISTS OF MORE THAN 1 COUNTY, THE  
12 SHERIFF REPRESENTATIVE SHALL BE APPOINTED BY THE PRESIDENT OF THE  
13 MICHIGAN SHERIFFS' ASSOCIATION.

14 (3) A COUNTY OR OTHER PUBLIC AGENCY MAY MAKE APPROPRIATIONS  
15 TO THE EMERGENCY TELEPHONE DISTRICT BOARD.

16 (4) A PUBLIC AGENCY MAY CONTRACT WITH THE EMERGENCY TELE-  
17 PHONE DISTRICT BOARD, AND PERSONS WHO ARE BOTH MEMBERS OF THE  
18 BOARD AND OF THE GOVERNING BODY OF THE PUBLIC AGENCY MAY VOTE  
19 BOTH ON THE BOARD AND THE BODY IF APPROVED BY THE CONTRACT.

20 (5) THE BASIS UNDER WHICH A CONSOLIDATING DISPATCH MEETS THE  
21 REQUIREMENT FOR BEING A DISPATCH UNDER SECTION 102(C) SHALL  
22 DETERMINE THE SYSTEM TO BE USED IN DISPATCHING PARTICIPATING  
23 SERVICE UNITS.

24 SEC. 321. A CONSOLIDATED DISPATCH SHALL PROVIDE FULL PUBLIC  
25 SAFETY DISPATCHING SERVICES FOR SERVICE REQUESTS FOR THE PARTICI-  
26 PATING SHERIFF DEPARTMENTS, STATE POLICE, AND OTHER PARTICIPATING  
27 PUBLIC SAFETY AGENCIES WITHIN THE 9-1-1 SERVICE DISTRICT.

1       Sec. 401. (1) As soon as feasible after installation and  
2 commencement of operation of a 9-1-1 system in a 9-1-1 service  
3 district, ~~the~~ EACH service supplier shall provide a billing and  
4 collection service for an emergency telephone technical charge  
5 and emergency telephone operational charge from all service users  
6 of the service supplier within the ~~9-1-1 service district~~  
7 GEOGRAPHICAL BOUNDARIES OF THE COUNTY OR GROUP OF COUNTIES THAT  
8 CREATED THE SYSTEM. The emergency telephone technical charge and  
9 emergency telephone operational charge shall be uniform per each  
10 exchange access facility within the 9-1-1 service district. The  
11 portion of the emergency telephone technical charge that repre-  
12 sents start-up costs, nonrecurring billing, installation, serv-  
13 ice, and equipment charges of the service supplier, including the  
14 costs of updating equipment necessary for conversion to 9-1-1  
15 service, shall be amortized at the prime rate plus 1% over a  
16 period not to exceed 10 years ~~, as approved by the public serv-~~  
17 ~~ice commission,~~ and shall be billed and collected from all serv-  
18 ice users only until those amounts are fully recouped by the  
19 service supplier. The prime rate to be used for amortization  
20 shall be set before the first assessment of nonrecurring charges  
21 and remain at that rate for 5 years, at which time a new rate may  
22 be set for the remaining amortization period. Recurring costs  
23 and charges included in the emergency telephone technical charge  
24 and emergency telephone operational charge shall continue to be  
25 billed to the service user.

26       (2) Subject to the limitation provided by this section, the  
27 amount of the emergency telephone technical charge and emergency

1 telephone operational charge to be billed to the service user  
2 shall be computed by dividing the total emergency telephone tech-  
3 nical charge and emergency telephone operational charge by the  
4 number of exchange access facilities within the 9-1-1 service  
5 district.

6       (3) Except as provided in subsection (5), the amount of  
7 emergency telephone technical charge payable monthly by a service  
8 user for recurring costs and charges shall not exceed 2% of the  
9 highest monthly flat rate charged by the service supplier for a  
10 1-party access line within the 9-1-1 service district. The  
11 amount of emergency telephone technical charge payable monthly by  
12 a service user for nonrecurring costs and charges shall not  
13 exceed 5% of the highest monthly flat rate charged by the service  
14 supplier for a 1-party access line within the 9-1-1 service  
15 district. ~~Any amounts collected by the service supplier for an~~  
16 ~~emergency telephone technical charge and emergency telephone~~  
17 ~~operational charge shall be used only for costs and charges~~  
18 ~~directly attributable to providing the 9-1-1 service. Until~~  
19 ~~January 1, 1996~~ WITH THE APPROVAL OF THE COUNTY BOARD OF  
20 COMMISSIONERS, a county ~~with less than 500,000 population~~ may  
21 assess an amount for recurring emergency telephone operational  
22 costs and charges that shall not exceed 4% of the highest monthly  
23 flat rate charged by ~~the~~ A service supplier for a 1-party  
24 access line within the ~~9-1-1 service district~~ GEOGRAPHICAL  
25 BOUNDARIES OF THE ASSESSING COUNTY. The percentage to be set for  
26 the emergency telephone operational charge shall be established  
27 by the county board of commissioners pursuant to section 312.

1 The difference, if any, between the amount of the emergency  
2 telephone technical charge ~~and the emergency telephone oper-~~  
3 ~~ational charge~~ computed under subsection (2) and the maximum  
4 permitted under this section shall be paid by the county from  
5 funds available to the county or through cooperative arrangements  
6 with public agencies within the 9-1-1 service district.

7 (4) The emergency telephone technical charge and emergency  
8 telephone operational charge shall be collected in accordance  
9 with the regular billings of the service supplier. The amount  
10 collected for emergency telephone operational charge shall be  
11 paid by the service supplier to the county that authorized the  
12 collection. The emergency telephone technical charge and emer-  
13 gency telephone operational charge payable by service users pur-  
14 suant to this act shall be added to and shall be stated sepa-  
15 rately in the billings to service users.

16 (5) For a 9-1-1 service district created or enhanced after  
17 June 27, 1991, the amount of emergency telephone technical charge  
18 payable monthly by a service user for recurring costs and charges  
19 shall not exceed 4% of the highest monthly flat rate charged by  
20 the service supplier for a 1-party access line within the 9-1-1  
21 service district.

22 (6) ~~Until January 1, 1996, a~~ A county ~~with less than~~  
23 ~~500,000 population~~ may, with the approval of the voters in the  
24 county, assess up to 16% of the highest monthly flat rate charged  
25 by ~~the~~ A service supplier for a 1-party access line within the  
26 ~~9-1-1 service district~~ GEOGRAPHICAL BOUNDARIES OF THE ASSESSING  
27 COUNTY or assess a millage or combination of the 2 to cover



1 emergency telephone operational costs. In a ballot question  
2 under this subsection, the board of commissioners shall specifi-  
3 cally identify how the collected money is to be distributed. An  
4 affirmative vote on a ballot question under this subsection shall  
5 be considered an amendment to the 9-1-1 service plan pursuant to  
6 section 312. Not more than 1 ballot question under this subsec-  
7 tion may be submitted to the voters within any 12-month period  
8 and an assessment approved under this subsection shall be for a  
9 period not greater than 5 years.

10 (7) If the voters approve the charge to be assessed on the  
11 service user's telephone bill on a ballot question under subsec-  
12 tion (6), the service provider's bill shall state the following:

13 "This amount is for your 9-1-1 service which has been  
14 approved by the voters on (DATE OF VOTER APPROVAL). This is not  
15 a charge assessed by your telephone carrier. If you have ques-  
16 tions concerning your 9-1-1 service, you may call (INCLUDE  
17 APPROPRIATE TELEPHONE NUMBER).

18 (8) An annual accounting shall be made of the emergency  
19 telephone operational charge approved pursuant to this amendatory  
20 act in the same manner as the annual accounting required by sec-  
21 tion 405.

22 (9) Any money collected under this section shall not replace  
23 or reduce state contributions for emergency telephone service.

24 (10) OPERATIONAL FUNDS COLLECTED PURSUANT TO THIS SECTION  
25 SHALL BE DISTRIBUTED BY THE COUNTY OR THE COUNTIES TO THE PRIMARY  
26 PSAPS BY 1 OF THE FOLLOWING METHODS:

1 (A) AS PROVIDED IN THE FINAL 9-1-1 SERVICE PLAN.

2 (B) IF DISTRIBUTION IS NOT PROVIDED FOR IN THE PLAN, THEN  
3 ACCORDING TO ANY AGREEMENT FOR DISTRIBUTION BETWEEN THE COUNTY  
4 AND PUBLIC AGENCIES.

5 (C) IF DISTRIBUTION IS NOT PROVIDED IN THE PLAN OR BY AGREE-  
6 MENT, THEN ACCORDING TO THE DISTRIBUTION OF ACCESS LINES WITHIN  
7 THE PRIMARY PSAPS.

8 Sec. 403. Each service supplier shall be solely responsible  
9 for the ~~collection of~~ BILLING FOR the emergency TECHNICAL AND  
10 OPERATIONAL telephone charge and ~~may take any legal action to~~  
11 ~~collect these~~ THE TRANSMITTAL OF FUNDS COLLECTED FROM  
12 OPERATIONAL charges. ~~The county implementing 9-1-1 service pur-~~  
13 ~~suant to this act and public agencies all or part of which are~~  
14 ~~included within the 9-1-1 service district shall not be liable~~  
15 ~~for the collection of emergency telephone charges imposed on~~  
16 ~~service users pursuant to this act.~~

17 Sec. 405. (1) Within 90 days after the first day of the  
18 calendar year following the year in which a service supplier com-  
19 menced collection of the emergency telephone charge pursuant to  
20 section 401, and within 90 days after the first day of ~~every~~  
21 EACH calendar year thereafter, a service supplier providing 9-1-1  
22 service pursuant to this act shall make an annual accounting to  
23 the 9-1-1 service district of the total emergency telephone  
24 charges collected during ~~such~~ THE IMMEDIATELY preceding calen-  
25 dar year.

26 (2) If an annual accounting made pursuant to subsection (1)  
27 discloses that the total emergency telephone charges collected

1 during the IMMEDIATELY preceding calendar year exceeded the total  
2 cost of installing and providing 9-1-1 service within the 9-1-1  
3 service district for the IMMEDIATELY preceding calendar year  
4 according to the rates and charges of the service supplier, the  
5 service supplier shall ~~credit~~ ADJUST the emergency telephone  
6 charge collected from service users in the 9-1-1 service district  
7 in an amount computed pursuant to this section. The amount of  
8 the ~~credit~~ ADJUSTMENT shall be computed by dividing ~~such~~ THE  
9 excess by the number of exchange access facilities within the  
10 9-1-1 service district as ~~such~~ THE district existed for the  
11 billing period immediately following the annual accounting.  
12 Costs of the service supplier associated with making ~~credit~~ THE  
13 ADJUSTMENT under this subsection as part of the billing and col-  
14 lection service shall be deducted from the amount to be  
15 ~~credited~~ ADJUSTED.

16 (3) If the annual accounting discloses that the total emer-  
17 gency telephone charges collected during the calendar year are  
18 less than the total cost of installing and providing 9-1-1 serv-  
19 ice within the 9-1-1 service district for ~~such~~ THE IMMEDIATELY  
20 preceding calendar year according to the costs and rates of the  
21 service supplier, the service supplier shall collect an addi-  
22 tional charge from service users in the 9-1-1 service district in  
23 an amount computed pursuant to this section. Subject to the lim-  
24 itations provided by section 401(2), the amount of the additional  
25 charge shall be computed by dividing the amount by which ~~such~~  
26 THE total cost exceeded the total emergency telephone charges  
27 collected during the IMMEDIATELY preceding calendar year by the

1 number of exchange access facilities within the 9-1-1 service  
2 district as ~~such~~ THE district existed for the billing period  
3 immediately following the annual accounting.

4       Sec. 501. (1) After installation and commencement of opera-  
5 tion of a 9-1-1 system implemented pursuant to this act, a public  
6 safety agency serving a public agency or county within the 9-1-1  
7 service district may be added to the 9-1-1 system as a PSAP or a  
8 secondary PSAP by giving written notice of intent to function as  
9 a PSAP or secondary PSAP as provided in section 307 to the county  
10 clerk. Within 5 days of receipt of the notice, the county clerk  
11 shall forward the written notice to the service supplier. The  
12 public safety agency shall commence to function as a PSAP or sec-  
13 ondary PSAP as soon as feasible after giving the written notice.

14       (2) The costs of equipment installation or system modifica-  
15 tion, or both, necessary for a public safety agency to function  
16 as a ~~PSAP or~~ secondary PSAP pursuant to subsection (1) shall be  
17 paid directly by the public safety agency and shall not be col-  
18 lected from service users in the 9-1-1 service district.

19       Sec. 602. ~~-(1) Subject to subsection (2), a~~ A dispute  
20 between or among 1 or more service suppliers, counties, public  
21 agencies, public service agencies, or any combination of those  
22 entities regarding their respective rights and duties under this  
23 act shall be heard as a contested case before the public service  
24 commission as provided in the administrative procedures act of  
25 1969, Act No. 306 of the Public Acts of 1969, being sections  
26 24.201 to 24.328 of the Michigan Compiled Laws.

1     ~~(2) If a dispute described in subsection (1) arises from~~  
2 ~~the formulation or implementation of a 9-1-1 service plan, a~~  
3 ~~contested case proceeding to resolve the dispute shall not be~~  
4 ~~initiated unless the public service commission, the department of~~  
5 ~~management and budget, and the emergency telephone service com-~~  
6 ~~mittee have provided assistance in resolving the dispute under~~  
7 ~~section 601 and the dispute remains unresolved.~~

8       Sec. 702. An emergency telephone service committee is cre-  
9 ated within the department of ~~management and budget~~ STATE  
10 POLICE to develop statewide standards and model system considera-  
11 tions and make other recommendations for emergency telephone  
12 services.

13       Sec. 703. (1) The committee shall consist of 13 members as  
14 follows:

15       (a) The director of the department of state police or his or  
16 her designated representative.

17       (b) The director of public health or his or her designated  
18 representative.

19       (c) The chair of the Michigan public service commission or  
20 his or her designated representative.

21       (d) The president of the Michigan sheriff's association or  
22 his or her designated representative.

23       (e) The president of the Michigan association of chiefs of  
24 police or his or her designated representative.

25       (f) The president of the Michigan fire chiefs association or  
26 his or her designated representative.

1 (g) The executive director of the Michigan association of  
2 counties or his or her designated representative.

3 (h) The EXECUTIVE director of the ~~office of criminal~~  
4 ~~justice~~ DEPUTY SHERIFF'S ASSOCIATION OF MICHIGAN or his or her  
5 designated representative.

6 (i) Three members of the general public, 1 member to be  
7 appointed by the governor, 1 member to be appointed by the  
8 speaker of the house of representatives, and 1 member to be  
9 appointed by the majority leader of the senate. The 3 members of  
10 the general public shall have expertise relating to emergency  
11 radio communications, dispatching, and services or to telephone  
12 systems. The members of the general public shall serve for terms  
13 of 2 years.

14 (j) The executive director of the Michigan fraternal order  
15 of police or his or her designated representative.

16 (k) The president of the Michigan state police troopers  
17 association or his or her designated representative.

18 (l) THE PRESIDENT OF THE MICHIGAN CHAPTER OF THE ASSOCIATED  
19 PUBLIC SAFETY COMMUNICATIONS OFFICERS OR HIS OR HER DESIGNATED  
20 REPRESENTATIVE.

21 (M) THE PRESIDENT OF THE MICHIGAN CHAPTER OF THE NATIONAL  
22 EMERGENCY NUMBER ASSOCIATION OR HIS OR HER DESIGNATED  
23 REPRESENTATIVE.

24 (N) THE PRESIDENT OF THE TELEPHONE ASSOCIATION OF MICHIGAN  
25 OR HIS OR HER DESIGNATED REPRESENTATIVE.

1       (2) The committee shall elect 1 of its members to serve as  
2 chairperson. The chairperson of the committee shall serve for a  
3 term of 1 year.

4       (3) Members of the committee shall serve without compensa-  
5 tion, but shall be entitled to actual and necessary expenses  
6 incurred in the performance of official duties under this  
7 chapter.

8       Sec. 704. (1) The committee shall do all of the following:

9       (a) Organize and adopt standards governing the committee's  
10 formal and informal procedures.

11       (b) Meet not less than 4 times per year at a place and time  
12 specified by the chairperson.

13       (c) Keep a record of the proceedings and activities of the  
14 committee.

15       (d) Provide recommendations to public safety answering  
16 points and secondary public safety answering points on statewide  
17 technical and operational standards for PSAPs and secondary  
18 PSAPs.

19       (e) Provide recommendations to public agencies concerning  
20 model systems to be considered in preparing a 9-1-1 service  
21 plan.

22       ~~(f) Assess the progress of implementing the 9-1-1 system~~  
23 ~~statewide.~~

24       ~~(g) Develop a model 9-1-1 implementation plan.~~

25       ~~(h) Provide the technical and dispute resolution assistance~~  
26 ~~required under section 602.~~

1 (F) ~~(i)~~ Perform other duties as necessary to promote  
2 successful development, implementation, and operation of 9-1-1  
3 systems across the state.

4 ~~(j) Assess, report, and make recommendations to the legis-~~  
5 ~~lature, the department of management and budget, and the public~~  
6 ~~service commission at least once every 2 years on the progress~~  
7 ~~made in developing, implementing, and operating 9-1-1 systems and~~  
8 ~~coordinating and establishing emergency telephone service~~  
9 ~~statewide.~~

10 (2) The department of ~~management and budget~~ STATE POLICE  
11 and the public service commission shall provide staff assistance  
12 to the committee as necessary to carry out the committee's duties  
13 under this section.

14 Sec. 707. This chapter is repealed effective ~~March 31,~~  
15 ~~1998~~ DECEMBER 31, 1995.

16 Section 2. Section 601 of Act No. 32 of the Public Acts of  
17 1986, being section 484.1601 of the Michigan Compiled Laws, is  
18 repealed.

19 Section 3. Act No. 32 of the Public Acts of 1986, being  
20 sections 484.1101 to 484.1707 of the Michigan Compiled Laws, is  
21 repealed effective December 31, 2002.