

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: H2/27/97 H3/6/97

A Bill

HOUSE BILL 1641

4
5 By: Representatives Wallis, Faris, Wren, Simon, and Courtway
6 By: Senator Hopkins

For An Act To Be Entitled

9 "AN ACT TO AMEND ARKANSAS CODE 12-10-318 TO SET THE TARIFF
10 RATE FOR THE EMERGENCY TELEPHONE SERVICE CHARGE IN SMALL
11 COMMUNITIES; AND FOR OTHER PURPOSES."

Subtitle

14 "TO AMEND ARKANSAS CODE 12-10-318 TO SET
15 THE TARIFF RATE FOR THE EMERGENCY
16 TELEPHONE SERVICE CHARGE IN SMALL
17 COMMUNITIES."

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. Arkansas Code 12-10-318(a)(1), as amended by Act 106 of
22 1997, is amended to read as follows:

23 "(a)(1) When so authorized by a majority of the persons voting within
24 the political subdivision in accordance with the law, the governing authority
25 of each political subdivision may levy ~~any~~ an emergency telephone service
26 charge ~~in the amount of~~ assessed by the political subdivision on a per access
27 line basis as of January 1, 1997 or the amount up to five percent (5%) of the
28 tariff rate, except that any political subdivision with a population of less
29 than ~~twenty-five thousand (25,000)~~ twenty-seven thousand five hundred (27,500)
30 according to the 1990 federal decennial census may, by a majority vote of the
31 electors voting on the issue, levy an emergency telephone charge in an amount
32 ~~not to exceed~~ assessed by the political subdivision on a per access line basis
33 as of January 1, 1997 or an amount up to twelve percent (12%) of the tariff
34 rate."

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36 SECTION 2. Arkansas Code 12-10-323(a) is amended to read as follows:

1 "(a) ~~Revenue~~ Any revenue generated as authorized in pursuant to §§
2 12-10-318 - 12-10-321 may be expended only in direct connection with the
3 provision of 911 services and only for the following purposes:

4 (1) The engineering, installation, and recurring costs necessary to
5 implement, operate, and maintain a 911 telephone system;

6 (2) The costs necessary for forwarding and transfer capabilities of
7 calls from the 911 public safety communication center to dispatch centers or
8 to other 911 public safety communication centers;

9 (3) Engineering, construction, lease or purchase costs to lease,
10 purchase, build, remodel, or refurbish a 911 public safety communication
11 center and for necessary emergency and uninterruptable power supplies for the
12 center;

13 (4) Personnel costs in the amount of seventy-five percent (75%) of the
14 salary and benefits of each position charged with supervision and operation of
15 the 911 public safety communication center and system;

16 (5) Purchase, lease, operation, and maintenance of consoles, telephone,
17 and communications equipment owned or operated by the political subdivisions
18 and physically located within and for the use of the 911 public safety
19 communication center and radio or microwave towers and equipment with lines
20 which terminate in the center; ~~and~~

21 (6) Purchase, lease, operation, and maintenance of computers, data
22 processing equipment, associated equipment, and leased audio or data lines
23 assigned to and operated by the 911 public safety communication center for the
24 purposes of coordinating, forwarding of calls, dispatch, or recordkeeping of
25 public safety and private safety agencies, for which the 911 public safety
26 communication center is the public safety answering point and to provide
27 information assistance to those agencies-; and

28 (7) Supplies, equipment, PSAP personnel training, vehicle and vehicle
29 maintenance, if such items are solely and directly related to and incurred by
30 the political subdivision in mapping, addressing, and readdressing a 911
31 system. Nothing herein shall be interpreted or construed as authorizing a
32 political subdivision to purchase emergency response vehicles, law enforcement
33 vehicles or other political subdivision vehicles from such funds."

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36 SECTION 3. All provisions of this act of a general and permanent

1 nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas
2 Code Revision Commission shall incorporate the same in the Code.

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4 SECTION 4. If any provision of this act or the application thereof to
5 any person or circumstance is held invalid, such invalidity shall not affect
6 other provisions or applications of the act which can be given effect without
7 the invalid provision or application, and to this end the provisions of this
8 act are declared to be severable.

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10 SECTION 5. All laws and parts of laws in conflict with this act are
11 hereby repealed.

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13 SECTION 6. EMERGENCY. It is hereby found and determined by the General
14 Assembly that political subdivisions with less than twenty-seven thousand five
15 hundred population are not able to provide a 911 service under the current
16 restrictions on emergency telephone service charges; that this act grants
17 greater flexibility to those political subdivisions; and that this act should
18 go into effect as soon as possible in order to help provide 911 service to the
19 portions of this state which do not now have the capability of financing the
20 same. Therefore an emergency is declared to exist and this act being
21 immediately necessary for the preservation of the public peace, health and
22 safety shall become effective on the date of its approval by the Governor. If
23 the bill is neither approved nor vetoed by the Governor, it shall become
24 effective on the expiration of the period of time during which the Governor
25 may veto the bill. If the bill is vetoed by the Governor and the veto is
26 overridden, it shall become effective on the date the last house overrides the
27 veto.

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/s/Rep. Wallis, et al

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