

LEGISLATURE OF NEBRASKA

ONE HUNDRED FIRST LEGISLATURE

SECOND SESSION

LEGISLATIVE BILL 723

FINAL READING

Introduced by Fischer, 43.

Read first time January 06, 2010

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Telecommunications Relay System Act;
2 to amend section 86-313, Reissue Revised Statutes of
3 Nebraska; to change surcharge remittance requirements;
4 and to repeal the original section.
5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 86-313, Reissue Revised Statutes of
2 Nebraska, is amended to read:

3 86-313 (1)(a) Each telephone company in Nebraska shall
4 collect from each of the telephone subscribers a surcharge not
5 to exceed twenty cents per month on each telephone number or
6 functional equivalent in Nebraska, including wireless service as
7 defined in section 86-456.01. Except for wireless service, the
8 surcharge shall only be collected on the first one hundred
9 telephone numbers or functional equivalents per subscriber. The
10 companies shall add the surcharge to each subscriber's bill.

11 (b) The telephone companies are not liable for any
12 surcharge not paid by a subscriber.

13 (2) Before April 1 of each year, the commission shall
14 hold a public hearing to determine the amount of surcharge
15 necessary to carry out the Telecommunications Relay System Act.
16 After the hearing, the commission shall set the surcharge at the
17 level necessary to fund the statewide telecommunications relay
18 system and the specialized telecommunications equipment program for
19 the following year plus a reasonable reserve. The surcharge shall
20 become effective on July 1 following the change.

21 (3) In an emergency the commission may adjust the amount
22 of the surcharge to become effective before such date but only
23 after a public hearing for such purpose.

24 (4) The Each telephone company shall remit the proceeds
25 from the surcharge shall be remitted to the commission. monthly as

1 ~~later than thirty days after the end of the month in which they~~
2 ~~were collected together with forms provided by the commission.~~ The
3 commission shall remit the funds to the State Treasurer for credit
4 to the fund.

5 (5) The commission may require an audit of any company
6 collecting the surcharge pursuant to the act.

7 (6) This section shall not apply to subscribers who have
8 no access to relay service.

9 Sec. 2. Original section 86-313, Reissue Revised Statutes
10 of Nebraska, is repealed.