

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 ne

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.