

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 SENATE BILL 1581

By: Garrison

4  
5 AS INTRODUCED

6 An Act relating to the Corporation Commission;  
7 amending 45 O.S. 2001, Section 139.109, as amended by  
8 Section 1, Chapter 409, O.S.L. 2004 (17 O.S. Supp.  
9 2007, Section 139.109), which relates to Oklahoma  
E911 Emergency Service Fund; updating statutory  
reference; and declaring an emergency.

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12 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

13 SECTION 1. AMENDATORY 45 O.S. 2001, Section 139.109, as  
14 amended by Section 1, Chapter 409, O.S.L. 2004 (17 O.S. Supp. 2007,  
15 Section 139.109), is amended to read as follows:

16 Section 139.109 A. There is hereby created within the Oklahoma  
17 Corporation Commission the "Oklahoma E911 Emergency Service Fund".  
18 Beginning September 1, 1997, each local exchange telecommunications  
19 service provider shall annually contribute fifty cents (\$0.50) per  
20 retail local exchange access line to the Oklahoma E911 Emergency  
21 Service Fund until the total amount contributed by all providers to  
22 the Fund equals Five Million Dollars (\$5,000,000.00). The  
23 contribution amount for each service provider shall be based upon  
24 the number of retail local exchange access lines of that service

1 provider in service on July 1 of each applicable year. The Oklahoma  
2 E911 Emergency Service Fund shall be administered by the Oklahoma  
3 Corporation Commission and used to defray the cost of purchasing and  
4 installing equipment for enhanced 911 emergency systems across the  
5 state. Preference for funding shall be given first to those systems  
6 established in areas of the state which do not have access to 911  
7 emergency service before July 1, 1997, and second to areas of the  
8 state which do not have access to enhanced 911 emergency services.  
9 Funding from the E911 Emergency Service Fund shall not be used for  
10 ongoing operating costs of any emergency telephone service system.  
11 To qualify for funding, the emergency telephone service system shall  
12 have been or be in the process of being approved as provided for in  
13 the Nine-One-One Emergency Number Act, Section 2811 of Title 69 of  
14 the Oklahoma Statutes. Local exchange telecommunications service  
15 providers serving fifteen percent (15%) or more of the access lines  
16 in the state may not apply for recovery of the contributions made to  
17 the E911 Emergency Service Fund from the Oklahoma Universal Service  
18 Fund created in Section 139.106 of this title. All monies in the  
19 Oklahoma E911 Emergency Service Fund shall be expended only for the  
20 purposes set forth in this subsection.

21 B. There is hereby created within the Oklahoma Department of  
22 Career and Technology Education the "Oklahoma Telecommunications  
23 Technology Training Fund". Beginning September 1, 1997, each local  
24 exchange telecommunications service provider shall annually

1 contribute seventy-five cents (\$0.75) per retail local exchange  
2 access line to the Oklahoma Telecommunications Technology Training  
3 Fund until the total amount contributed by all providers to the Fund  
4 equals Seven Million Dollars (\$7,000,000.00). The contribution  
5 amount for each service provider shall be based upon the number of  
6 retail local exchange access lines of that service provider in  
7 service on July 1 of each applicable year. The Oklahoma  
8 Telecommunications Technology Training Fund shall be administered by  
9 the Oklahoma Department of Career and Technology Education working  
10 in conjunction with OneNet, and shall be used to provide statewide  
11 training of teachers and school administrators in the most effective  
12 use of telecommunications and distance learning technology for the  
13 enhancement of education throughout the state. Local exchange  
14 telecommunications service providers serving fifteen percent (15%)  
15 or more of the access lines in the state may not apply for recovery  
16 of the contributions made to the Oklahoma Telecommunications  
17 Technology Training Fund from the Oklahoma Universal Service Fund  
18 created in Section 139.106 of this title. All monies in the  
19 Oklahoma Telecommunications Technology Training Fund shall be  
20 expended only for the purposes set forth in this subsection.

21 C. The following services are hereby declared to be Special  
22 Universal Services and such services shall be provided only after  
23 funding for the Oklahoma Universal Service Fund is implemented as  
24 set forth in Section 139.101 et seq. of this title:

1        1. Each not-for-profit hospital in the state shall, upon  
2 written request, receive one incoming, toll-free phone number and up  
3 to a total of five access lines, free of charge, to allow incoming,  
4 toll-free calls from any location within the geographic area served  
5 by the hospital;

6        2. Each not-for-profit hospital, county health department,  
7 city-county health department, and federally qualified health center  
8 in this state shall, upon written request, receive, free of charge,  
9 one telecommunications line or wireless connection sufficient for  
10 providing such telemedicine, clinical and health consultation  
11 services as the entity is equipped to provide. The  
12 telecommunications carrier shall be entitled to reimbursement from  
13 the Oklahoma Universal Service Fund for providing the line or  
14 connection. In no case, however, shall reimbursement from the fund  
15 be made for an Internet subscriber fee or charges incurred as a  
16 result of services accessed via the Internet;

17        3. Each public school building wherein classrooms are contained  
18 and each public library in the state shall, upon written request,  
19 receive one incoming, toll-free phone number and up to a total of  
20 five access lines, free of charge, to allow incoming, toll-free  
21 calls from any location within the geographic area served by the  
22 school or the public library;

23        4. Each public school building wherein classrooms are contained  
24 and each public library in the state shall, upon written request,

1 receive one access line, free of charge, with the ability to connect  
2 to an Internet service provider at 56 kbps, in the most economically  
3 efficient manner for the carrier, or an equivalent dollar credit to  
4 be applied by the public school or public library toward similar  
5 services provided by the same carrier, for the purpose of accessing  
6 the Internet. In no case shall the Oklahoma Universal Service Fund  
7 reimburse an entity for an Internet subscriber fee or charges  
8 incurred as a result of services accessed via the Internet; and

9       5. Each county seat in the state shall, upon written request of  
10 the board of county commissioners, receive one incoming, toll-free  
11 phone number and up to a total of five access lines, free of charge,  
12 to allow incoming, toll-free calls from any location within the  
13 geographic area served by the county seat.

14       D. To the extent Special Universal Services are purchased from  
15 a telecommunications service provider by another carrier, the  
16 Special Universal Services are for the exclusive use of the not-for-  
17 profit hospital, county health department, city-county health  
18 department, federally qualified health center, public school, public  
19 library or county government. Under no circumstances shall the not-  
20 for-profit hospital, county health department, city-county health  
21 department, federally qualified health center, public school, public  
22 library or county government sell, repackage or share Special  
23 Universal Services with any other entity.

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1       SECTION 2. It being immediately necessary for the preservation  
2 of the public peace, health and safety, an emergency is hereby  
3 declared to exist, by reason whereof this act shall take effect and  
4 be in full force from and after its passage and approval.

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