

LEGISLATURE OF NEBRASKA
ONE HUNDREDTH LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 297

Introduced By: Pedersen, 39; Stuthman, 22
Read first time: January 10, 2007
Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to telecommunications; to amend section
2 86-313, Revised Statutes Cumulative Supplement, 2006; to
3 eliminate a requirement relating to surcharge revenue as
4 prescribed; to repeal the original section; and to declare
5 an emergency.

6 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 86-313, Revised Statutes Cumulative
2 Supplement, 2006, 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 to
5 exceed twenty cents per month on each telephone access line in
6 Nebraska, including cellular telephone service. The surcharge shall
7 only be collected on the first one hundred telephone access lines per
8 subscriber. The companies shall add the surcharge to each subscriber's
9 local telephone bill.

10 (b) The telephone companies are not liable for any surcharge
11 not paid by a subscriber and are not obligated to take legal action to
12 collect the surcharge.

13 (2) Before April 1 of each year, the commission shall hold a
14 public hearing to determine the amount of surcharge necessary to carry
15 out the Telecommunications Relay System Act. After the hearing, the
16 commission shall set the surcharge at the level necessary to fund the
17 statewide telecommunications relay system and the specialized
18 telecommunications equipment program for the following year plus a
19 reasonable reserve. The surcharge shall become effective on July 1
20 following the change. ~~The amount appropriated for the specialized~~
21 ~~telecommunications equipment program from the fund shall not exceed~~
22 ~~the revenue generated by one cent of the surcharge per month.~~

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

26 (4) The proceeds from the surcharge shall be remitted to the
27 commission monthly no later than thirty days after the end of the

1 month in which they were collected together with forms provided by the
2 commission. The commission shall remit the funds to the State
3 Treasurer for credit to the fund.

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

6 Sec. 2. Original section 86-313, Revised Statutes Cumulative
7 Supplement, 2006, is repealed.

8 Sec. 3. Since an emergency exists, this act takes effect
9 when passed and approved according to law.