

SUBSTITUTE FOR  
HOUSE BILL NO. 5917

A bill to amend 1986 PA 32, entitled  
"Emergency telephone service enabling act,"  
by amending sections 401, 407, 408, 412, and 717 (MCL 484.1401,  
484.1407, 484.1408, 484.1412, and 484.1717), section 401 as amended  
by 1999 PA 81, sections 407 and 412 as added by 1999 PA 78, section  
408 as amended by 2006 PA 74, and section 717 as added by 1999 PA  
79.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1       Sec. 401. (1) An emergency telephone district board, a 9-1-1  
2 service district as defined in section 102 and created ~~pursuant to~~  
3 **UNDER** section 201b, or a county on behalf of a 9-1-1 service area  
4 created by the county may enter into an agreement with a public  
5 agency that does either of the following:

6       (a) Grants a specific pledge or assignment of a lien on or a  
7 security interest in any money received by a 9-1-1 service district

1 for the benefit of qualified obligations.

2 (b) Provides for payment directly to the public entity issuing  
3 qualified obligations of a portion of the emergency telephone  
4 operational charge sufficient to pay when due principal of and  
5 interest on qualified obligations.

6 (2) A pledge, assignment, lien, or security interest for the  
7 benefit of qualified obligations is valid and binding from the time  
8 the qualified obligations are issued without a physical delivery or  
9 further act. A pledge, assignment, lien, or security interest is  
10 valid and binding and has priority over any other claim against the  
11 emergency telephone district board, the 9-1-1 service district, or  
12 any other person with or without notice of the pledge, assignment,  
13 lien, or security interest.

14 (3) Except as provided in sections 407 to 412, each service  
15 supplier within a 9-1-1 service district shall provide a billing  
16 and collection service for an emergency telephone technical charge  
17 and emergency telephone operational charge from all service users  
18 of the service supplier within the geographical boundaries of the  
19 emergency telephone or 9-1-1 service district. The billing and  
20 collection of the emergency telephone operational charge and that  
21 portion of the technical charge used for billing cost shall begin  
22 as soon as feasible after the final 9-1-1 service plan has been  
23 approved. The billing and collection of the emergency telephone  
24 technical charge not already collected for billing costs shall  
25 begin as soon as feasible after installation and operation of the  
26 9-1-1 system. The emergency telephone technical charge and  
27 emergency telephone operational charge shall be uniform per each

1 exchange access facility within the 9-1-1 service district. The  
2 portion of the emergency telephone technical charge that represents  
3 start-up costs, nonrecurring billing, installation, service, and  
4 equipment charges of the service supplier, including the costs of  
5 updating equipment necessary for conversion to 9-1-1 service, shall  
6 be amortized at the prime rate plus 1% over a period not to exceed  
7 10 years and shall be billed and collected from all service users  
8 only until those amounts are fully recouped by the service  
9 supplier. The prime rate to be used for amortization shall be set  
10 before the first assessment of nonrecurring charges and remain at  
11 that rate for 5 years, at which time a new rate may be set for the  
12 remaining amortization period. Recurring costs and charges included  
13 in the emergency telephone technical charge and emergency telephone  
14 operational charge shall continue to be billed to the service user.

15 (4) Except as provided in sections 407 to 412 and subject to  
16 the limitation provided by this section, the amount of the  
17 emergency telephone technical charge and emergency telephone  
18 operational charge to be billed to the service user shall be  
19 computed by dividing the total emergency telephone technical charge  
20 and emergency telephone operational charge by the number of  
21 exchange access facilities within the 9-1-1 service district.

22 (5) Except as provided in subsection (7) and sections 407 to  
23 412, the amount of emergency telephone technical charge payable  
24 monthly by a service user for recurring costs and charges shall not  
25 exceed 2% of the lesser of \$20.00 or the highest monthly rate  
26 charged by the service supplier for **PRIMARY** basic local exchange  
27 service ~~pursuant to~~ **UNDER** section ~~304b~~ **304** of the Michigan

1 telecommunications act, 1991 PA 179, MCL ~~484.2304b~~ **484.2304**,  
2 within the 9-1-1 service district. The amount of emergency  
3 telephone technical charge payable monthly by a service user for  
4 nonrecurring costs and charges shall not exceed 5% of the lesser of  
5 \$20.00 or the highest monthly rate charged by the service supplier  
6 for **PRIMARY** basic local exchange service ~~pursuant to~~ **UNDER**  
7 section ~~304b~~ **304** of the Michigan telecommunications act, 1991 PA  
8 179, MCL ~~484.2304b~~ **484.2304**, within the 9-1-1 service district.  
9 With the approval of the county board of commissioners, a county  
10 may assess an amount for recurring emergency telephone operational  
11 costs and charges that shall not exceed 4% of the lesser of \$20.00  
12 or the highest monthly rate charged by the service supplier for  
13 **PRIMARY** basic local exchange service ~~pursuant to~~ **UNDER** section  
14 ~~304b~~ **304** of the Michigan telecommunications act, 1991 PA 179, MCL  
15 ~~484.2304b~~ **484.2304**, within the geographical boundaries of the  
16 assessing county. The percentage to be set for the emergency  
17 telephone operational charge shall be established by the county  
18 board of commissioners ~~pursuant to~~ **UNDER** section 312. A change to  
19 the percentage set for the emergency telephone operational charge  
20 may be made only by the county board of commissioners. The  
21 difference, if any, between the amount of the emergency telephone  
22 technical charge computed under subsection (4) and the maximum  
23 permitted under this section shall be paid by the county from funds  
24 available to the county or through cooperative arrangements with  
25 public agencies within the 9-1-1 service district.

26 (6) Except as provided in sections 407 to 412, the emergency  
27 telephone technical charge and emergency telephone operational

charge shall be collected in accordance with the regular billings of the service supplier. The amount collected for emergency telephone operational charge shall be paid by the service supplier to the county that authorized the collection. The emergency telephone technical charge and emergency telephone operational charge payable by service users pursuant to this act shall be added to and shall be stated separately in the billings to service users.

(7) Except as provided in sections 407 to 412, for a 9-1-1 service district created or enhanced after June 27, 1991, the amount of emergency telephone technical charge payable monthly by a service user for recurring costs and charges shall not exceed 4% of the lesser of \$20.00 or the highest monthly rate charged by the service supplier for **PRIMARY** basic local exchange service ~~pursuant to~~ **UNDER** section ~~304b~~ **304** of the Michigan telecommunications act, 1991 PA 179, MCL ~~484.2304b~~ **484.2304**, within the 9-1-1 service district.

(8) Except as provided in sections 407 to 412, a county may, with the approval of the voters in the county, assess up to 16% of the lesser of \$20.00 or the highest monthly rate charged by the service supplier for **PRIMARY** basic local exchange service ~~pursuant to~~ **UNDER** section ~~304b~~ **304** of the Michigan telecommunications act, 1991 PA 179, MCL ~~484.2304b~~ **484.2304**, within the geographical boundaries of the assessing county or assess a millage or combination of the 2 to cover emergency telephone operational costs. In a ballot question under this subsection, the board of commissioners shall specifically identify how the collected money is to be distributed. An affirmative vote on a ballot question

1 under this subsection shall be considered an amendment to the 9-1-1  
2 service plan pursuant to section 312. Not more than 1 ballot  
3 question under this subsection may be submitted to the voters  
4 within any 12-month period. An assessment approved under this  
5 subsection shall be for a period not greater than 5 years.

6 (9) The total emergency telephone operational charge as  
7 prescribed in subsections (5) and (8) shall not exceed 20% of the  
8 lesser of \$20.00 or the highest monthly flat rate charged for  
9 **PRIMARY** basic service by a service supplier for a 1-party access  
10 line.

11 (10) Except as provided in sections 407 to 412, if the voters  
12 approve the charge to be assessed on the service user's telephone  
13 bill on a ballot question under subsection (8), the service  
14 provider's bill shall state the following:

15 "This amount is for your 9-1-1 service which has been approved  
16 by the voters on (DATE OF VOTER APPROVAL). This is not a charge  
17 assessed by your telephone carrier. If you have questions  
18 concerning your 9-1-1 service, you may call (INCLUDE APPROPRIATE  
19 TELEPHONE NUMBER).".

20 (11) Except as provided in sections 407 to 412, an annual  
21 accounting shall be made of the emergency telephone operational  
22 charge approved ~~pursuant to~~ **UNDER** this act in the same manner as  
23 the annual accounting required by section 405.

24 (12) Except as otherwise provided in subsection (13), or as  
25 provided in sections 407 to 412, the emergency telephone  
26 operational charge collected ~~pursuant to~~ **UNDER** this section shall  
27 be distributed by the county or the counties to the primary PSAPs

1 by 1 of the following methods:

2 (a) As provided in the final 9-1-1 service plan.

3 (b) If distribution is not provided for in the plan, then  
4 according to any agreement for distribution between the county and  
5 public agencies.

6 (c) If distribution is not provided in the plan or by  
7 agreement, then according to the distribution of access lines  
8 within the primary PSAPs.

9 (13) Except as provided in sections 407 to 412, if a county  
10 had multiple emergency telephone districts before the effective  
11 date of the amendatory act that added this subsection, then the  
12 emergency telephone operational charge collected ~~pursuant to~~  
13 **UNDER** this section shall be distributed in proportion to the amount  
14 of access lines within the primary PSAPs.

15 (14) Except as provided in sections 407 to 412, this section  
16 shall not preclude the distribution of funding to secondary PSAPs  
17 if the distribution is determined by the primary PSAPs within the  
18 emergency telephone district to be the most effective method for  
19 dispatching of fire or emergency medical services and the  
20 distribution is approved within the final 9-1-1 service plan.

21 (15) ~~Notwithstanding any other provision of this act, the~~  
22 ~~emergency telephone technical charge and the emergency telephone~~  
23 ~~operational charge shall not be levied or collected after December~~  
24 ~~31, 2006. However, if~~ **IF** all or a portion of the emergency  
25 telephone operational charge has been pledged as security for the  
26 payment of qualified obligations, the emergency telephone  
27 operational charge shall be levied and collected only to the extent

1 required to pay the qualified obligations or satisfy the pledge.

2       Sec. 407. (1) The CMRS emergency telephone fund is created  
3 within the state treasury to provide money to implement the  
4 wireless emergency service order and this act.

5       (2) The state treasurer may receive money or other assets from  
6 any source for deposit into the fund. Money may be deposited into  
7 the fund by electronic funds transfer. The state treasurer shall  
8 direct the investment of the fund. The state treasurer shall credit  
9 to the fund interest and earnings from fund investments. ~~The state~~  
10 ~~treasurer shall establish restricted subaccounts within the fund~~  
11 ~~for each of the categories listed in section 409(1)(a) to (e).~~

12       (3) Money in the fund at the close of the fiscal year shall  
13 remain in the fund and shall not lapse to the general fund.

14       (4) The department of treasury shall expend money from the  
15 fund, upon appropriation, only as provided in this act. The  
16 disbursement of money may be by electronic funds transfer.

17       (5) The auditor general shall audit the fund at least  
18 annually.

19       Sec. 408. (1) ~~Except as otherwise provided under subsection~~  
20 ~~(3), starting January 1, 2004, a~~ **EACH** CMRS supplier or a reseller  
21 shall include a service charge of ~~52~~ **29** cents per month for each  
22 CMRS connection that has a billing address in this state. The CMRS  
23 supplier or reseller shall list a service charge authorized under  
24 this section as a separate line item on each bill. The service  
25 charge shall be listed on the bill as the "operational 9-1-1  
26 charge".

27 ~~— (2) Except as otherwise provided under subsection (3), a CMRS~~



~~supplier may submit an invoice to the subcommittee created in section 410 for reimbursement from the CMRS emergency telephone fund for costs incurred in implementing the wireless emergency service order and this act. Within 90 days after the date the invoice is submitted to the subcommittee, the subcommittee shall review the invoice and make a recommendation to the committee for the approval, in whole or in part, or denial of the invoice. The committee shall approve an invoice submitted under this subsection only if the invoice is for costs directly related to the providing and installing of equipment that implements the wireless emergency service order and this act. The committee shall authorize payment of the invoice in accordance with the recommendations of the subcommittee.~~

~~—— (3) Before July 1, 2004, all CMRS suppliers shall notify the committee in writing whether they will seek reimbursement from the CMRS emergency telephone fund for costs incurred until December 31, 2005 in implementing the wireless emergency service order and this act. If a CMRS supplier elects to seek reimbursement under this subsection, it shall continue to impose the 52 cents per month charge authorized under subsection (1) until December 31, 2005. After December 31, 2005, the CMRS supplier shall impose a service charge of 29 cents per month. A CMRS supplier that notifies the committee in writing that it will not seek reimbursement under this subsection shall impose a charge of 29 cents per month and not seek reimbursement from the fund for costs in implementing the wireless emergency service order and this act incurred after the date of its notice to the committee.~~

House Bill No. 5917 (H-1) as amended May 4, 2006

(2) EACH CMRS SUPPLIER OR RESELLER SHALL [COLLECT] A SERVICE CHARGE OF 29 CENTS PER MONTH [FROM] EACH OF ITS PREPAID CUSTOMERS. THE CMRS SUPPLIER OR RESELLER SHALL HAVE A 1-TIME OPTION OF SELECTING 1 OF THE FOLLOWING METHODS OF DETERMINING THE AMOUNT THE CMRS SUPPLIER OR RESELLER IS REQUIRED TO DEPOSIT UNDER SUBSECTION (4):

(A) BY DIVIDING THE TOTAL EARNED PREPAID REVENUE RECEIVED BY THE CMRS SUPPLIER OR RESELLER WITHIN THE MONTHLY 9-1-1 REPORTING PERIOD BY \$50.00 AND THEN MULTIPLYING THAT NUMBER BY 29 CENTS.

(B) TWENTY-NINE CENTS FOR EACH ACTIVE PREPAID ACCOUNT OF THE CMRS SUPPLIER OR RESELLER THE BALANCE OF WHICH IS EQUAL TO OR GREATER THAN 29 CENTS. AS USED IN THIS SUBSECTION:

(i) "ACTIVE PREPAID ACCOUNTS" MEANS A CUSTOMER WHO HAS RECHARGED OR REPLENISHED HIS OR HER ACCOUNT AT LEAST ONCE DURING THE BILLING PERIOD OR CALENDAR MONTH OR HAS A SUFFICIENT POSITIVE BALANCE AT THE END OF EACH MONTH EQUAL TO OR GREATER THAN 29 CENTS.

(ii) "CMRS RESELLER" MEANS A PROVIDER WHO PURCHASES TELECOMMUNICATION SERVICES FROM ANOTHER TELECOMMUNICATION SERVICE PROVIDER AND THEN RESELLS, USES A COMPONENT PART OF, OR INTEGRATES THE PURCHASED SERVICES INTO A MOBILE TELECOMMUNICATION SERVICE.

(iii) "EARNED PREPAID REVENUE" MEANS ALL NEW REVENUE THAT HAS BEEN GENERATED FROM PREPAID SERVICE ACCOUNTS SINCE THE CLOSE OF THE LAST BILLING PERIOD OR CALENDAR MONTH.

(iv) "PREPAID CUSTOMER" MEANS A CMRS SUBSCRIBER WHO PAYS IN FULL PROSPECTIVELY FOR THE SERVICE AND [HAS 1 OF THE FOLLOWING:

(A) A MICHIGAN TELEPHONE NUMBER OR A MICHIGAN IDENTIFICATION NUMBER FOR THE SERVICE.

(B) A SERVICE FOR EXCLUSIVE USE IN AN AUTOMOTIVE VEHICLE AND WHOSE PLACE OF PRIMARY USE IS WITHIN THIS STATE. AS USED IN THIS SUB-SUBPARAGRAPH, "PLACE OF PRIMARY USE" MEANS THAT PHRASE AS DEFINED UNDER 4 USC 124.]

(3) ~~-(4)-~~ The department of state police may receive funds

1 from the CMRS emergency telephone fund for costs to administer this  
 2 act or to operate a regional dispatch center that receives and  
 3 dispatches 9-1-1 calls. A breakdown of the costs funded under this  
 4 subsection shall be included in the annual report required under  
 5 section 412. Except as otherwise provided by this subsection, the  
 6 costs funded under this subsection shall not exceed 1/2 of 1 cent  
 7 of the monthly service charge collected under this section. If the  
 8 department of state police establishes the position of E-911  
 9 coordinator, the costs funded under this subsection shall not  
 10 exceed 1 cent of the monthly service charge collected under this  
 11 section.

12 (4) ~~-(5)-~~ Except as otherwise provided in this section, the  
 13 money collected as the service charge under ~~subsection (1)~~  
 14 **SUBSECTIONS (1) AND (2)** shall be deposited in the CMRS emergency  
 15 telephone fund created in section 407 not later than 30 days after  
 16 the end of the quarter in which the service charge was collected.

17 (5) ~~-(6)-~~ All money collected and deposited in the CMRS  
 18 emergency telephone fund created in section 407 shall be  
 19 distributed as follows:

20 (a) Except as provided in subsection ~~-(9)-~~ (8), 10 cents of  
 21 each monthly service charge shall be disbursed equally to each  
 22 county that has a final 9-1-1 plan in place that includes  
 23 implementing the wireless emergency service order and this act.  
 24 Money received by a county under this subdivision shall only be  
 25 used to implement the wireless emergency service order and this  
 26 act. Money expended under this subdivision for a purpose considered  
 27 unnecessary or unreasonable by the committee or the auditor general

1 shall be repaid to the fund.

2 (b) Except as provided in subsection ~~-(9)-~~ (8), 15 cents of  
3 each monthly service charge shall be disbursed on a per capita  
4 basis to each county that has a final 9-1-1 plan in place that  
5 includes implementing the wireless emergency service order and this  
6 act. The committee shall certify to the department of treasury  
7 quarterly which counties have a final 9-1-1 plan in place. The most  
8 recent census conducted by the United States census bureau shall be  
9 used to determine the population of each county in determining the  
10 per capita basis in this subdivision. Money received by a county  
11 under this subdivision shall only be used to implement the wireless  
12 emergency service order and this act. Money expended under this  
13 subdivision for a purpose considered unnecessary or unreasonable by  
14 the committee or the auditor general shall be repaid to the fund.

15 (c) One and one-half cents of each monthly service charge  
16 shall be available to PSAPs for training personnel assigned to 9-1-  
17 1 centers. A written request for money from the fund shall be made  
18 by a public safety agency or county to the committee. The committee  
19 shall semiannually authorize distribution of money from the fund to  
20 eligible public safety agencies or counties. A public safety agency  
21 or county that receives money under this subdivision shall create,  
22 maintain, and make available to the committee upon request a  
23 detailed record of expenditures relating to the preparation,  
24 administration, and carrying out of activities of its 9-1-1  
25 training program. Money expended by an eligible public safety  
26 agency or county for a purpose considered unnecessary or  
27 unreasonable by the committee or the auditor general shall be

1 repaid to the fund. Money shall be disbursed to an eligible public  
2 safety agency or county for training of PSAP personnel through  
3 courses certified by the commission on law enforcement standards  
4 only for either of the following purposes:

5 (i) To provide basic 9-1-1 operations training.

6 (ii) To provide in-service training to employees engaged in 9-  
7 1-1 service.

8 (d) As provided under ~~subsections (2), (4), and (11)~~

9 **SUBSECTION (10).**

10 (e) For fiscal year 2005-2006 only, an amount not to exceed  
11 \$15,000,000.00 for the annual rental obligations of the state  
12 building authority under the bonds issued to finance the Michigan  
13 public safety communications system project.

14 ~~(6) -(7)-~~ Money received by a county under subsection ~~-(6)-(b)~~  
15 **(5)(B)** and (c) shall be distributed by the county to the primary  
16 PSAPs geographically located within the 9-1-1 service district by 1  
17 of the following methods:

18 (a) As provided in the final 9-1-1 service plan.

19 (b) If distribution is not provided for in the 9-1-1 service  
20 plan under subdivision (a), then according to any agreement for  
21 distribution between a county and a public agency.

22 (c) If distribution is not provided for in the 9-1-1 service  
23 plan under subdivision (a) or by agreement between the county and  
24 public agency under subdivision (b), then according to the  
25 population within the geographic area for which the PSAP serves as  
26 primary PSAP.

27 (d) If a county has multiple emergency telephone districts,

1 money for that county shall be distributed as provided in the  
2 emergency telephone districts' final 9-1-1 service plans.

3       (7) ~~—(8)—~~ If a county with a final 9-1-1 plan in place does  
4 not accept 9-1-1 calls through the direct dispatch method, relay  
5 method, or transfer method from a CMRS user, the revenues available  
6 to the county under this section shall be disbursed to the public  
7 agency or county responsible for accepting and responding to those  
8 calls.

9       (8) ~~—(9)—~~ In addition to the requirements of this subsection,  
10 a county is not eligible to receive disbursements under subsection  
11 ~~—(6)—(a)—~~ (5)(A) or (b) unless the county is compliant with the  
12 wireless emergency service order and this act. A county shall be  
13 compliant with phase 1 implementation by June 30, 2004 and phase 2  
14 implementation by June 30, 2005. A county that is not compliant  
15 with phase 1 implementation by June 30, 2004 and phase 2  
16 implementation by June 30, 2005 shall use the disbursements  
17 received under subsection ~~—(6)—(a)—~~ (5)(A) and (b) only for purposes  
18 of becoming compliant. A county that is not compliant with phase 1  
19 implementation by December 31, 2004 and phase 2 implementation by  
20 December 31, 2005 is not eligible to receive disbursements under  
21 subsection ~~—(6)—(a)—~~ (5)(A) and (b). Once the committee determines  
22 that a county that is not eligible to receive disbursements is  
23 compliant, the county shall begin receiving disbursements again  
24 under subsection ~~—(6)—(a)—~~ (5)(A) and (b). As used in this  
25 subsection, "compliant" means the county has installed equipment  
26 that is capable, and at a state of readiness, to deploy wireless  
27 service for all CMRS providers within a county's 9-1-1 service

1 district or districts.

2       (9) ~~-(10)-~~ From each service charge billed under ~~subsection~~  
3 ~~(1)-~~ **SUBSECTIONS (1) AND (2)**, each CMRS supplier or reseller who  
4 billed the customer shall retain 1/2 of 1 cent to cover the costs  
5 of billing and collection as the only reimbursement from this  
6 charge for billing and collection costs.

7       (10) ~~-(11)-~~ Notwithstanding any other provision of this act,  
8 the commission, following a contested case, shall issue an order no  
9 later than June 29, 2004 establishing the costs that a local  
10 exchange provider may recover in terms of the costs related to the  
11 wireless emergency service order. Any cost reimbursement allowed  
12 under this subsection shall not include a cost that is not related  
13 to complying with the wireless emergency service order. After the  
14 commission has issued the order, a local exchange provider may  
15 submit an invoice to the commission for reimbursement from the CMRS  
16 emergency telephone fund for costs incurred that are allowed under  
17 the commission order. Within 45 days after the date an invoice is  
18 submitted to the commission, the commission shall make a  
19 recommendation to the committee for the approval, either in whole  
20 or in part, or the denial of the invoice. The committee shall  
21 authorize payment of an invoice in accordance with the commission's  
22 recommendation. As used in this subsection:

23       (a) "Commission" means the Michigan public service commission.

24       (b) "Local exchange provider" means a provider of regulated  
25 **PRIMARY** basic local exchange service as defined in section 102 of  
26 the Michigan telecommunications act, 1991 PA 179, MCL 484.2102.

27       (11) ~~-(12)-~~ A CMRS supplier or reseller is not liable for an

1 uncollected service charge billed under subsection (1) **OR (2)** for  
 2 which the CMRS supplier or reseller has billed the CMRS user. If  
 3 only a partial payment of a bill is received by a CMRS supplier or  
 4 reseller, the CMRS supplier or reseller shall credit the amount  
 5 received as follows in priority order:

6 (a) For services provided.

7 (b) For the reimbursement under subsection ~~—(10)—~~ **(9)**.

8 (c) For the balance of the service charge.

9 **(12)** ~~—(13)—~~ Amounts received under subsection ~~—(12)(e)—~~  
 10 **(11)(C)** shall be forwarded to the CMRS emergency telephone fund  
 11 created in section 407. Any uncollected portion of the service  
 12 charge that is not received shall be billed on subsequent billings  
 13 and, upon receipt, amounts in excess of the reimbursement under  
 14 subsection ~~—(10)—~~ **(9)** shall be forwarded to the CMRS emergency  
 15 telephone fund created in section 407. ~~—The—~~ **EXCEPT FOR THE SERVICE**  
 16 **CHARGE PAID UNDER SUBSECTION (2), THE** service charge paid by a CMRS  
 17 user is not subject to a state or local tax.

18 ~~——— (14) A CMRS supplier or reseller shall implement the billing~~  
 19 ~~provisions of this section not later than October 26, 1999.~~

20 **(13)** ~~—(15)—~~ The department of state police shall annually  
 21 prepare a list of projects in priority order that the department of  
 22 state police recommends for funding from the funds collected under  
 23 former section 409(e). The legislature shall annually review and  
 24 approve projects by law. If a project provides infrastructure or  
 25 equipment for use by CMRS suppliers, the department of state police  
 26 shall charge a reasonable fee for use of the infrastructure or  
 27 equipment. Fees collected under this subsection shall be deposited



1 in the fund.

2 Sec. 412. (1) The committee shall conduct and complete a cost  
3 study and make a report on the service charge required in section  
4 408 not later than April 30, 2000, and August 30 annually after  
5 2000. The report of the study shall include at a minimum all of the  
6 following:

7 (a) The extent of emergency telephone service implementation  
8 in this state by CMRS suppliers under the wireless emergency  
9 service order and this act.

10 (b) The actual costs incurred by PSAPs and CMRS suppliers in  
11 complying with the wireless emergency service order and this act.

12 (c) The service charge required in section 408 and a  
13 recommendation to change the service charge amount if needed to  
14 fund the costs of meeting the time frames in the wireless emergency  
15 service order and this act.

16 (d) A description of any commercial applications developed as  
17 a result of implementing this act.

18 (e) A detailed record of expenditures by each county relating  
19 to the implementation of the wireless emergency service order and  
20 this act.

21 (2) The committee shall deliver the report of the study  
22 prepared under subsection (1) to the secretary of the senate, the  
23 clerk of the house of representatives, and the standing committees  
24 of the senate and house of representatives having jurisdiction over  
25 issues pertaining to telecommunication technology.

26 (3) Upon receipt of the report, the legislature must consider  
27 the findings of the report and determine whether an adjustment to

1 the ~~fee~~ **SERVICE CHARGE** is necessary.

2 Sec. 717. This act is repealed effective December 31, ~~2006~~

3 2008.