

LEGISLATURE OF NEBRASKA
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 641

Introduced by McDonnell, 5.

Read first time January 23, 2019

Committee: Transportation and Telecommunications

1 A BILL FOR AN ACT relating to the Telecommunications Relay System Act; to
2 amend sections 86-301, 86-302, 86-303, 86-312, and 86-313, Reissue
3 Revised Statutes of Nebraska; to restate intent; to define a term;
4 to provide for grants for a 211 Informational and Referral Network;
5 to change provisions relating to a surcharge and use of a fund; to
6 harmonize provisions; and to repeal the original sections.

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

1 Section 1. Section 86-301, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 86-301 Sections 86-301 to 86-315 and sections 4 and 7 of this act
4 shall be known and may be cited as the Telecommunications Relay System
5 Act.

6 Sec. 2. Section 86-302, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 86-302 The purposes ~~purpose~~ of the Telecommunications Relay System
9 Act are (1) is to provide a statewide telecommunications relay system and
10 a statewide voucher program for the provision of specialized
11 telecommunications equipment for qualified deaf, hard of hearing, or
12 speech-impaired persons in Nebraska which enables them to communicate
13 twenty-four hours per day, seven days per week, with other persons who
14 use conventional telephone systems and (2) to provide a grant process for
15 a 211 Information and Referral Network to provide information and
16 referral services to the public regarding health and human services
17 provided by public and private entities throughout the state.

18 Sec. 3. Section 86-303, Reissue Revised Statutes of Nebraska, is
19 amended to read:

20 86-303 For purposes of the Telecommunications Relay System Act, the
21 definitions found in sections 86-304 to 86-311 and section 4 of this act
22 apply.

23 Sec. 4. 211 Information and Referral Network means a statewide
24 information and referral network providing information to the public
25 regarding health and human services provided by public and private
26 entities throughout the state.

27 Sec. 5. Section 86-312, Reissue Revised Statutes of Nebraska, is
28 amended to read:

29 86-312 (1) The Nebraska Telecommunications Relay System Fund is
30 created. The fund shall be used (a) to provide a statewide
31 telecommunications relay system and to administer a statewide voucher

1 program to provide specialized telecommunications equipment to qualified
2 deaf, hard of hearing, and speech-impaired persons in Nebraska and (b) to
3 provide a grant to a 211 Information and Referral Network pursuant to
4 section 7 of this act. Transfers , ~~except that transfers~~ may be made from
5 the fund to the General Fund at the direction of the Legislature.

6 (2) Based upon the price of the equipment, vouchers shall be issued
7 by the program administrator to pay private vendors for all or part of
8 the cost of the equipment. After purchase, the recipient is the owner of
9 the equipment and responsible for enforcement of any warranties and
10 repairs.

11 (3) Any money in the Nebraska Telecommunications Relay System Fund
12 available for investment shall be invested by the state investment
13 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
14 State Funds Investment Act.

15 Sec. 6. Section 86-313, Reissue Revised Statutes of Nebraska, is
16 amended to read:

17 86-313 (1)(a) Each telephone company in Nebraska shall collect from
18 each of the telephone subscribers a surcharge not to exceed twenty cents
19 per month on each telephone number or functional equivalent in Nebraska,
20 including wireless service as defined in section 86-456.01. The surcharge
21 shall include an amount sufficient to provide a grant of at least three
22 hundred thousand dollars annually to a 211 Information and Referral
23 Network pursuant to section 7 of this act. Except for wireless service,
24 the surcharge shall only be collected on the first one hundred telephone
25 numbers or functional equivalents per subscriber. The companies shall add
26 the surcharge to each subscriber's bill. The surcharge shall not be
27 collected with respect to prepaid wireless telecommunications service as
28 defined in the Prepaid Wireless Surcharge Act.

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

31 (2) Before April 1 of each year, the commission shall hold a public

1 hearing to determine the amount of surcharge necessary to carry out the
2 Telecommunications Relay System Act. After the hearing, the commission
3 shall set the surcharge at the level necessary to fund the statewide
4 telecommunications relay system, ~~and~~ the specialized telecommunications
5 equipment program, and the grant for a 211 Information and Referral
6 Network for the following year plus a reasonable reserve. The surcharge
7 shall become effective on July 1 following the change.

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

11 (4) Each telephone company shall remit the proceeds from the
12 surcharge to the commission. The commission shall remit the funds to the
13 State Treasurer for credit to the fund.

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

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

18 Sec. 7. (1) The commission shall award a grant annually to a 211
19 Information and Referral Network which submits an application and meets
20 the requirements of this section.

21 (2) To be eligible for a grant, the 211 Information and Referral
22 Network shall update the information and referral services on the network
23 at least annually, shall geographically index the services to provide
24 information on a county-by-county basis, and shall be accredited as
25 meeting the standards for service delivery and quality by the Alliance of
26 Information and Referral Systems, or a similar organization approved by
27 the commission.

28 (3) The grant may be used to establish a web site which includes
29 links to providers of health and human services, the name, address, and
30 telephone number of any organization listed on the web site, a
31 description of the type of services provided by the organization, and

1 other information to educate the public about the health and human
2 services available on a geographic basis. The grant may also be used to
3 provide access to the network twenty-four hours per day, seven days per
4 week, through telephone access and web site access.

5 Sec. 8. Original sections 86-301, 86-302, 86-303, 86-312, and
6 86-313, Reissue Revised Statutes of Nebraska, are repealed.