

Bill No. CS for CS for SB 1198

Barcode 532798

	CHAMBER ACTION	
<u>Senate</u>		<u>House</u>

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Floor: WD/2R  
04/26/2007 09:58 AM

11 Senator Constantine moved the following amendment:

13 **Senate Amendment**

14 On page 18, line 12, through  
15 page 23, line 11, delete those lines

17 and insert:

18 (q) "Medium county" means any county that has a  
19 population of 75,000 or more but less than 750,000.

20 (r) "Mobile telephone number" or "MTN" means the  
21 telephone number assigned to a wireless telephone at the time  
22 of initial activation.

23 (s) "Nonwireless category" means the revenues to the  
24 fund received from voice communications services providers  
25 other than wireless providers.

26 (t)(s) "Office" means the Technology Program within  
27 the Department of Management Services, as designated by the  
28 secretary of the department ~~State Technology Office.~~

29 (u)(t) "Order" means:

- 30 1. The following orders and rules of the Federal  
31 Communications Commission issued in FCC Docket No. 94-102:

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1           a. Order adopted on June 12, 1996, with an effective  
 2 date of October 1, 1996, the amendments to s. 20.03 and the  
 3 creation of s. 20.18 of Title 47 of the Code of Federal  
 4 Regulations adopted by the Federal Communications Commission  
 5 pursuant to such order.

6           b. Memorandum and Order No. FCC 97-402 adopted on  
 7 December 23, 1997.

8           c. Order No. FCC DA 98-2323 adopted on November 13,  
 9 1998.

10          d. Order No. FCC 98-345 adopted December 31, 1998.

11          2. Orders and rules subsequently adopted by the  
 12 Federal Communications Commission relating to the provision of  
 13 ~~wireless~~ 911 services, including Order Number FCC-05-116,  
 14 adopted May 19, 2005.

15           (v)(u) "Prepaid calling arrangements" has the same  
 16 meaning as defined in s. 212.05(1)(e) ~~wireless telephone~~  
 17 ~~service" means wireless telephone service that is activated in~~  
 18 ~~advance by payment for a finite dollar amount of service or~~  
 19 ~~for a finite set of minutes that terminate either upon use by~~  
 20 ~~a customer and delivery by the wireless provider of an~~  
 21 ~~agreed-upon amount of service corresponding to the total~~  
 22 ~~dollar amount paid in advance or within a certain period of~~  
 23 ~~time following the initial purchase or activation, unless~~  
 24 ~~additional payments are made.~~

25           (v) ~~"Provider" or "wireless provider" means a person~~  
 26 ~~or entity who provides service and either:~~

- 27           1. ~~Is subject to the requirements of the order; or~~
- 28           2. ~~Elects to provide wireless 911 service or E911~~  
 29 ~~service in this state.~~

30           (w) "Public agency" means the state and any  
 31 municipality, county, municipal corporation, or other

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1 governmental entity, public district, or public authority  
2 located in whole or in part within this state which provides,  
3 or has authority to provide, firefighting, law enforcement,  
4 ambulance, medical, or other emergency services.

5 (x) "Public safety agency" means a functional division  
6 of a public agency which provides firefighting, law  
7 enforcement, medical, or other emergency services.

8 (y) "Rural county" means any county that has a  
9 population of fewer than 75,000.

10 (z) "Service identifier" means the service number,  
11 access line, or other unique subscriber identifier assigned to  
12 a subscriber and established by the Federal Communications  
13 Commission for purposes of routing calls whereby the  
14 subscriber has access to the E911 system.

15 ~~(z) "Service" means "commercial mobile radio service"~~  
16 ~~as provided under ss. 3(27) and 332(d) of the Federal~~  
17 ~~Telecommunications Act of 1996, 47 U.S.C., ss. 151 et seq.,~~  
18 ~~and the Omnibus Budget Reconciliation Act of 1993, Pub. L. No.~~  
19 ~~103-66, August 10, 1993, 107 Stat. 312. The term "service"~~  
20 ~~includes the term "wireless" and service provided by any~~  
21 ~~wireless real-time two-way wire communication device,~~  
22 ~~including radio-telephone communications used in cellular~~  
23 ~~telephone service; personal communications service; or the~~  
24 ~~functional or competitive equivalent of a radio-telephone~~  
25 ~~communications line used in cellular telephone service, a~~  
26 ~~personal communications service, or a network radio access~~  
27 ~~line. The term does not include wireless providers that offer~~  
28 ~~mainly dispatch service in a more localized, noncellular~~  
29 ~~configuration; providers offering only data, one-way, or~~  
30 ~~stored-voice services on an interconnected basis; providers of~~  
31 ~~air-to-ground services; or public coast stations.~~

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1       ~~(aa) "Service number" means the unique 10-digit~~  
2 ~~wireless telephone number assigned to a service subscriber.~~

3       ~~(bb) "Sufficient positive balance" means a dollar~~  
4 ~~amount greater than or equal to the monthly wireless surcharge~~  
5 ~~amount.~~

6       ~~(aa)~~(cc) "Tower" means any structure designed  
7 primarily to support a wireless provider's antennae.

8       ~~(bb)~~ "Voice communications services" means two-way  
9 voice service, through the use of any technology, which  
10 actually provides access to E911 services, and includes  
11 communications services, as defined in s. 202.11, which  
12 actually provide access to E911 services and which are  
13 required to be included in the provision of E911 services  
14 pursuant to orders and rules adopted by the Federal  
15 Communications Commission. The term includes  
16 voice-over-Internet-protocol service. For the purposes of this  
17 section, the term "voice-over-Internet-protocol service" or  
18 "VoIP service" means interconnected VoIP services having the  
19 following characteristics:

20           1. The service enables real-time, two-way voice  
21 communications;

22           2. The service requires a broadband connection from  
23 the user's locations;

24           3. The service requires IP-compatible customer  
25 premises equipment; and

26           4. The service offering allows users generally to  
27 receive calls that originate on the public switched telephone  
28 network and to terminate calls on the public switched  
29 telephone network.

30       ~~(cc)~~ "Voice communications services provider" or  
31 "provider" means any person or entity providing voice

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1 communications services, except that the term does not include  
2 any person or entity that resells voice communications service  
3 and was assessed the fee by its resale supplier.

4 (dd) "Wireless 911 system" or "wireless 911 service"  
5 means an emergency telephone system or service that provides a  
6 subscriber with the ability to reach an answering point by  
7 accessing the digits "911."

8 (ee) "Wireless category" means the revenues to the  
9 fund received from a wireless provider.

10 (ff)~~(dd)~~ "Wireless communications facility" means any  
11 equipment or facility used to provide service and may include,  
12 but is not limited to, antennae, towers, equipment enclosures,  
13 cabling, antenna brackets, and other such equipment. Placing a  
14 wireless communications facility on an existing structure does  
15 not cause the existing structure to become a wireless  
16 communications facility.

17 (gg) "Wireless provider" means a person who provides  
18 wireless service and:

- 19 1. Is subject to the requirements of the order; or  
20 2. Elects to provide wireless 911 service or E911  
21 service in this state.

22 (hh) "Wireless service" means "commercial mobile radio  
23 service" as provided under ss. 3(27) and 332(d) of the Federal  
24 Telecommunications Act of 1996, 47 U.S.C., ss. 151 et seq.,  
25 and the Omnibus Budget Reconciliation Act of 1993, Pub. L. No.  
26 103-66, August 10, 1993, 107 Stat. 312. The term includes  
27 service provided by any wireless real-time two-way wire  
28 communication device, including radio-telephone communications  
29 used in cellular telephone service; personal communications  
30 service; or the functional or competitive equivalent of a  
31 radio-telephone communications line used in cellular telephone

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1 service, a personal communications service, or a network radio  
2 access line. The term does not include wireless providers that  
3 offer mainly dispatch service in a more localized, noncellular  
4 configuration; providers offering only data, one-way, or  
5 stored-voice services on an interconnected basis; providers of  
6 air-to-ground services; or public coast stations.

7       ~~(ee) "Wireless 911 system" or "wireless 911 service"~~  
8 ~~means an emergency telephone system or service that provides a~~  
9 ~~subscriber with the ability to reach an answering point by~~  
10 ~~dialing the digits "911." A wireless 911 system is~~  
11 ~~complementary to a wired 911 system as provided for in s.~~  
12 ~~365.171.~~

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