

LEGISLATURE OF NEBRASKA

ONE HUNDRED SECOND LEGISLATURE

SECOND SESSION

**LEGISLATIVE BILL 847**

Introduced by Sullivan, 41.

Read first time January 06, 2012

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Enhanced Wireless 911 Services Act; to  
2 amend section 86-465, Reissue Revised Statutes of  
3 Nebraska; to change powers and duties of the Public  
4 Service Commission and the Enhanced Wireless 911 Advisory  
5 Board with respect to funding under the act; and to  
6 repeal the original section.

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

1                   Section 1. Section 86-465, Reissue Revised Statutes of  
2 Nebraska, is amended to read:

3                   86-465 (1) The commission shall, in consultation with the  
4 advisory board:

5                   (a) Determine the costs to implement wireless automatic  
6 location identification;

7                   (b) Determine the level of funding needed to trigger  
8 disbursements pursuant to the Enhanced Wireless 911 Services Act;

9                   (c) Determine the percentage of the ~~fund~~ Enhanced  
10 Wireless 911 Fund to be allocated to each funding purpose, including  
11 the percentage that shall be designated for funding 911 service under  
12 subdivision (2)(c) of this section;

13                   (d) Determine how the funds distributed under  
14 subdivisions (2)(a) and (2)(c) of this section are to be allocated  
15 among the wireless carriers and the public safety answering points;  
16 and

17                   (e) Establish a mechanism for determining the level of  
18 funding available to each public safety answering point and wireless  
19 carrier for costs determined to be eligible by the commission under  
20 subsection (2) of this section.

21                   (2) The commission shall, in consultation with the  
22 advisory board, establish eligibility standards and criteria for fund  
23 disbursement applications and standards and criteria concerning the  
24 level of fund disbursement for each application. In establishing such  
25 criteria and standards, the following purposes may be eligible for

1 funding:

2 (a) Costs incurred or to be incurred by wireless carriers  
3 to implement enhanced wireless 911 service pursuant to a service  
4 agreement with a public safety answering point or pursuant to a  
5 request for service from a public safety answering point. Such costs  
6 may include, but not be limited to, the portion of the costs for new  
7 equipment used for providing enhanced wireless 911 service, costs to  
8 lease another vendor's equipment or services to provide enhanced  
9 wireless 911 service, costs to create or maintain any data base or  
10 data base elements used solely for enhanced wireless 911 service, and  
11 other costs of establishing enhanced wireless 911 service. The  
12 portion of the costs of equipment or services used in the wireless  
13 carrier's main infrastructure resulting in revenue to the wireless  
14 carrier is not eligible for funding;

15 (b) Costs incurred or to be incurred by public safety  
16 answering points to implement enhanced wireless 911 service may  
17 include, but not be limited to, purchases of new equipment, costs of  
18 upgrades, modification and personnel training used solely to process  
19 the data elements of enhanced wireless 911 service, and maintenance  
20 costs and license fees for new equipment;

21 (c) Costs incurred or to be incurred by public safety  
22 answering points for the purchase, installation, maintenance, and  
23 operation of telecommunications equipment, ~~and telecommunications~~  
24 services, and personnel required for the provision of enhanced  
25 wireless 911 service; and

1                   (d) Expenses incurred by members of the advisory board  
2 while performing duties required by the act.

3                   (3) A wireless carrier receiving funds from the Enhanced  
4 Wireless 911 Fund shall not directly assess any of the costs  
5 associated with the implementation or provision of enhanced wireless  
6 911 service to any public safety answering point, county, or  
7 municipality without the express consent of the commission.

8                   (4) The commission shall have any powers necessary to  
9 carry out the intent and purposes of the act.

10                   Sec. 2. Original section 86-465, Reissue Revised Statutes  
11 of Nebraska, is repealed.