

E AND R AMENDMENTS TO LB 595

Introduced by Murante, 49, Chairman Enrollment and Review

1           1. Strike the original sections and all amendments  
2 thereto and insert the following new sections:

3           Section 1. Section 86-442, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5           86-442 Sections 86-442 to 86-470 and sections 3, 4, and  
6 5 of this act shall be known and may be cited as the Enhanced  
7 Wireless 911 Services Act.

8           Sec. 2. Section 86-443, Reissue Revised Statutes of  
9 Nebraska, is amended to read:

10           86-443 For purposes of the Enhanced Wireless 911 Services  
11 Act, the definitions found in sections 86-444 to 86-456.01 and  
12 section 4 of this act apply.

13           Sec. 3. The Legislature finds that consideration of  
14 upgrades to emergency telephone communications is warranted. It  
15 is the intent of the Legislature to authorize the use of the  
16 Enhanced Wireless 911 Fund to fund a study of the implications,  
17 costs, and consideration of next-generation emergency telephone  
18 communications.

19           Sec. 4. Next-generation 911 means an  
20 Internet-protocol-based system comprised of managed emergency  
21 services Internet protocol networks, functional elements, and  
22 data bases that replicate traditional E-911 service or enhanced  
23 911 wireless service features and functions and that provide

1 additional capabilities.

2           Sec. 5. (1) The commission shall use the Enhanced  
3 Wireless 911 Fund to conduct a study to examine issues surrounding  
4 the statewide implementation of next-generation 911 and to contract  
5 with an independent third party to assist with the study.  
6 Next-generation 911 shall be designed to provide access to  
7 emergency services from all connected communications sources and to  
8 provide multimedia data capabilities for public safety answering  
9 points and other emergency service organizations. The study shall  
10 include, but not be limited to, an examination of the following  
11 issues:

12           (a) Examination of the current statutory and regulatory  
13 framework for the management and funding of E-911 service in  
14 Nebraska;

15           (b) Examination and assessment of the current system of  
16 E-911 service within Nebraska;

17           (c) Examination of the Federal Communications  
18 Commission's open rulemaking regarding the deployment of  
19 next-generation 911;

20           (d) Identification of the federal, state, and local  
21 authorities, agencies, and governing bodies whose participation  
22 and cooperation will be necessary for the implementation of  
23 next-generation 911 in Nebraska;

24           (e) Examination of any efforts, projects, or initiatives  
25 currently in progress or planned related to any portion of the  
26 implementation of next-generation 911 in Nebraska;

27           (f) Examination of the plans and efforts of other states

1 regarding the implementation of next-generation 911; and

2 (g) Any other issues related to the planning and  
3 implementation of next-generation 911.

4 (2) The independent third party shall submit an initial  
5 report to the commission not later than January 31, 2014. The  
6 independent third party shall complete the study and submit a  
7 final report to the commission not later than April 1, 2014. The  
8 commission shall submit the final report electronically to the  
9 Transportation and Telecommunications Committee of the Legislature.

10 (3) The initial report of the independent third party  
11 shall include:

12 (a) An assessment of the statewide 911 network existing  
13 on the effective date of this act, including, but not limited  
14 to, the statutory and regulatory framework, the management and  
15 sources of funding available to support 911 services, the broadband  
16 and telephone infrastructure, and the equipment and software used  
17 by the state, public safety answering points, and geographic  
18 information systems;

19 (b) Examination of any efforts, projects, or initiatives  
20 in progress or planned related to implementation of next-generation  
21 911 in Nebraska and other states;

22 (c) Identification of the federal, state, and local  
23 authorities, agencies, and governing bodies whose participation  
24 and cooperation will be necessary for the implementation of  
25 next-generation 911 in Nebraska; and

26 (d) Any other issues deemed necessary by the commission.

27 (4) The final report of the independent third party shall

1 include:

2 (a) The initial report of the independent third party as  
3 outlined in subsection (3) of this section;

4 (b) Recommendations providing a variety of options for  
5 the planning, development, phased-in implementation, and management  
6 of next-generation 911 and the deployment, interconnection, and  
7 management of emergency services Internet protocol networks,  
8 including, but not limited to, necessary technological upgrades,  
9 the timeline and cost of such phases of implementation, and  
10 organizational structures with authority to oversee the recommended  
11 options;

12 (c) Identification of any changes to the master street  
13 address guide required for next-generation 911 and how geocoding  
14 would integrate in the routing of next-generation 911;

15 (d) Identification of any equipment changes that would  
16 be needed by public service answering points, including  
17 customer-premise equipment, recording capabilities, and  
18 computer-aided dispatching;

19 (e) An estimated cost of the necessary components for  
20 planning, implementation, and management of next-generation 911 and  
21 recommended sources of funding; and

22 (f) Any other necessary issues related to the planning,  
23 implementation, and management of next-generation 911.

24 Sec. 6. Section 86-465, Reissue Revised Statutes of  
25 Nebraska, is amended to read:

26 86-465 (1) The commission shall, in consultation with the  
27 advisory board:

1           (a) Determine the costs to implement wireless automatic  
2 location identification;

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

5           (c) Determine the percentage of the fund to be allocated  
6 to each funding purpose, including the percentage that shall be  
7 designated for funding 911 service under subdivision (2)(c) of this  
8 section;

9           (d) Determine how the funds distributed under  
10 subdivisions (2)(a) and (2)(c) of this section are to be allocated  
11 among the wireless carriers and the public safety answering points;  
12 and

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

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

23           (a) Costs incurred or to be incurred by wireless carriers  
24 to implement enhanced wireless 911 service pursuant to a service  
25 agreement with a public safety answering point or pursuant to a  
26 request for service from a public safety answering point. Such  
27 costs may include, but not be limited to, the portion of the costs

1 for new equipment used for providing enhanced wireless 911 service,  
2 costs to lease another vendor's equipment or services to provide  
3 enhanced wireless 911 service, costs to create or maintain any  
4 data base or data base elements used solely for enhanced wireless  
5 911 service, and other costs of establishing enhanced wireless 911  
6 service. The portion of the costs of equipment or services used in  
7 the wireless carrier's main infrastructure resulting in revenue to  
8 the wireless carrier is not eligible for funding;

9 (b) Costs incurred or to be incurred by public safety  
10 answering points to implement enhanced wireless 911 service may  
11 include, but not be limited to, purchases of new equipment, costs  
12 of upgrades, modification and personnel training used solely to  
13 process the data elements of enhanced wireless 911 service, and  
14 maintenance costs and license fees for new equipment;

15 (c) Costs incurred or to be incurred by public safety  
16 answering points for the purchase, installation, maintenance, and  
17 operation of telecommunications equipment and telecommunications  
18 services required for the provision of enhanced wireless 911  
19 service; and

20 (d) Costs associated with the conduct of a study  
21 regarding next-generation 911 as required by section 5 of this  
22 act, including, but not limited to, costs related to contracting  
23 with an independent third party for purposes of conducting the  
24 study; and

25 ~~(d)~~ (e) Expenses incurred by members of the advisory  
26 board while performing duties required by the act.

27 (3) A wireless carrier receiving funds from the Enhanced

1 Wireless 911 Fund shall not directly assess any of the costs  
2 associated with the implementation or provision of enhanced  
3 wireless 911 service to any public safety answering point, county,  
4 or municipality without the express consent of the commission.

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

7 Sec. 7. Original sections 86-442, 86-443, and 86-465,  
8 Reissue Revised Statutes of Nebraska, are repealed.

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

11 2. On page 1, line 6, strike "and"; and in line 7 after  
12 "sections" insert "; and to declare an emergency".