

LEGISLATURE OF NEBRASKA
ONE HUNDRED THIRD LEGISLATURE
FIRST SESSION
LEGISLATIVE BILL 595

Introduced by Price, 3.

Read first time January 23, 2013

Committee: Transportation and Telecommunications

A BILL

1 FOR AN ACT relating to the Enhanced Wireless 911 Services Act; to
2 amend sections 86-442, 86-443, and 86-465, Reissue
3 Revised Statutes of Nebraska; to state intent; to define
4 a term; to provide for a study of next-generation 911; to
5 provide for use of the Enhanced Wireless 911 Fund; to
6 harmonize provisions; and to repeal the original
7 sections.

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

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

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

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

8 86-443 For purposes of the Enhanced Wireless 911 Services
9 Act, the definitions found in sections 86-444 to 86-456.01 and
10 section 4 of this act apply.

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

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

21 Sec. 5. (1) The commission shall use the Enhanced
22 Wireless 911 Fund to conduct a study to examine issues surrounding
23 the statewide implementation of next-generation 911. Next-generation
24 911 shall be designed to provide access to emergency services from
25 all connected communications sources and to provide multimedia data

1 capabilities for public safety answering points and other emergency
2 service organizations. The commission shall conduct a study that
3 includes, but is not limited to, an examination of the following
4 issues:

5 (a) Examination of the current statutory and regulatory
6 framework for the management and funding of E-911 service in
7 Nebraska;

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

10 (c) Examination of the Federal Communications
11 Commission's open rule making regarding the deployment of next-
12 generation 911;

13 (d) Identification of the federal, state, and local
14 authorities, agencies, and governing bodies whose participation and
15 cooperation will be necessary for the implementation of next-
16 generation 911 in Nebraska;

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

20 (f) Examination of the plans and efforts of other states
21 regarding the implementation of next-generation 911; and

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

24 (2) Upon completion of the study, the commission shall
25 submit a report electronically to the Transportation and

1 Telecommunications Committee of the Legislature.

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

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

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

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

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

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

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

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

1 criteria and standards, the following purposes may be eligible for
2 funding:

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

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

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

1 and

2 (d) Costs associated with the conduct of a study
3 regarding next-generation 911 as required by section 5 of this act,
4 including, but not limited to, costs to hire, appoint, or obtain the
5 services of a technical advisor, consultant, or staff for purposes of
6 conducting the study;

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

9 (3) A wireless carrier receiving funds from the Enhanced
10 Wireless 911 Fund shall not directly assess any of the costs
11 associated with the implementation or provision of enhanced wireless
12 911 service to any public safety answering point, county, or
13 municipality without the express consent of the commission.

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

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