

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

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; to repeal the original sections;
7 and to declare an emergency.
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 and to contract
24 with an independent third party to assist with the study. Next-
25 generation 911 shall be designed to provide access to emergency

1 services from all connected communications sources and to provide
2 multimedia data capabilities for public safety answering points and
3 other emergency service organizations. The study shall include, but
4 not be limited to, an examination of the following 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 rulemaking 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) The independent third party shall submit an initial
25 report to the commission not later than January 31, 2014. The

1 independent third party shall complete the study and submit a final
2 report to the commission not later than April 1, 2014. The commission
3 shall submit the final report electronically to the Transportation
4 and Telecommunications Committee of the Legislature.

5 (3) The initial report of the independent third party
6 shall include:

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

14 (b) Examination of any efforts, projects, or initiatives
15 in progress or planned related to implementation of next-generation
16 911 in Nebraska and other states;

17 (c) Identification of the federal, state, and local
18 authorities, agencies, and governing bodies whose participation and
19 cooperation will be necessary for the implementation of next-
20 generation 911 in Nebraska; and

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

22 (4) The final report of the independent third party shall
23 include:

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

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

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

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

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

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

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

22 86-465 (1) The commission shall, in consultation with the
23 advisory board:

24 (a) Determine the costs to implement wireless automatic
25 location identification;

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

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

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

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

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

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

1 equipment used for providing enhanced wireless 911 service, costs to
2 lease another vendor's equipment or services to provide enhanced
3 wireless 911 service, costs to create or maintain any data base or
4 data base elements used solely for enhanced wireless 911 service, and
5 other costs of establishing enhanced wireless 911 service. The
6 portion of the costs of equipment or services used in the wireless
7 carrier's main infrastructure resulting in revenue to the wireless
8 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 of
12 upgrades, modification and personnel training used solely to process
13 the data elements of enhanced wireless 911 service, and maintenance
14 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 service;
19 and

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

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

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

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

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

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