

**Nebraska Wireless Enhanced 911 Advisory Board  
By-Laws and Procedures**

Adopted December 5, 2016

I. Purpose

- A. The Nebraska Wireless Enhanced 911 Advisory Board (“Advisory Board”) is established pursuant to the terms of the Enhanced Wireless 911 Services Act, Neb. Rev. Stat. §§86-442 through -86-471 (the “Act”).
- B. The purpose of the Advisory Board is to advise the Nebraska Public Service Commission (“Commission”) concerning the implementation, development, administration, coordination, evaluation and maintenance of enhanced wireless 911 services.

The Advisory Board shall make recommendations to the Commission regarding implementation of enhanced wireless 911 including:

- 1. Allocation of funds from the Enhanced Wireless 911 Fund, as specified in Neb. Rev. Stat. § 86-465;
- 2. Rules and regulations to carry out the provisions of the Act;
- 3. Any adjustments to the surcharge at the review of the surcharge by the Commission;
- 4. Any adjustments in the surcharge limit to recommend to the Legislature; and
- 5. The resolution of any disputes between public safety answering points and wireless carriers.

C. Definitions

- 1. Advisory Board means the Enhanced Wireless 911 Advisory Board;
- 2. Automatic number identification means a feature by which a person calling a public safety answering point has his or her ten-digit telephone number simultaneously forwarded to the public safety answering point and to the public safety answering point’s display and transfer units;
- 3. Commission means the Public Service Commission;
- 4. E-911 service has the same meaning as in Neb. Rev. Stat. § 86-448;
- 5. Enhanced wireless 911 service means a telephone exchange communications service by which wireless carriers can provide automatic number identification, pseudo-automatic number identification, and wireless automatic location identification information to a public safety answering point which has capability of providing selective routing, selective transfer, fixed transfer, automatic number identification, and wireless automatic location identification;

6. Governing body has the same meaning as in Neb. Rev. Stat. § 86-449;
7. 911 service has the same meaning as in Neb. Rev. Stat. § 86-450;
8. Pseudo-automatic number identification means a feature by which automatic number identification is provided to a public safety answering point of the ten-digit telephone number of the specific cell cite or cell site section from which a wireless call originated;
9. Public safety agency has the same meaning as in Neb. Rev. Stat. § 86-452;
10. Public safety answering point has the same meaning as in Neb. Rev. Stat. § 86-453;
11. Ten-digit telephone number means a telephone number assigned to a particular telephone account prefaced by the area code;
12. Wireless automatic location identification means a feature by which information is provided to a public safety answering point identifying the location, the latitude and longitude within the parameters established by the Federal Communications Commission, of a wireless unit originating a call to a public safety answering point; and
13. Wireless carrier has the same meaning as in Neb. Rev. Stat. § 86-456.01.

#### D. Intent of Enhanced Wireless 911 Fund

The Enhanced Wireless 911 Fund is designed to enhance the ability of the 911 system in times of emergency.

## II. Organization

### A. The membership of the Advisory Board shall consist of:

1. One Sheriff;
2. Two county officials or employees;
3. Two municipal officials or employees;
4. One representative from the state's wireless telecommunications industry;
5. One manager of a public safety answering point, not employed by a sheriff;
6. One representative of the state's local exchange telecommunications service industry;
7. One member of the public;
8. One commissioner from the Public Service Commission, who shall serve as an ex officio member;

9. The Chief Information Officer or his or her designee, who shall serve as an ex officio member.

#### B. Duration of Term

1. Each member of the Advisory Board, except ex officio members, shall be appointed for a term of three years.
2. Each member of the Advisory Board shall hold office until the earlier of (i) the end of his or her term or (ii) his or her death, resignation or removal.
3. Any member may resign at any time. Such resignation shall be in writing and shall take effect on the date specified therein, or if no date is specified, at the time of receipt by an officer of the Advisory Board.
4. Whenever in the judgment of the members the best interests of the Advisory Board will be served thereby, a member may be removed from the Advisory Board by the affirmative vote of the other members of the Advisory Board.
5. Members shall make every attempt to attend each Advisory Board Meeting. If a member knows he or she will not be present at an Advisory Board meeting, the member must inform the Chairperson or the Chairperson's designee of his or her absence prior to such meeting. Any member who has missed two or more Advisory Board meetings within a twelve month period may be removed by an affirmative vote of a majority of Advisory Board, provided that the Governor and the member to be removed has been notified prior to such meeting.
6. The Chairperson shall inform the Governor of any vacancy on the Advisory Board.
7. Any vacancy occurring on the Advisory Board during the term of a member may be filled by appointment by the Governor of the State of Nebraska. Each replacement member of the Advisory Board shall hold office until the earlier of (i) the end of the regular term of his or her predecessor or (ii) his or her death, resignation or removal.

#### C. Officers

1. The officers of the Advisory Board shall consist of a Chairperson and a Vice-Chairperson. Each officer shall be elected annually by the members of the Advisory Board for a term of one calendar year and shall hold office until the earlier of (i) the end of his or her term of (ii) his or her death, resignation or removal.

2. The Chairperson shall preside at all meetings of the Advisory Board and shall perform such other duties as may be assigned to the Chairperson by the Advisory Board. At the end of the term of the Chairperson, the Vice-Chairperson shall assume the position of the Chairperson.
3. In the absence of the Chairperson, the Vice-Chairperson shall preside at meetings of the Advisory Board and shall perform such other duties as may be assigned to the Vice-Chairperson by the Advisory Board.
4. An officer may resign at any time by delivering a written resignation to the remaining officer(s). Whenever in the judgment of the members the best interests of the Advisory Board will be served thereby, an officer may be removed from office by the affirmative vote of the other members of the Advisory Board. A vacancy in any officer position due to death, resignation, removal, disqualification or otherwise shall be filled by an affirmative vote of the Advisory Board for the unexpired portion of the term.

#### D. Ex Officio Members

Ex officio members may speak on motions.

#### E. Technical Assistance

The Enhanced Wireless 911 Advisory Board and the Public Service Commission staff may appoint or obtain technical assistance staff or consultants to aid the Advisory Board in performing its task. The staff may attend all meetings and participate in all Advisory Board activities, with the exception of presenting motions and voting.

#### F. Special Committees

1. The Advisory Board may be assisted in its operation by Special Committees. A Special Committee shall consist of one or more member of the Advisory Board and such other persons whose expertise is pertinent to the purpose of the committee. Each Special Committee shall be chaired by a member of the Advisory Board.
2. A Special Committee shall perform such tasks as assigned by the Advisory Board and shall report to the Advisory Board.

#### G. Meetings

1. Meeting Rules

- a) A quorum shall consist of a simple majority of the Advisory Board members then in office. Vacant positions, if any, shall not be taken into account for the determination of a quorum. If less than a majority of Advisory Board members are present at any meeting, a majority of those present may adjourn the meeting.
- b) A majority of the votes cast at a meeting of the Advisory Board, duly called and at which a quorum is present, shall be sufficient to take or authorize action upon any matter which may properly come before the meeting, unless a greater proportion is required by statute or other applicable law.
- c) Written notice stating the date, time, place and subject matter of the meeting shall be sent to each member not less than seven (7) working days before the date of the meeting by first class mail, electronic mail or fax. However, emergency meetings may be held and the foregoing requirement waived if consented to, in writing, by all Advisory Board members.
- d) Presence at any meeting without objection shall constitute waiver of any required notice.

## 2. Meeting by Video Conference

- a) Members of the Advisory Board or any committee thereof may participate in a meeting of the Advisory Board or committee by means of video conference involving participants at two or more locations through the use of audio-video equipment which allows participants at each location to hear and see each meeting participant at each other location, including public input.
- b) Any meeting of the Advisory Board shall be subject to the following requirements:
  - i. reasonable advance publicized notice shall be given,
  - ii. reasonable arrangements shall be made to accommodate the public's right to attend, hear and speak at the meeting, including seating, recording by audio and visual recording devices, and an reasonable opportunity for input such as public comment or questions to at least the same extent as would be provided absent videoconferencing,
  - iii. at least one copy of all documents being considered is available to the public at each site of the videoconference,
  - iv. at least one member of the public body is present at each site of the videoconference, and

v. no more than one-half of the Advisory Board's meetings in a calendar year may be held by videoconferencing.

c) Participation in a meeting by a member of the Advisory Board pursuant to this provision shall constitute presence in person at such meeting.

### 3. Meeting Schedule

a) The Advisory Board shall meet at least four (4) times a year within the State of Nebraska, with at least one meeting per year held outside the City of Lincoln.

b) Additional meetings may be called as necessary by the Executive Director of the Commission, the Chairperson or upon the request of four members of the Advisory Board.

### 4. Meeting Procedures

a) All meetings shall be conducted in accordance with the Nebraska Public Meeting Act and business in accordance with Robert's Rules of Order, Revised Edition.

b) The Advisory Board shall limit discussion and actions to items contained on the approved agenda.

i. Proposed agenda items may be submitted by the Advisory Board members or the Public Service Commission;

ii. Additional items may be placed on the agenda, if approved by a majority vote of the Board, during the acceptance of the agenda;

iii. Whenever possible, materials for the agenda items shall be in written form available on the web page of the Nebraska Public Service Commission at

<http://www.psc.nebraska.gov/> or shall be emailed to Advisory Board members.

c) There shall be a public comment section during which any person or group may address the Advisory Board. The Advisory Board shall establish the length of the public comments.

d) The minutes of each meeting shall be distributed after the meeting within ten (10) working days.