

1 AN ACT relating to the Kentucky 911 Services Board.

2 ***Be it enacted by the General Assembly of the Commonwealth of Kentucky:***

3 ➔Section 1. KRS 65.7623 is amended to read as follows:

4 (1) There is hereby created the Kentucky 911 Services Board, the "board," consisting of
5 *nine (9) members as follows:*

6 *(a) The executive director of the Office of Homeland Security;*

7 *(b) The secretary of the Public Protection Cabinet;*

8 *(c) The commissioner of the Department for Local Government;*

9 *(d) The director of the Division of Emergency Management;*

10 *(e) Two (2) elected city officials of a city government appointed by the Kentucky*
11 *League of Cities;*

12 *(f) Two (2) elected county officials of a county government appointed by the*
13 *Kentucky Association of Counties; and*

14 *(g) A director of a certified PSAP operated by a local government entity of a*
15 *consolidated group of local governmental entities appointed by the executive*
16 *director of the Office of Homeland Security from a list of three (3)*
17 *nominees jointly submitted by the Kentucky Emergency Number*
18 *Association and the Association of Public Communications Officials*~~[fifteen~~

19 ~~(15) members, eleven (11) of whom shall be voting members appointed by the~~
20 ~~Governor, two (2) of whom shall be voting members who shall serve by virtue~~
21 ~~of their offices, and two (2) shall be nonvoting legislative members, as~~
22 ~~follows: two (2) members shall be employed by or representative of the~~
23 ~~interest of CMRS providers, of which, one (1) shall be a representative of a~~
24 ~~Tier III CMRS provider; two (2) members serving as city officials, one (1) of~~
25 ~~which shall be an elected city official, from a list of four (4) nominees~~
26 ~~submitted by the Kentucky League of Cities; two (2) members serving as~~
27 ~~county officials, both of which shall be elected county officials, from a list of~~

1 ~~four (4) nominees submitted by the Kentucky Association of Counties; one (1)~~
2 ~~member shall be appointed from a list of local exchange landline telephone~~
3 ~~companies' representatives submitted by the Kentucky Telephone Association;~~
4 ~~one (1) member shall be a director of a certified public safety answering point~~
5 ~~operated by a local governmental entity or a consolidated group of local~~
6 ~~governmental entities appointed from lists of candidates submitted to the~~
7 ~~Governor by the Kentucky Firefighters Association, the State Association of~~
8 ~~Chiefs of Police, the Kentucky Sheriff's Association, and the Kentucky~~
9 ~~Ambulance Providers Association; two (2) members shall be appointed from~~
10 ~~lists of candidates submitted to the Governor by the Kentucky Emergency~~
11 ~~Number Association and the Association of Public Communications Officials;~~
12 ~~one (1) member shall be a director of a certified public safety answering point~~
13 ~~operated by a local government entity or a consolidated group of local~~
14 ~~governmental entities; and two (2) nonvoting legislative members to serve~~
15 ~~solely in advisory capacities for terms of two (2) years, one (1) of whom shall~~
16 ~~be a member of the House of Representatives to be appointed by the Speaker~~
17 ~~of the House of Representatives and one (1) of whom shall be a member of~~
18 ~~the Senate to be appointed by the President of the Senate. The commissioner~~
19 ~~of the Department of Kentucky State Police, or the commissioner's designee,~~
20 ~~and the executive director of the Office of Homeland Security, or the~~
21 ~~executive director's designee, also shall be voting members of the board. Any~~
22 ~~vacancy on the board shall be filled in the same manner as the original~~
23 ~~appointment].~~

24 (2) ~~The [commissioner of the Department of Kentucky State Police and the]~~ executive
25 director of the Office of Homeland Security, *secretary of the Public Protection*
26 *Cabinet, commissioner of the Department for Local Government, and director of*
27 *the Division of Emergency Management* shall serve by virtue of their offices. The

1 other members appointed under paragraphs (e) to (g) of subsection (1) of this
2 section shall be appointed~~[nonlegislative members shall be appointed by the~~
3 ~~Governor]~~ for a term of four (4) years and until their successors are appointed and
4 qualified, and may only serve as long as the appointee holds the office or position
5 they held at the time of their appointment. Any vacancy on the board shall be
6 filled in the same manner as the original appointment and shall be for the
7 remainder of the unexpired term~~[except that of the first appointments, one (1) shall~~
8 ~~be for a term of one (1) year, one (1) shall be for a term of two (2) years, one (1) for~~
9 ~~a term of three (3) years, and two (2) shall be for a term of four (4) years. Any~~
10 ~~member missing three (3) consecutive meetings may be removed by a majority vote~~
11 ~~of the remaining voting members].~~

12 (3) No member of the board shall be held to be a public officer by reason of
13 membership on the board. The elected city and county officials appointed under
14 subsection (1) of this section shall each serve on the board in an ex officio voting
15 capacity by virtue of their respective elected offices as long as they continue to
16 occupy their local elected positions during the four (4) year term as a board
17 member. Their duties as members of the board shall be an extension of their
18 duties as local elected officials and their service on the board shall not constitute
19 the holding of a separate and distinct public office apart from their respective
20 local elected positions.

21 (4) The executive director of the Office of Homeland Security shall serve as chair
22 and~~[board shall elect a chair from among its voting members to]~~ preside over
23 meetings of the board, which shall be conducted at least four (4) times each year. In
24 the absence of the executive director of the Office of Homeland Security, the
25 board may be chaired by any other member of the board selected by the
26 remaining members. The board shall be subject to the provisions of the Kentucky
27 Open Meetings Act, KRS 61.805 to 61.850. The board shall establish a regular

1 meeting schedule for each calendar year. The board shall hold at least two (2)
2 meetings per calendar year in congressional districts other than the one in which
3 Frankfort is located, and shall rotate its traveling meeting locations among the
4 congressional districts before holding another traveling meeting in the same
5 congressional district. A majority of the ~~the voting~~ members appointed to the board
6 shall constitute a quorum.

7 ~~(5)~~~~(4)~~ In addition to the administrator appointed by the **executive director of the**
8 **Office of Homeland Security**~~board~~ under KRS 65.7625, the ~~Kentucky~~ Office of
9 Homeland Security shall provide staff services, **office space and other resources**
10 **necessary to conduct its affairs** ~~and carry out administrative duties and functions~~
11 ~~as directed by the board~~. The board shall be attached to the ~~Kentucky~~ Office of
12 Homeland Security for administrative purposes **but**~~only and~~ shall operate as an
13 independent entity within state government.

14 ~~(6)~~~~(5)~~ The board members shall serve without compensation but shall be reimbursed
15 in accordance with KRS 45.101 for expenses incurred in connection with their
16 official duties as members of the board.

17 ~~(7)~~~~(6)~~ All administrative costs and expenses incurred in the operation of the board,
18 including payments under **subsections (5) and (6)**~~subsection (5)~~ of this section
19 **and Section 2 of this Act**, shall be paid **as reimbursement to the Office of**
20 **Homeland Security** from that portion of the CMRS fund that is authorized under
21 KRS 65.7631(2) to be used by the board for administrative purposes.

22 **(8) Prior to June 1 of each year, the Office of Homeland Security shall submit a**
23 **budget detailing all projected administrative and operational expenses for the**
24 **subsequent fiscal year to be used by the board in establishing the board's budget**
25 **for the upcoming fiscal year.**

26 **(9) The board may be advised by any permanent or temporary advisory council or**
27 **councils it may elect to create by official action.**

1 **(10) The board established by this section and its powers and duties as set forth in this**
2 **section and in KRS 65.7643 shall not be subject to the provisions of KRS 12.028.**

3 ➔Section 2. KRS 65.7625 is amended to read as follows:

4 (1) The **executive director of the Office of Homeland Security**~~[Kentucky 911 Services~~
5 ~~Board]~~ shall appoint a state administrator of commercial mobile radio service
6 emergency telecommunications. The **executive director of the Office of Homeland**
7 **Security**~~[board]~~ shall set the administrator's compensation, **the cost of which may**
8 **be shared by the Office of Homeland Security and the Kentucky 911 Services**
9 **Board. The board shall be responsible for any portion of the administrator's**
10 **salary that is not to be paid by the Office of Homeland Security, with the board's**
11 **portion of the salary to**~~[which shall]~~ be paid from that portion of the CMRS fund
12 that is authorized under KRS 65.7631(2) to be used by the board for administrative
13 purposes.

14 (2) The administrator of CMRS emergency telecommunications shall serve as the
15 coordinator and administrator on behalf of the board, and shall conduct the day-to-
16 day operations of the board.

17 (3) The administrator shall, with the advice of the board, coordinate and direct a
18 statewide effort to expand and improve enhanced emergency telecommunications
19 capabilities and responses throughout the state, including but not limited to the
20 implementation of wireless E911 service requirements of the FCC order and rules
21 and regulations adopted in carrying out that order. In this regard, the administrator
22 shall:

23 (a) Obtain, maintain, and disseminate information relating to emergency
24 telecommunications technology, advances, capabilities, and techniques;

25 (b) Coordinate and assist in the implementation of advancements and new
26 technology in the operation of emergency telecommunications in the state,
27 including the development and implementation of next generation 911

- 1 service;
- 2 (c) Implement compliance throughout the state with the wireless E911 service
- 3 requirements established by the FCC order and any rules or regulations which
- 4 are or may be adopted by the Federal Communications Commission in
- 5 carrying out the FCC order; and
- 6 (d) Perform all functions and duties assigned by the board in carrying out the
- 7 purposes of KRS 65.7621 to 65.7643, including but not limited to making a
- 8 full report to the board at each meeting of the activities in which the
- 9 administrator has engaged in the discharge of his or her duties since the
- 10 previous meeting.