

NASNA INTERIM MEETING Minutes

Rosen Centre Hotel, Signature I
Orlando, Florida

Sunday, 24 February 2002

In attendance

Evelyn Bailey	Vermont	John Benson	Iowa
Albert Gervenack	Maine	Mike Guerrera	Connecticut
Bill Harris	New Mexico	Rick Hessinger	North Dakota
Barbara Jaeger	Arizona	Ken Keim	Oregon
John Marengo	California	Jim Martin	Florida
Steve Marzolf	Virginia	Bob Oenning	Washington
Peter Ostroskey	Massachusetts	John Patterson	Kentucky
George Pohorilak	Connecticut	R. D. Porter	Missouri
Mel Sheridan	Virginia		

President Evelyn Bailey called the meeting to order at 8:40 a.m.

The meeting began with each member present giving a brief introduction.

Administrative Business

Ms. Jaeger made a motion, seconded by Mr. Oenning, to approve the minutes from the June 24, 2001 meeting of NASNA; passed unanimously.

Mr. Harris made a motion, seconded by Mr. Porter, to approve the financial report as submitted by the Treasurer (attached).

501(c)3 status

President Evelyn Bailey reported on the 501(c)3 status for NASNA. After applying for the status, the IRS has indicated that specific language needed to be inserted into NASNA's Bylaws in order to qualify for 501(c)3 status. Since the IRS only recently provided this, the required changes could not be circulated to the membership with the 60-day notice period required for Bylaw changes.

Mr. Pohorilak made a motion, seconded by Mr. Harris to suspend the rules of the Bylaws to allow the membership to consider the Bylaws change at this meeting since the membership had previous directed the President to obtain 501(c)3 status; passed unanimously.

Mr. Osteroskey made a motion, seconded by Mr. Porter to approve the Bylaws changes (attached) as required by the IRS to allow NASNA to obtain 501(c)3 status.

NASNA Legal Counsel

President Evelyn Bailey reported that Rupaco Gonzalez would not be able to represent NASNA as legal counsel due to possible conflicts of interest with his

representation of the State of Texas. As a result, NASNA will not seek formal representation at this time, but will instead ask NENA counsel Jim Hobson to advise NASNA should the need arise. Should a conflict of interest occur with NENA on a specific issue, other counsel will be obtained for assistance. State Attorneys General were discussed as a possible other source of assistance.

Report of the Bylaws Committee: Proposed Amendments

Steve Marzolf and R.D. Porter presented the two proposed Bylaw amendments that had been previously circulated to all members. First, the membership discussed the proposal to add an alumni membership category. This change was not recommended by the Bylaws Committee, but was prepared based on a request made at the June meeting. Concern was expressed that extending membership to people other than state coordinators may threaten NASNA's reputation of independence from commercial interests.

Motion by Mr. Oenning, seconded by Ms. Jaeger, to approve the proposed Bylaw change to add an alumni membership category; failed unanimously.

Second the membership discussed the proposal to increase the dues for membership from \$25 to \$100. This change was recommended by the Bylaws Committee as a way to increase revenue to the organization.

Motion by Ms. Jaeger; seconded by Mr. Marzolf, to approve the proposed Bylaw change to increase membership dues to \$100; passed unanimously.

National Issues

Wireless 9-1-1

US DOT Wireless Initiative Report

John Benson (primary) and Richard Taylor (alternate) represent NASNA on the US DOT Wireless Initiative's Expert Working Group. Evelyn Bailey chairs the National Steering Council. John Benson reported on the work of the Expert Working Group. The group has met twice; however, the goal of the group is unclear. Evelyn Bailey reported that the steering council meeting had been rescheduled several times since the beginning of January and is currently scheduled for early April. It was also reported that wireless E-911 project in US DOT may become a staff level initiative rather than a Secretarial initiative.

President Evelyn Bailey reported that she had received a verbal request from NENA for NASNA's assistance collecting information in support of their contract with US DOT. Concern was expressed that any information provided would not be "sold" back to the PSAPs or other interested parties, but would instead be provided at no cost. The membership asked President Bailey ask NENA for a written request of information that details specifically what information is needed and how it will be used.

NENA Update

Steve Marzolf reported that the operational aspects of the Wireless committee of the NENA TDC have been reorganized under the NENA Best Practices Conference (BPC). This change was made by the NENA national office to better align all operational issues under the BPC leaving all technical issues in the TDC. Several members questioned if that change was sufficient reason to discontinue having the NASNA concurrent with the TDC since removing wireless removed much of the advantages of also attending the TDC. The discussion focused on whether it would be better to return to a mid-year conference that rotates each year to different member states. The issue of relocating the interim NASNA meeting will be discussed at the annual conference in June.

Steve Marzolf also reported on a problem discussed during a recent meeting between several NASNA members and the FCC. The problem occurs when a caller makes harassing or abusive calls to 9-1-1 using a non-initialized wireless telephone. There have been situations whereby a caller has been able to maliciously make dozens or even hundreds of 9-1-1 calls using a non-initialized telephone. Attempts to locate the caller through previous owners of the telephone (stolen telephone, etc.) were unsuccessful. The wireless service provider reported they had the ability to disable the telephone, but could not disable it due to the FCC requirement that **ALL** calls to 9-1-1 must be completed. During the meeting with the FCC, they reported that they would be willing to look into the issue as part of their currently active NPRM on non-initialized telephones if someone were to make exparte comments requesting it.

Motion by Mr. Oenning, seconded by Mr. Benson, to direct the Executive Board to prepare such an exparte filing with the FCC and to ask NENA and APCO if they would like to participate in the filing.

Lunch Break

National Issues, Continued

APCO 911 Committee Update

Rick Hessinger provided the attached update regarding the activities of the APCO Wireless 9-1-1 Committee. He also announced that he had just come from an APCO Executive Council meeting where they had voted to create a foundation within APCO in order to accept the \$25 million donation from Nextel. While individual members expressed great concern about this move, the discussion about how NASNA should officially respond focused on whether NASNA should weigh into either side of this issue.

Mr. Marzolf made a motion, seconded by Mr. Benson, for NASNA to remain officially neutral in the issue of APCO's formation of a foundation and the acceptance of a \$25 million donation from Nextel *for the time being*; passed with eight (8) for and three (3) against.

It was further discussed that though NASNA had taken this official position that it would not preclude any member state from pursuing funding from the foundation. Additionally, it does not prevent individual members from voicing an opinion on the issue so long as it is not represented as NASNA's view.

Rick Hessinger was also asked about Project Locate. He passed out the new 2002 Special Report for Project Locate for review by the membership. Almost every member present found that the information presented for their state in a chart on page 10 was incorrect. While no one felt the error was significant enough to request that APCO correct and reprint the document, it was noted that this type of error could be avoided if APCO (and NENA) were to coordinate state level information with the state 9-1-1 coordinators.

PBX and Private Switch Matters

President Evelyn Bailey led a general discussion of legislation requiring PBX owners to provide PS-ALI capabilities. While few states have implemented this legislation as of yet, one suggestion made by Barbara Jaeger is that the state needs to work on its own compliance before trying to require it from everyone else.

ComCARE Alliance & ASTM – SIA MSD-01 Report

Vice-president Bob Oenning provided the group with an update on the activities of ComCARE. He also briefly outlined an ASTM standard, Mobile Security Devices Standard - Monitoring Practices for False Dispatch Prevention, which is currently in the revision process. The standard is available for comment (http://www.siaonline.org/data/standards/MSD-01/April_2001_rev.draft-b.doc). Members may sign up to be on the final review panel, which will vote on the final draft to be released soon.

1-800 National Suicide Hotline

President Evelyn Bailey reported that the National Suicide Hotline contacted her seeking assistance from NASNA to have their telephone number (1-800-SUI-CIDE) placed on the "9-1-1" page in telephone books nationwide. Discussion focused on concerns that other organizations that may also seek such help if it were provided and existing local laws or regulations may prohibit such a listing.

Motion by Ms. Jaeger, seconded by Mr. Porter, to deny the request for assistance from the National Suicide Hotline.

State updates were not conducted due to lack of time.

President Evelyn Bailey adjourned the meeting at 3:45 p.m.

FINANCIAL STATEMENT

February 22, 2002

Beginning Balance	August 10, 2001		\$2,361.09
Receipts			
Dues payments			
California		\$25.00	
Indiana		\$25.00	
Massachusetts		\$25.00	
Montana		\$25.00	
			\$ 100.00
Expenses			
None			
Ending Balance	February 22, 2002		\$2,461.09

Robert G. Oenning, VP/Treasurer

Proposed Bylaw amendments to comply with requirements for IRS 501(c)(3) non-profit status. The language was taken directly from materials supplied by the IRS. Deletes are shown with a ~~strikethrough~~ and insertions are underlined.

ARTICLE I – PURPOSE

Section 1. Name and General Membership Requirement

This association shall be known as the National Association of State 9-1-1 Administrators (NASNA). Membership in NASNA shall be open to all persons of good character who meet the membership requirements of these Bylaws adopted pursuant thereto.

Section 2 Dedication

NASNA is organized exclusively for charitable, educational and scientific purposes, including for such purposes, the making of distributions to organizations that qualify as exempt organizations under 501(c)(3) of the Internal Revenue Code

Section 23. Purpose

The purpose of NASNA shall be to:

- A. Promote information sharing amongst those states with programs dedicated to implementing 9-1-1 emergency telephone systems;
- B. Assist other states with resolving issues necessary to accomplish statewide implementation and maintenance;
- C. Encourage the establishment of a coordination person within each state or province;
- D. Identify and recommend minimum standards for 9-1-1 emergency telephone systems;
- E. Identify and recommend appropriate legislation or rules concerning the administration of statewide 9-1-1 telephone system programs;
- F. Serve as a knowledge resource for fulfilling the purposes described in this section; and
- G. Provide for membership in this Association in accordance with the language and intent of its Bylaws which are now, and may later be, in effect. Membership shall not be limited other than by classification and good character, and shall have such rights and privileges by classifications as may be provided from time to time.

ARTICLE V. - GRANTS AND CONTRIBUTIONS

Section 1. Application for Funds

The President of this Association or any member designated by him/her may make application to philanthropic organizations, corporations, agencies, groups or persons for grants or contributions of funds or property for carrying out general or specific purposes of this Association.

No application shall be made to, or contribution received from, any person or agency except after a determination by the Executive Board that a grant or contribution to the Association would be motivated by the desire to further the purposes of the Association and not to derive personal benefit or privilege to the donor.

Section 2. Acceptance of Grants or Contributions

Any member who may be offered a grant, or contribution, or contract for this Association shall immediately notify the President, but no grant or contribution shall be finally accepted by the Association except upon approval of the Executive Board. The terms of any such grant or contribution shall be set forth in writing and signed both on behalf of the Association and the donor.

Section 3. Administration of Funds

Any grant or contribution to the Association shall be credited to its general fund unless, under the terms thereof, a special fund is prescribed. The budgeting, receipt, custody and disbursement of any such grant

or contribution shall follow the procedure defined for general funds of this Association, unless provided otherwise in the terms of the grant or contribution and agreed to by the Executive Board.

Section 4. - Restrictions on Use of Funds

No part of the net earnings of the association shall inure to the benefit of, or be distributable to its members, trustees, officers or other private persons, except that the association shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distributions in furtherance of the purposes set forth in Article I hereof. No substantial part of the activities of the association shall be the carrying on of propaganda, or otherwise attempting to influence the passage of legislation, and the corporation shall not participate in, or intervene in (including the publishing or distribution of statements) any political campaign on behalf of or in opposition to any candidate for public office. Notwithstanding any other provision of these articles, this association shall not, except to an insubstantial degree, engage in any activities or exercise any powers that are not in furtherance of the purposes of this association.

ARTICLE XII. - RETENTION OF PROPERTY INTEREST

Section 1. Retention of Title

All right, title, and interest, both legal and equitable, in and to property of this Association shall remain in the Association.

Section 2. Requirements for Return of Property

Any property of the Association in the possession or trust of a member or employee shall be returned immediately to the Association in the event of his/her death, resignation, suspension, or expulsion.

Section 3. - Fund Distribution at Dissolution:

Upon the dissolution of the Association, assets shall be distributed for one or more exempt purposes within the meaning of section 501(c)(3) of the Internal Revenue Code, or the corresponding section of any future federal tax code, Any such assets not so disposed of shall be disposed of by a Court of Competent Jurisdiction of the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization, or organizations, as said court shall determine, which are organized and operated exclusively for such purposes.