

MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairman Pat Apple at 1:30 p.m. on January 31, 2011, in Room 548-S of the Capitol.

All members were present except:
Sen. Jay Emler, excused

Committee staff present:
Matt Sterling, Office of the Revisor of Statutes
Cindy Lash, Kansas Legislative Research Department
Heather O'Hara, Legislative Research Department
Ann McMorris, Committee Assistant

Conferees appearing before the Committee:
Melissa Wangeman, Kansas Assn. Of Counties
Bob Lampke, Sedgwick County 911 Services
John Miller, Norton County, Pres. KLPG
Walter Way, Johnson County Emergency Services
Kim Winn, League of Ks. Municipalities

Written testimony for the following proponents was distributed but their appearances were rescheduled to the February 1 meeting of the Senate Utilities Committee.

Ron Gaches, Sprint
John Idoux, Centurylink
Doug Smith for Bob Boaldin, Morton County Commissioner
Dina Fisk, Verizon Wireless

Others attending: See attached list.

SB 50, concerning emergency communications service

Cindy Lash, Kansas Legislative Research, provided information on 911 User Fees, Administrative Fees and Distribution of Funds and 911 Federal Grants. A second chart showed current law on wireline service, wireless and VoIP service and prepaid wireless service. A third memo provided a summary of the provisions of **SB 50**. (Attachment 1)

Matt Sterling, Assistant Revisor of Statutes, reported to the committee on January 27. He noted **Senate Bill 50** is an act concerning emergency telephone service and the implementation, collection and distribution of 911 fees. The current statutes concerning the 911 system and fees are to sunset on July 1, 2011. This act would create a new fee structure for the 911 fees, as well as creating a 911 coordinating council. The bill would be effective upon publication in the Kansas register, but many of the provisions of the bill would not go into effect until January 1, 2012. Two technical amendments were offered and appear as attachment to these minutes. (Attachment 2)

The fiscal Note for **SB 50** prepared by the Kansas Budget Division was distributed to the committee. (Attachment 3)

Chair Apple called on the following proponents to provide testimony.

Proponents

Melissa Wangemann, Kansas Association of Counties, discussed background information on funding mechanism as allowed by current statutes. The purpose of **SB 50** is to provide funding for 911 and includes a distribution formula to disperse the fees. **SB 50** creates equity between prepaid phones and other traditional phones. She provided a chart listing the PSAPs with three funding levels. (Attachment 4)

Bob Lampke, Sedgwick County, Kansas Division of Public Safety, reviewed some of the future needs of the 911 program and the desires of Sedgwick County. (Attachment 5)

John Miller, Norton County Commissioner and President of the Kansas Legislative Policy Group, voiced support for **SB 50** and set out the various needs for emergency assistance services and disaster preparedness responses. (Attachment 6)

CONTINUATION SHEET

Minutes of the Senate Utilities Committee at 1:30 p.m. on January 31, 2011, in Room 548-S of the Capitol.

Walter Way, Johnson County, Kansas Emergency Communications, reviewed the changes in funding that will take place when the law sunsets on July 1, 2011. He urged favorable consideration of **SB 50**. (Attachment 7)

Kim Winn, League of Kansas Municipalities, provided data from PSAPs regarding 911 revenues for calendar years 2008 and 2009. The data for 2010 is being collected and will be made available to the committee when it is completed. (Attachment 8)

Written only – Edward Elam, Ford County Administrator/Surveyor (Attachment 9)
Dale Goter, City of Wichita (Attachment 10)
Ed Klumpp, Ks. Assn. Of Chiefs of Police (Attachment 11)
Eric Sartorius, Overland Park Government (Attachment 12)
Norton County Board of Commissioners (Attachment 13)
Chris Carroll, AT&T (Attachment 14)
William Johnson, Jr., Butler County Administrator (Attachment 15)
Shawnee County Commissioners (Attachment 16)

Chair announced hearing on **SB 50** would remain open.

The remainder of the proponents for **SB 50** will present testimony on February 1. (State offices and legislative offices closed on February 1 and 2 due to a massive snow storm and hearings continued on February 3.)

The meeting was adjourned at 2:30 p.m.

Respectfully submitted,
Ann McMorris, Committee Assistant

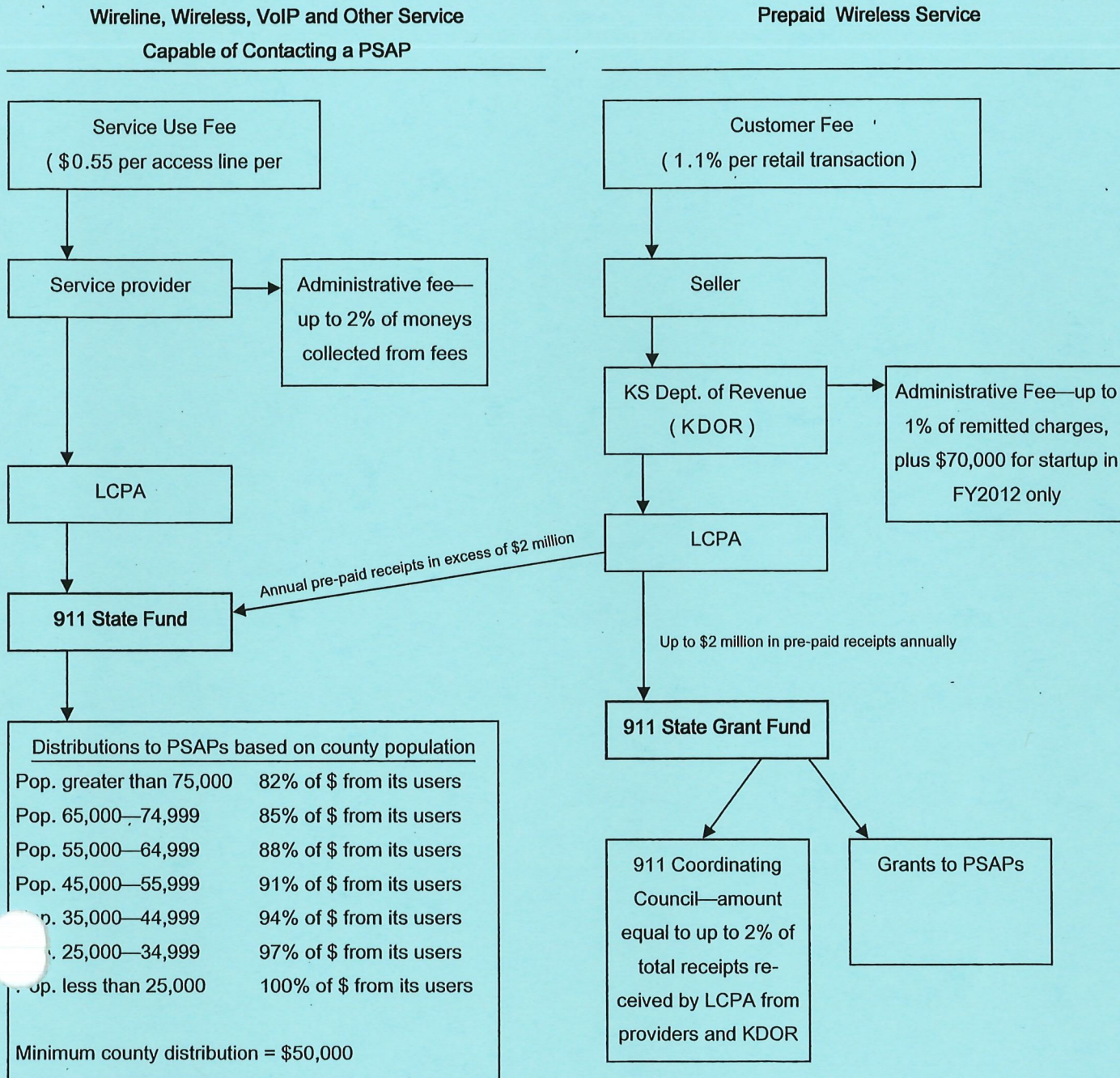
Attachments - 16

**SENATE UTILITIES
COMMITTEE GUEST LIST
JANUARY 31, 2011**

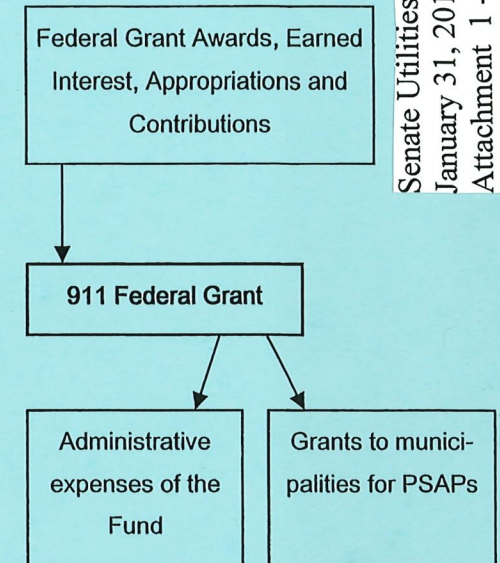
| NAME | REPRESENTING |
|-----------------|------------------|
| JUDITH GADD | CAP ADVANTAGE |
| Shirley Allen | KRITC |
| Diana Fisk | VERIZON |
| Tanday | KCC |
| CHRIS CARROLL | AT&T |
| Heidi Wangemann | KAC |
| Tom Carhes | Sprint |
| Erica Hays | Gov Office |
| Doug Smith | KLPG |
| John Miller | KXK |
| Tom Egge over | ST&T |
| Walter Way | Johnson County |
| Ed Kump | KACP/KPOA/KSA |
| DEREK HEIN | HEIN LAW FIRM |
| Whitney Jann | City of Glendale |
| Kim Wilson | LICM |
| Cyle Jannison | Conf |
| Melton Krueger | US Cellular |

SENATE BILL 50

911 User Fees, Administrative Fees, and Distribution of Funds



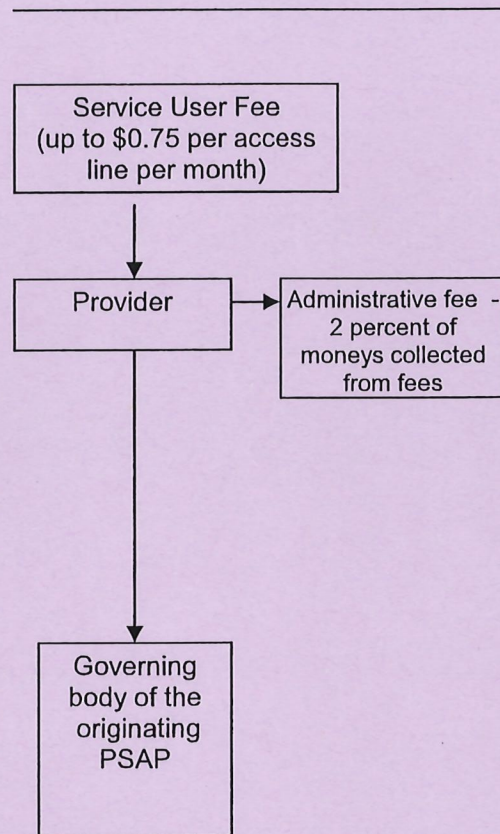
911 Federal Grants



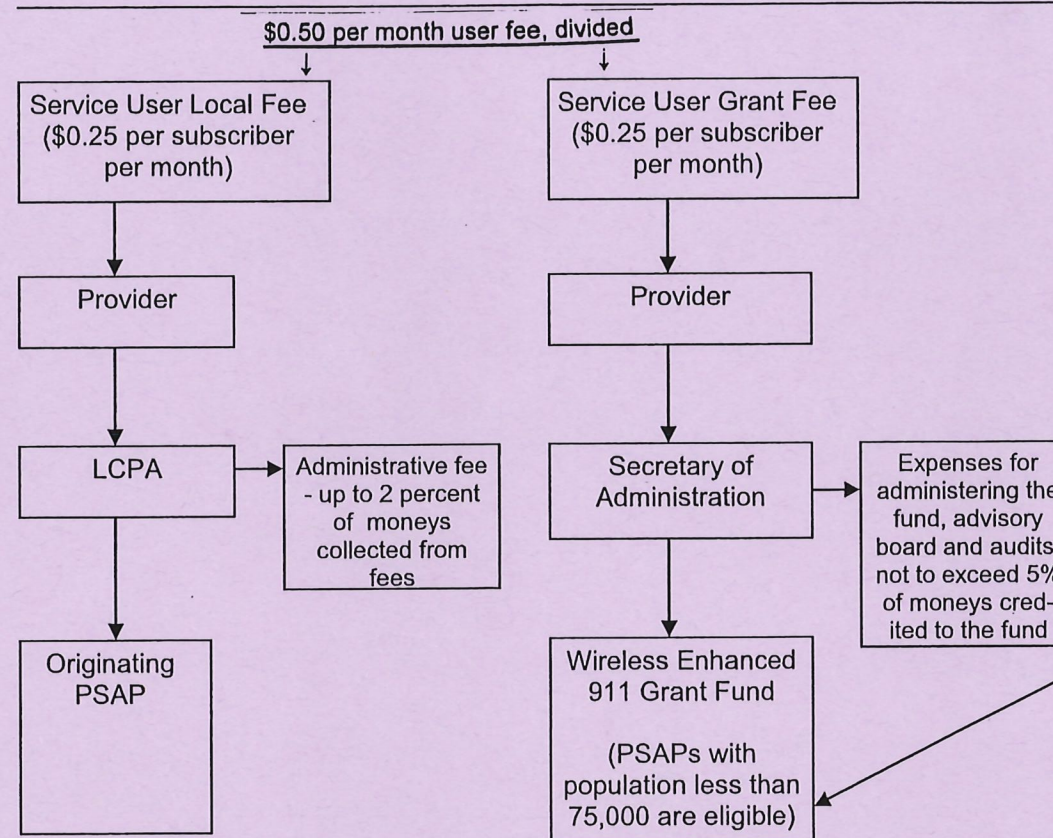
911 User Fees, Administrative Fees, and Distribution of Funds Current Law

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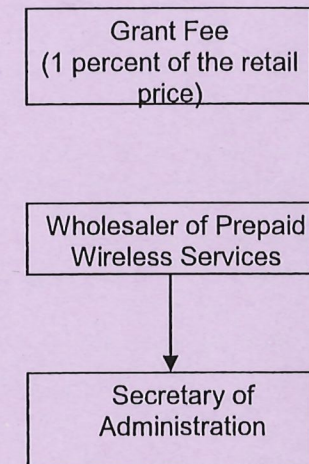
Wireline Service



Wireless and VoIP Service



Prepaid Wireless Service



Senate Bill 50

Summary of Provisions

911 Fees

Wireline, Wireless, VoIP, or Other Service Capable of Contacting a PSAP

A 911 fee of \$0.55 per month per subscriber account is imposed, effective Jan. 1, 2012. New Sec. 7(a).

Prepaid Wireless

A prepaid wireless 911 fee of 1.1% per retail transaction is imposed, effective Jan. 1, 2012. New Sec. 9(a). The prepaid 911 fee is increased or decreased proportionately when other 911 fees change. New Sec. 9(f). A procedure is set out for calculating 911 tax when the 911 wireless service is sold in a package for a single price. New Sec. 9(g).

Collection of fees

Wireline, Wireless, VoIP, or Other Service Capable of Contacting a PSAP

Every billed service user is liable for 911 fees until paid to the provider. New Sec. 8(a). The provider has no obligation to take legal action to enforce collection of 911 fees. New Sec. 8(c). 911 fees are collected by the provider at the same time as charges for service. New Sec. 8(d).

Prepaid Wireless

The fee is collected by the seller from the consumer for each retail sale in Kansas. New Sec. 9(b)

Remittance of Fees

Wireline, Wireless, VoIP, Other Service Capable of Contacting a PSAP

Fees are due monthly. Amounts collected in one month must be remitted to the local collection point administrator within 15 days of the end of the calendar month, along with a return. The service provider must keep records of collections for three years. New Sec. 8(e).

Prepaid Wireless

The seller is required to remit to the Department of Revenue all prepaid wireless 911 fees collected from consumers. Remittance is by electronic filing consistent with provisions for remitting sales tax. Sellers with \$50 or less in prepaid wireless sales per month may remit fees on a biannual basis. New Sec. 10(a)(b).

The fee imposed by this act shall be the only 911 funding obligation imposed on prepaid wireless service in Kansas. New Sec. 11(a).

The Department must transfer all remitted prepaid wireless 911 fees to the LCPA with 30 days of receipt. New Sec. 10(e).

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Administrative fees

Wireline, Wireless, VoIP, Other Service Capable of Contacting a PSAP

Providers may retain a fee not to exceed 2% of moneys collected. New Sec. 8(f).

Prepaid Wireless

The Dept. of Revenue may retain up to 1% of remitted charges on prepaid wireless for administration. In FY 2012 only, the Dept. of Revenue may retain an additional \$70,000 for programming and other startup costs. New Sec. 10(f).

911 State Fund, 911 State Grant Fund, 911 Federal Grant Fund

LCPA, upon advice and consent of the 911 Coordinating Council establishes the 911 State Fund and the 911 State Grant Fund, which are not part of the State Treasury. On the effective date of the act, unobligated state grant funds in the Wireless Enhanced 911 Grant Fund are transferred to the LCPA to be deposited in the 911 State Grant Fund. New Sec. 6(a).

A 911 Federal Grant Fund is established in the State Treasury. New Sec. 4 (a).

Distribution

The local collection point administrator must distribute fees to PSAPs within 30 days of receipt, based on county population and place of primary use as follows (direct distribution) (New Sec. 12(a)):

- a county with population greater than 75,000 receives 82% of money collected from its users;
- a county with population between 65,000 and 74,999 receives 85% of money collected from its users;
- a county with population between 55,000 and 64,999 receives 88% of money collected from its users;
- a county with population between 45,000 and 54,999 receives 91% of money collected from its users;
- a county with population between 35,000 and 44,999 receives 94% of money collected from its users;
- a county with population between 25,000 and 34,999 receives 97% of money collected from its users; and
- a county with population less than 25,000 receives 100% of money collected from its users.

An annual minimum distribution of \$50,000 per county is established and provisions are made for proportionally dividing minimum distribution between PSAPs if the county has more than one PSAP.

New Sec. 12(a).

Use of Fee Proceeds

Fee moneys (including earned interest) can be used only for necessary and reasonable costs incurred by PSAPs for the following (New Sec. 13(a)):

- Implementation of 911 services;
- Purchase of 911 equipment and upgrades;
- Maintenance and license fees for 911 equipment;
- Training of personnel;
- Monthly recurring charges billed by service suppliers;
- Installation, service establishment, and nonrecurring start-up charges billed by service suppliers;
- Charges for capital improvements and equipment or other physical enhancements to the 911 system;
- The original acquisition and installation of road signs designed to aid in delivery of emergency service;
- Costs shall not include expenditures to lease, construct, expand, acquire, remodel, renovate, repair, furnish, or make improvements to buildings or similar facilities; or
- Costs shall not include purchase of subscriber radio equipment.

Use of State Grant Proceeds

Grant moneys (including earned interest) may be used for projects involving development and implementation of NG911, costs associated with PSAP consolidation or cost-sharing projects, expenses related to the coordinating council, costs of audits, and uses allowable for regular 911 fee proceeds. New Sec. 6(b).

911 Coordinating Council

Creates the 911 Coordinating Council, which is charged with monitoring the delivery of 911 services, developing strategies for future enhancements to the 911 system, and distributing available grant funds to PSAPs. As possible, the Council shall include individuals with technical expertise regarding 911 systems, internet technology and GIS technology. New Sec. 3(a)(1).

The Committee is made up of 16 voting members (12 appointed by the Governor and 4 appointed by legislative leadership) and 10 non-voting members (all appointed by the Governor). New Sec. 3(a)(2-4).

Governor's appointees to voting positions shall include:

- 2 representing IT personnel from government units;
 - 1 representing a law enforcement officer;
 - 1 representing a fire chief;
- 1 recommended by the Adjutant General;
- 1 recommended by the KS Emergency Medical Services Board;
- 1 recommended by the KS Commission for the Deaf and Hard of Hearing;
- 2 representing PSAPs located in counties with less than 75,000 in population;
- 2 representing PSAPs located in counties with more than 75,000 in population; and
- 1 representing PSAPs without regard to size.

Legislative appointees to voting positions shall include:

- 1 Representative appointed by the Speaker;
- 1 Representative appointed by the Minority Leader;
- 1 Senator appointed by the President; and
- 1 Senator appointed by the Minority Leader.

Governor's appointees to non-voting positions shall include:

- 1 representing rural telecom. company, recommended by KS rural independent telephone companies;
- 1 representing incumbent local exchange carriers with more than 50,000 exchanges;
 - 1 representing large wireless providers;
 - 1 representing VoIP providers;
- 1 recommended by League of KS Municipalities;
- 1 recommended by KS Association of Counties;
- 1 recommended by KS GIS Policy Board;
- 1 recommended by KAN-ED;
- 1 recommended by DISC; and
- 1 recommended by Mid-America Regional Council (KS resident).

Governor designates chairperson from among voting members. New Sec. 3 (a)(5).

Voting members have a 3-year term of office and are limited to 2 terms. New Sec. 3(b).

Other Specific Authority of the Council

Select the Local Collection Point Administrator to collect and distribute 911 fees to PSAPs and distribute 911 State Grants as directed by the Council. Set compensation for LPCA. New Sec. 3(d).

Limited to 1-year contracts with LPCA, reviewed annually. New Sec. 5.

Adopt rules and regulations necessary to effect the provisions of the act, including creating a standard form for PSAPs to report 911 expenditures, requiring service providers to notify the Council, setting standards for coordinating and purchasing equipment, and assessing civil penalties. Rules and regs to begin administration of the Act must be adopted by 12/31/11. New Sec. 3(e).

Pursuant to rules and regs, the Council may raise or lower the 911 fee (not lower than \$0.50 nor higher than \$0.60) based on a finding that fees are above or below the cost to operate PSAPs in the state. New Sec. 3(f).

May appoint subcommittees to administer grants, oversee collection/distribution of money, develop technology standards, training recommendations and others as needed. New Sec 3(g).

Reimburse independent contractors or state agencies for expenses incurred in assisting the Council. Paid from 911 Grant Fund. New Sec. 3(h).

The Council shall make an annual report to the Legislature's Utilities Committees. New Sec. 3(p).

Funding for Council

All expenses of the Council are paid from the 911 State Grant Fund. Limited to 2% of total receipts from providers and Dept. of Revenue remitted to LPCA. Council may be reimbursed for meals and travel, but otherwise without compensation, except legislators. New Sec. 3(i).

Staffing

Creates the position of 911 Statewide Coordinator, appointed by the Governor from nominees submitted by the Council. The Governor determines compensation. Duties include coordinating E-911 and NG911 services in the state, implementing statewide 911 planning, ensuring policies of the Council are carried out, act as a liaison between the LPCA and the Council, assist in development of regulations, administer federal grant fund, and distribute federal grants as recommended by the Council. New Section 3(c)(1)-(2).

Federal Grant Fund

Creates 911 federal grant fund in the state treasury. New Sec. 4(a)

Statewide 911 coordinator administers the federal grant fund and distributes grants in accordance with recommendations of the 911 Coordinating Council. New Sec. 4(b)

Money credited to the fund can be used only to (a) pay all expenses of administering the fund, and (b) to provide grants to eligible municipalities for necessary and reasonable costs incurred by PSAPs for the following: New Sec. 4(d)

Equipment used solely to process data elements of E911 and NG911; and

Maintenance and license fees for such equipment and training of staff to operate the equipment.

Costs shall not include expenditures to lease, construct, expand, acquire, remodel, renovate, repair, furnish, or make improvements to buildings or similar facilities or for other capital outlay not expressly authorized by the act.

Immunity

Except as provided by the KS Tort Claims Act, and except for failure to use ordinary care, or for intentional acts, the LCPA and each provider, and their employees and agents, and each seller and their employees and agents, shall not be liable for payment of damages resulting directly or indirectly from the total or partial failure of any transmission to an emergency communication service or for damages resulting from performance of installing, maintaining, or providing enhanced 911 service. New Sec. 14.

Audits and Reviews

Receipts and disbursements of the LCPA shall be audited yearly by a licensed municipal accountant or a CPA.
New Sec. 15(a)

The LCPA may require an audit of any provider's books and records concerning collection and remittance of 911 fees. The audit cost is to be paid from the 911 State Grant Fund. New Sec. 15(b).

By 12/31/13, and every three years thereafter, Legislative Post Audit shall contract for an audit of the 911 system to determine the following (New Sec. 15(c)):

- Whether PSAPs are using fee money appropriately;
- Whether the amount of moneys collected is adequate;
- The status of 911 service implementation; and

The cost of the audits are paid from the 911 State Grant Fund. New Sec. 14(c).

The Legislature shall review the act in the 2014 Session and every five years thereafter. New Sec. 15(d).

Provider Costs

Providers are not limited from recovering directly from their customers costs associated with designing, developing, deploying and maintaining 911 service and its cost of collection and administration of the 911 fees.
New Sec 16

1-7

1 the direct distribution allocated to that county by population shall be
2 deducted from the minimum county distribution and the difference
3 shall be proportionately divided between the PSAPs in the county. All
4 moneys remaining after distribution and any moneys which cannot be
5 attributed to a specific PSAP shall be transferred to the 911 state grant
6 fund.

7 (b) All fees remitted to the LCPA shall be deposited in the 911
8 state fund and for the purposes of this act be treated as if they are public
9 funds, pursuant to article 14 of chapter 9 of the Kansas Statutes
10 Annotated, and amendments thereto.

11 (c) ~~When a PSAP~~ moneys collected from the prepaid
12 wireless 911 fee ~~shall be deposited in the 911 state~~
13 grant fund unless \$2 million of such moneys has been deposited in any
14 given year then all remaining moneys shall be distributed to the PSAPs
15 pursuant to subsection (a).

Comment [1]: All

Comment [2]: in the 911 state fund that have been

16 (d) The LCPA shall keep accurate accounts of all receipts and
17 disbursements of moneys from the 911 fees.

18 (e) Information provided by providers to the local collection point
19 administrator or to the 911 coordinating council pursuant to this act will
20 be treated as proprietary records which will be withheld from the public
21 upon request of the party submitting such records.

22 (f) The provisions of subsection (e) shall expire on July 1, 2017,
23 unless the legislature acts to reenact such provision. The provisions of
24 subsection (e) shall be reviewed by the legislature prior to July 1, 2016.

25 (g) This section shall take effect on and after January 1, 2012.
26 New Sec. 13. (a) The proceeds of the 911 fees imposed pursuant
27 to this act, and any interest earned on revenue derived from such fee,
28 shall be used only for necessary and reasonable costs incurred or to be
29 incurred by PSAPs for: (1) Implementation of 911 services; (2)
30 purchase of 911 equipment and upgrades; (3) maintenance and license
31 fees for 911 equipment; (4) training of personnel; (5) monthly recurring
32 charges billed by service suppliers; (6) installation, service
33 establishment and nonrecurring start-up charges billed by the service
34 supplier; (7) charges for capital improvements and equipment or other
35 physical enhancements to the 911 system; or (8) the original acquisition
36 and installation of road signs designed to aid in the delivery of
emergency service. Such costs shall not include expenditures to lease,

Comment [3]: 2012

2-2

thereafter.

(e) This section shall take effect on and after January 1, 2012.

New Sec. 16. (a) Nothing in this act shall be construed to limit the ability of a provider from recovering directly from the provider's customers its costs associated with designing, developing, deploying and maintaining 911 service and its cost of collection and administration of the fees imposed by this act, whether such costs are itemized on the customer's bill as a surcharge or by any other lawful method.

(b) This section shall take effect on and after January 1, 2012.

New Sec. 17. A provider of wireless telecommunications service shall: (1) Receive prior approval of the PSAP of that jurisdiction before directing emergency calls to such PSAP; and (2) establish the unique emergency telephone number "911" across the state, excluding the Kansas turnpike assistance telephone number.

New Sec. 18. The governing body of each city and county shall provide or contract for the 24-hour receipt of wireless emergency calls for all wireless service areas within the jurisdiction of the city or county.

Sec. 19. K.S.A. 2010 Supp. 12-5338 is hereby amended to read as follows: 12-5338. (a) On July 1, 2011 *January 1, 2012*,

(1) the wireless enhanced 911 grant fee shall be discontinued, the advisory board shall be abolished, any unobligated balance of the wireless enhanced 911 grant fund shall be paid to the local collection point administrator for distribution to PSAP's based on the population of the municipality or municipalities served by the respective PSAP distributed pursuant to subsection ~~■~~ of section ~~■~~ and amendments thereto, and the fund shall be abolished.

(2) Within any county which has a population of 125,000 or more, the amount of the tax imposed pursuant to K.S.A. 12-5302, and amendments thereto, shall not exceed \$.25 per month per access line or its equivalent and the amount of the wireless enhanced 911 local fee within such jurisdiction shall be an equal amount per month per wireless subscriber account.

(3) Within any county which has a population of less than 125,000 the amount of the tax imposed [pursuant] to K.S.A. 12-5302, and amendments thereto, shall not exceed \$.50 per month per access line or

Comment [4]: (a)

Comment [5]: c

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January 31, 2011

The Honorable Pat Apple, Chairperson
Senate Committee on Utilities
Statehouse, Room 224-E
Topeka, Kansas 66612

Dear Senator Apple:

SUBJECT: Fiscal Note for SB 50 by Senate Committee on Utilities

In accordance with KSA 75-3715a, the following fiscal note concerning SB 50 is respectfully submitted to your committee.

SB 50 would be known as the Kansas 911 Act and would take effect on January 1, 2012. The bill would create a 911 Coordinating Council. The Council would monitor the delivery of 911 services, develop enhancement strategies for the 911 system, and distribute grant funds. The Council would consist of 12 voting members and 10 non-voting members that would be appointed by the Governor. The Governor would designate one of the voting members as the chair. The bill details the terms of office for the voting and non-voting members. SB 50 authorizes the Council to adopt rules and regulations to accomplish the provisions of the Act, which includes raising and lowering the 911 fee within a set range. The Council would select the local collection point administrator (LCPA) to collect the 911 fees and distribute the fees to the public safety answering points (PSAP) and the state grant fund as directed by the Council. The expenses of the Council would be paid from the 911 State Grant Fund and could be no more than 2.0 percent of the total receipts. The Council would be reimbursed for travel expenses and meals, but would serve without compensation. The Council would also be authorized to impose civil penalties on providers that are acting in bad faith in failing to comply with the provisions of the Act. The bill also details additional responsibilities of the Council.

The Council would submit three nominees for the position of Statewide 911 Coordinator to the Governor. The Governor would select the Coordinator from the nominees and set the position's compensation and serve at the pleasure of the Governor. The Coordinator would serve as the coordinator of emergency 911 services and next generation 911 services, implement statewide 911 planning, have the authority to sign certificates required under federal law, and administer the 911 Federal Grant Fund. The bill details other responsibilities of the Coordinator.

The bill establishes the 911 Federal Grant Fund within the state treasury and makes the Statewide 911 Coordinator the administrator of the fund. The Coordinator would distribute the funds based on the recommendations of the Council. SB 50 would require the Council to select the LCPA. The bill limits the agreement between the Council and LCPA to a one-year maximum and the agreement would be reviewed annually before a new agreement would be set.

Senate Utilities Committee
January 31, 2011
Attachment 3-1

Upon advice and consent, the LCPA would establish the 911 State Fund and 911 State Grant Fund outside of the state treasury. After the effective date of this Act, the Secretary of Administration would certify the sources of the money contained in the current Wireless Enhanced 911 Grant Fund and transfer all funds from the state fee source to the 911 State Grant Fund and all funds from the federal sources to the 911 Federal Grant Fund.

The bill establishes a \$0.55 per month fee per subscriber account of any land line, wireless device, voice over internet protocol (VoIP) service, or any other service capable of contacting a PSAP. The fee would not be charged on prepaid wireless service. The providers of these services would be required to remit the 911 fees collected and file a return to the LCPA within 15 days after the end of the month in which the fee was received. In addition, the providers could retain an administrative fee of no more than 2.0 percent on the fee collected. For prepaid wireless service, the bill imposes a 1.1 percent per retail transaction fee. The amount of the fee would be stated separately on the invoice or receipt. The bill requires the seller to send the prepaid wireless fees to the Department of Revenue. The Department would be authorized to audit sellers and share the information with the LCPA if the seller is not complying with the provisions of this bill. The Department may also initiate collection efforts by the LCPA to collect are unsuccessful. The Department would send all prepaid wireless 911 fees to the LCPA within 30 days of receipt. The Department can retain up to 1.0 percent of the fees collected for administrative use and up to \$70,000 in FY 2012 to pay for programming and other one-time costs for establishing a collection system.

SB 50 establishes a sliding scale for the distribution of the 911 fees for non-prepaid wireless to PSAPs. All monies remaining after distribution to the PSAPs, as well as any money that cannot be attributed to a specific PSAP, would be transferred to the 911 State Grant Fund and would be treated as public funds pursuant to the banking code for deposit of public funds. Monies from the prepaid wireless fee would be deposited in the 911 State Grant Fund. If more than \$2.0 million is collected then any amount above \$2.0 million would be distributed to the PSAPs based on the sliding scale method.

The monies collected from the 911 fees, including interest earned from the fees, can be spent only for necessary and reasonable costs incurred by the PSAPs. The bill details the acceptable and non-acceptable costs. SB 50 provides immunity from liability to the LCPA, each provider and seller, as well as their employees, for any damages resulting from the failure of any transmission to any emergency communication service or for damages resulting from the performance of installing, maintaining or providing 911 service.

The receipts and disbursements of the LCPA would be required to be audited yearly by a licensed municipal accountant or certified public accountant. The LCPA can require an audit of any provider's books and records concerning collection and remittance of the fee collected under this act. The cost of the audit would be paid from the 911 State Grant Fund. The bill also requires that on or before December 31, 2013, and at least once every three years thereafter, the Division of Post Audit would conduct an audit of the 911 system. The audit would be submitted to the 911 Coordinating Council, the LCPA, the House Energy and Utilities Committee, and the Senate Utilities Committee. The Division would be reimbursed for reasonable costs from the 911 State Grant Fund. The Legislature would be required to review this Act during the 2014 Legislative Session and every five years after.

Honorable Pat Apple, Chairperson

January 31, 2011

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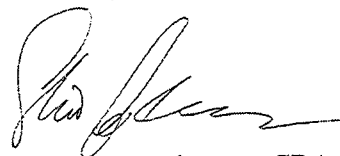
SB 50 does not limit the ability of a provider to recover its costs associated with designing, developing, deploying, and maintaining 911 service, as well as its cost of collection and administration of 911 fees, from its customers. The bill also requires a provider of wireless service to receive prior approval of the PSAP before directing emergency calls to that PSAP and to establish the emergency telephone number "911" across the state. The governing body of every city and county would be required to provide or contract for 24-hour receipt of wireless emergency calls for all wireless service areas within such city or county.

SB 50 also extends the sunset of the Wireless Enhanced 911 Grant Fee to January 1, 2012, and directs any unobligated balance in the fund existing on January 1, 2012, to be distributed by the Secretary of Administration. In addition, the bill extends the sunset of the VoIP Enhanced 911 Grant Fee Fund until January 1, 2012. The bill creates an exception to open records for information provided to the LCPA or the 911 Coordinating Council under this act upon request of the party submitting the records. Finally, the bill allows the Secretary of Revenue to provide information concerning remittance of prepaid wireless fees by sellers to the LCPA in order to verify compliance.

The Department of Revenue estimates the start-up costs for developing a fee processing system would be \$70,000, including programming and system changes to accommodate the new fee. This amount would be paid with 911 fees collected in FY 2012; the bill allows the Department to retain up to \$70,000 to pay for programming and other one-time system set up costs. The Department believes retaining 1.0 percent of the 911 fees collected, as provided in the bill and projected to be \$20,000, would pay for any administrative expenses created by the passage of SB 50.

The League of Kansas Municipalities indicates that passage of this bill will have a fiscal effect on cities. However, based on the changes made in the bill and the amount of data that would have to be collected and reviewed, a precise fiscal effect to cities cannot be determined. The Governor's Grants Office which administers these funds currently would presumably no longer administer them. This function was planned to be moved to the Attorney General's Office in FY 2012, which would not need to occur if this bill passed.

Sincerely,



Steven J. Anderson, CPA, MBA
Director of the Budget

cc: Steve Neske, Revenue
Meagan Pinegar, Attorney General's Office
Mary Rinehart, Judiciary
Melissa Wangemann, KS Association of Counties

Pat Higgins, Administration
Rick Riggs, Post Audit
Larry Baer, League of KS Municipalities

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TESTIMONY OF THE KANSAS ASSOCIATION OF COUNTIES
TO THE SENATE UTILITIES COMMITTEE
JANUARY 31, 2011

Mr. Chairman and Committee Members:

I appreciate the opportunity to appear in support of SB 50.

SB 50 was introduced by the Kansas Association of Counties this session after working with Chairman Apple during the interim to resolve concerns that arose in the Senate during last year's discussion on House Substitute for SB 48.

The Senate Utilities Committee last year expressed concerns about the uses of the fees, the lifetime appointment of the Local Collection Point Administrator (LCPA), the need for a statewide coordinator, and whether the distribution formula funded PSAPs at the appropriate level.

We believe that SB 50 is a good compromise on the outstanding issues and ask that you support it.

Background Information on Funding Mechanism

Current statutes allow for a fee up to \$.75 on hardwire lines and up to \$.25 on wireless and VoIP services, with this money going to local public safety answering points (PSAPs). Another \$.25 is also paid by wireless/VoIP, which goes to a grants fund administered by the Governor's Grants Office. On July 1, 2011, these fees are set to change; the \$.75 is reduced to \$.50 for smaller populated counties (under 125,000) and reduced to \$.25 for larger counties (over 125,000). There is no difference between hardwire or wireless fees after 2011. The grant fee of \$.25 is eliminated and grants will no longer be available.

Purpose of SB 50

The KAC believes continued funding for 911 is a critical issue for public safety. The state 911 system must continue to pursue upgrades and remain robust to meet both technology changes and the changing ways in which the public communicates in order to ensure prompt and effective responses to emergency calls.

SB 50 achieves a balance between the current hardwire and wireless fees by setting it at \$55; hardwire sees a decrease of \$.20 and wireless/VoIP phones see a modest increase of \$.05.

The bill includes a distribution formula to disperse the fees to Public Safety Answering Points (PSAPs) based on an inverse relationship to population; smaller PSAPs get more money. This formula ensures that smaller rural PSAPs will get adequate funding and that Kansas will have consistent 911 services across the state.

The bill modifies the uses of the fees from the current law on uses. Although we would prefer a broad category of uses as found in current Kansas law, we believe the specific listing of items in SB 50 will meet our needs.

We support the new provision relating to prepaid phones, as stated in our testimony on SB 30. We believe it creates equity between prepaid phones and other traditional phones and will enhance the collection of 911 fees.

Although initially we had concerns about the creation of a new statewide coordinator position, we do believe that Next Generation 911 will include more state involvement and that the coordinator will serve an important role in administering the federal grant monies.

Most notable to my association, SB 50 no longer lists the Kansas Association of Counties and the League of Kansas Municipalities as the Local Collection Point Administrator (LCPA) -- the entity that collects the 911 fees and distributes them. KAC and LKM were assigned this duty to enable the telecommunications companies to send the 911 fees to a central location instead of all over the state to individual PSAPs. We believe we have done a good job in this role, but in an effort to pass this legislation for the benefit of public safety, KAC has conceded this appointment in statute, and will allow the 911 Coordinating Council to select the LCPA going forward. Under SB 50, the Coordinating Council selects the LCPA and also determines the LCPA's compensation.

I am attaching a chart listing the PSAPs with three funding levels: revenues under current law, revenues if the law changes July 1, and revenues under the distribution formula given in SB 50. The last two columns show the difference between SB 50 revenues and current revenues, and revenues if the law expires versus current revenues.

We would ask that you support SB 50. Thank you for your consideration, and I am happy to answer any questions.

Respectfully Submitted,



Melissa Wangemann, General Counsel

| PSAP | Population (County) | SB 50 Tiers* | Total Units (2009) | Current Annual Revenues | Annual Revenues under SB 50 | Annual Revenues if Law Changes July 1 | SB 50 Revenues - Current Revenues (difference) | Revenues if Law Expires - Current Revenues (difference) |
|------------------------|---------------------|--------------|--------------------|-------------------------|-----------------------------|---------------------------------------|--|---|
| Allen County | 13,203 | 100% | 13,201 | \$70,782.42 | \$87,129.72 | \$79,208.84 | \$16,347.30 | \$8,426.42 |
| Anderson County | 7,872 | 100% | 6,584 | \$38,351.59 | \$50,000.00 | \$39,504.06 | \$11,648.41 | \$1,152.47 |
| Andover City | 64,084 | 88% | 10,429 | \$51,719.09 | \$60,570.52 | \$62,572.85 | \$8,851.43 | \$10,853.76 |
| Arkansas City/Winfield | 33,634 | 97% | 28,610 | \$129,593.37 | \$183,163.01 | \$171,661.67 | \$53,569.64 | \$42,068.30 |
| Atchison County | 16,411 | 100% | 13,481 | \$60,242.91 | \$88,972.00 | \$80,883.63 | \$28,729.09 | \$20,640.72 |
| Augusta City | 64,084 | 88% | 8,516 | \$43,342.31 | \$50,000.00 | \$51,096.89 | \$6,657.69 | \$7,754.58 |
| Barber County | 4,593 | 100% | 6,138 | \$33,463.85 | \$50,000.00 | \$36,827.67 | \$16,536.15 | \$3,363.82 |
| Barton County | 27,464 | 97% | 24,604 | \$109,978.29 | \$157,512.58 | \$147,621.91 | \$47,534.29 | \$37,643.62 |
| Brown County | 9,927 | 100% | 11,305 | \$62,128.34 | \$74,611.87 | \$67,828.97 | \$12,483.53 | \$5,700.63 |
| Butler County | 64,084 | 88% | 44,954 | \$230,758.75 | \$261,092.41 | \$269,723.57 | \$30,333.66 | \$38,964.82 |
| Chase County | 2,798 | 100% | 4,090 | \$27,053.34 | \$50,000.00 | \$24,537.63 | \$22,946.66 | -\$2,515.71 |
| Chautauqua County | 3,745 | 100% | 4,748 | \$21,297.68 | \$50,000.00 | \$28,487.26 | \$28,702.32 | \$7,189.58 |
| Cherokee County | 21,064 | 100% | 19,076 | \$105,700.10 | \$125,901.63 | \$114,456.03 | \$20,201.53 | \$8,755.93 |
| Cheyenne County | 2,700 | 100% | 5,422 | \$16,266.17 | \$50,000.00 | \$32,532.34 | \$33,733.83 | \$16,266.17 |
| Clark County | 2,081 | 100% | 2,627 | \$14,675.57 | \$50,000.00 | \$15,764.37 | \$35,324.43 | \$1,088.80 |
| Clay County | 8,704 | 100% | 7,313 | \$32,828.07 | \$50,000.00 | \$43,876.94 | \$17,171.93 | \$11,048.87 |
| Coffey County | 8,436 | 100% | 9,579 | \$48,475.25 | \$63,219.02 | \$57,471.83 | \$14,743.77 | \$8,996.58 |
| Comanche County | 1,873 | 100% | 2,279 | \$13,503.88 | \$50,000.00 | \$13,672.39 | \$36,496.12 | \$168.51 |
| Concordia City | 9,263 | 100% | 9,078 | \$46,690.30 | \$59,917.95 | \$54,470.87 | \$13,227.65 | \$7,780.57 |
| Crawford County | 38,869 | 94% | 36,989 | \$200,697.05 | \$229,482.20 | \$221,936.37 | \$28,785.15 | \$21,239.32 |
| Decatur County | 2,855 | 100% | 3,485 | \$19,130.96 | \$50,000.00 | \$20,909.92 | \$30,869.04 | \$1,778.96 |
| Dickinson County | 19,015 | 100% | 19,642 | \$101,867.41 | \$129,637.37 | \$117,852.15 | \$27,769.96 | \$15,984.74 |
| Doniphan County | 7,624 | 100% | 8,073 | \$42,785.47 | \$53,284.30 | \$48,440.27 | \$10,498.83 | \$5,654.80 |
| Douglas County | 116,383 | 82% | 105,061 | \$425,024.88 | \$568,587.76 | \$630,363.37 | \$143,562.88 | \$205,338.49 |
| Edwards County | 3,071 | 100% | 3,273 | \$18,356.87 | \$50,000.00 | \$19,637.27 | \$31,643.13 | \$1,280.40 |
| Elk County | 3,001 | 100% | 2,601 | \$16,393.56 | \$50,000.00 | \$15,607.65 | \$33,606.44 | -\$785.91 |
| Ellis County | 27,739 | 97% | 33,233 | \$166,892.02 | \$212,757.77 | \$199,398.09 | \$45,865.75 | \$32,506.07 |
| Ellsworth County | 6,179 | 100% | 5,207 | \$23,208.90 | \$50,000.00 | \$31,243.13 | \$26,791.10 | \$8,034.23 |
| Emporia City | 33,601 | 97% | 31,880 | \$127,286.40 | \$204,094.68 | \$191,278.99 | \$76,808.28 | \$63,992.59 |
| Ford County | 33,692 | 97% | 32,890 | \$185,907.70 | \$210,559.92 | \$197,338.25 | \$24,652.22 | \$11,430.55 |
| Fort Scott City | 14,884 | 100% | 14,375 | \$76,927.36 | \$94,874.33 | \$86,249.39 | \$17,946.97 | \$9,322.03 |
| Franklin County | 26,441 | 97% | 27,305 | \$134,004.08 | \$174,807.49 | \$163,830.83 | \$40,803.41 | \$29,826.75 |
| Garden City | 42,074 | 94% | 33,289 | \$173,111.54 | \$206,527.15 | \$199,736.12 | \$33,415.61 | \$26,624.58 |
| Geary County | 31,751 | 97% | 35,300 | \$161,916.46 | \$225,993.26 | \$211,802.49 | \$64,076.80 | \$49,886.03 |
| Gove County | 2,480 | 100% | 3,780 | \$21,416.55 | \$50,000.00 | \$22,677.65 | \$28,583.45 | \$1,261.10 |
| Graham County | 2,435 | 100% | 3,261 | \$14,381.03 | \$50,000.00 | \$19,566.06 | \$35,618.97 | \$5,185.03 |
| Grant County | 7,353 | 100% | 10,253 | \$30,759.05 | \$67,669.91 | \$61,518.10 | \$36,910.86 | \$30,759.05 |
| Gray County | 6,005 | 100% | 7,206 | \$38,158.52 | \$50,000.00 | \$43,233.24 | \$11,841.48 | \$5,074.72 |
| Greeley County | 1,234 | 100% | 1,515 | \$8,172.34 | \$50,000.00 | \$9,091.60 | \$41,827.66 | \$919.26 |
| Greenwood County | 6,666 | 100% | 7,105 | \$40,106.05 | \$50,000.00 | \$42,627.17 | \$9,893.95 | \$2,521.12 |
| Hamilton County | 2,625 | 100% | 3,380 | \$14,565.22 | \$50,000.00 | \$20,279.44 | \$35,434.78 | \$5,714.22 |
| Harper County | 5,667 | 100% | 9,669 | \$65,618.40 | \$63,817.01 | \$58,015.47 | -\$1,801.39 | -\$7,602.93 |
| Harvey County | 34,247 | 97% | 36,093 | \$188,229.62 | \$231,067.29 | \$216,557.91 | \$42,837.67 | \$28,328.29 |
| Haskell County | 4,006 | 100% | 4,926 | \$27,171.03 | \$50,000.00 | \$29,553.29 | \$22,828.97 | \$2,382.26 |

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| PSAP | Population (County) | SB 50 Tiers* | Total Units (2009) | Current Annual Revenues | Annual Revenues under SB 50 | Annual Revenues if Law Changes July 1 | SB 50 Revenues - Current Revenues (difference) | Revenues if Law Expires - Current Revenues (difference) |
|----------------------|---------------------|--------------|-----------------------|----------------------------|-----------------------------------|--|--|---|
| Hodgeman County | 1,906 | 100% | 2,200 | \$12,006.43 | \$50,000.00 | \$13,202.58 | \$37,993.57 | \$1,196.15 |
| Independence City | 34,254 | 97% | 29,361 | \$128,619.59 | \$187,968.96 | \$176,165.85 | \$59,349.37 | \$47,546.26 |
| Jackson County | 13,412 | 100% | 13,079 | \$71,044.19 | \$86,318.15 | \$78,471.05 | \$15,273.96 | \$7,426.86 |
| Jefferson County | 18,207 | 100% | 19,100 | \$96,835.93 | \$126,059.74 | \$114,599.77 | \$29,223.81 | \$17,763.84 |
| Jewell County | 3,059 | 100% | 3,275 | \$18,815.63 | \$50,000.00 | \$19,650.09 | \$31,184.37 | \$834.46 |
| Johnson County | 542,737 | 82% | 110,054 | \$396,867.34 | \$595,610.11 | \$330,160.81 | \$198,742.77 | -\$66,706.53 |
| Kearny County | 4,169 | 100% | 2,682 | \$8,046.57 | \$50,000.00 | \$16,093.14 | \$41,953.43 | \$8,046.57 |
| Kingman County | 7,571 | 100% | 7,564 | \$39,968.16 | \$50,000.00 | \$45,381.83 | \$10,031.84 | \$5,413.67 |
| Kiowa County | 2,322 | 100% | 2,292 | \$10,246.22 | \$50,000.00 | \$13,753.91 | \$39,753.78 | \$3,507.69 |
| Labelle County | 21,776 | 100% | 21,188 | \$116,323.18 | \$139,840.46 | \$127,127.69 | \$23,517.28 | \$10,804.51 |
| Lane County | 1,742 | 100% | 2,949 | \$16,082.44 | \$50,000.00 | \$17,691.09 | \$33,917.56 | \$1,608.65 |
| Larned City | 6,206 | 100% | 5,480 | \$24,319.42 | \$50,000.00 | \$32,882.13 | \$25,680.58 | \$8,562.71 |
| Leavenworth City | 75,227 | 82% | 57,270 | \$403,052.57 | \$309,945.07 | \$343,619.81 | -\$93,107.50 | -\$59,432.76 |
| Leavenworth County | 75,227 | 82% | 50,683 | \$282,807.78 | \$274,297.80 | \$304,099.56 | -\$8,509.98 | \$21,291.78 |
| Leawood City | 542,737 | 82% | 41,350 | \$149,995.60 | \$223,785.24 | \$124,049.47 | \$73,789.64 | -\$25,946.13 |
| Lenexa City | 542,737 | 82% | 72,078 | \$253,988.38 | \$390,084.63 | \$216,233.16 | \$136,096.25 | -\$37,755.22 |
| Lincoln County | 3,123 | 100% | 3,518 | \$18,612.97 | \$50,000.00 | \$21,105.89 | \$31,387.03 | \$2,492.92 |
| Linn County | 9,335 | 100% | 11,613 | \$70,176.25 | \$76,647.98 | \$69,679.98 | \$6,471.73 | -\$496.27 |
| Logan County | 2,549 | 100% | 4,581 | \$26,384.05 | \$50,000.00 | \$27,485.43 | \$23,615.95 | \$1,101.38 |
| Marion County | 11,982 | 100% | 12,578 | \$66,522.08 | \$83,016.25 | \$75,469.32 | \$16,494.17 | \$8,947.24 |
| Marshall County | 10,123 | 100% | 10,909 | \$62,770.74 | \$71,998.87 | \$65,453.52 | \$9,228.13 | \$2,682.78 |
| McPherson County | 28,866 | 97% | 31,609 | \$165,322.67 | \$202,360.50 | \$189,653.70 | \$37,037.83 | \$24,331.03 |
| Meade County | 4,407 | 100% | 4,750 | \$24,833.85 | \$50,000.00 | \$28,499.19 | \$25,166.15 | \$3,665.34 |
| Miami County | 30,969 | 97% | 34,917 | \$177,593.56 | \$223,539.12 | \$209,502.45 | \$45,945.56 | \$31,908.89 |
| Mitchell County | 6,344 | 100% | 5,854 | \$26,286.35 | \$50,000.00 | \$35,126.41 | \$23,713.65 | \$8,840.06 |
| Morris County | 5,994 | 100% | 7,940 | \$23,820.96 | \$52,406.11 | \$47,641.92 | \$28,585.15 | \$23,820.96 |
| Morton County | 3,031 | 100% | 1,704 | \$5,111.75 | \$50,000.00 | \$10,223.50 | \$44,888.25 | \$5,111.75 |
| Nemaha County | 9,968 | 100% | 9,159 | \$54,771.97 | \$60,451.61 | \$54,956.01 | \$5,679.64 | \$184.04 |
| Neosho County | 16,046 | 100% | 17,271 | \$91,272.60 | \$113,986.25 | \$103,623.87 | \$22,713.65 | \$12,351.27 |
| Ness County | 2,835 | 100% | 4,950 | \$27,330.15 | \$50,000.00 | \$29,701.81 | \$22,669.85 | \$2,371.66 |
| Norton County | 5,330 | 100% | 6,110 | \$31,283.91 | \$50,000.00 | \$36,658.49 | \$18,716.09 | \$5,374.58 |
| Olathe City | 542,737 | 82% | 157,320 | \$559,196.18 | \$851,418.21 | \$471,961.31 | \$292,222.03 | -\$87,234.87 |
| Osage County | 16,104 | 100% | 17,390 | \$95,252.53 | \$114,772.58 | \$104,338.71 | \$19,520.05 | \$9,086.18 |
| Osborne County | 3,849 | 100% | 5,260 | \$28,596.72 | \$50,000.00 | \$31,561.77 | \$21,403.28 | \$2,965.05 |
| Ottawa County | 5,974 | 100% | 5,230 | \$22,644.07 | \$50,000.00 | \$31,377.14 | \$27,355.93 | \$8,733.07 |
| Overland Park City | 542,737 | 82% | 235,045 | \$845,025.00 | \$1,272,065.35 | \$705,136.00 | \$427,040.35 | -\$139,889.00 |
| Phillips County | 5,272 | 100% | 6,245 | \$28,338.48 | \$50,000.00 | \$37,468.92 | \$21,661.52 | \$9,130.44 |
| Pottawatomie County | 19,994 | 100% | 25,802 | \$119,996.54 | \$170,295.68 | \$154,814.25 | \$50,299.14 | \$34,817.71 |
| Prairie Village City | 542,737 | 82% | 30,255 | \$111,461.97 | \$163,738.84 | \$90,764.33 | \$52,276.87 | -\$20,697.65 |
| Pratt County | 9,304 | 100% | 11,025 | \$60,869.07 | \$72,766.03 | \$66,150.94 | \$11,896.96 | \$5,281.87 |
| Rawlins County | 2,425 | 100% | 2,958 | \$17,068.31 | \$50,000.00 | \$17,745.99 | \$32,931.69 | \$677.68 |
| Reno County | 63,357 | 88% | 63,124 | \$345,086.25 | \$366,626.24 | \$378,746.11 | \$21,539.99 | \$33,659.86 |
| Republic County | 4,808 | 100% | 5,240 | \$29,456.65 | \$50,000.00 | \$31,439.97 | \$20,543.35 | \$1,983.32 |
| Rice County | 10,079 | 100% | 10,789 | \$57,633.64 | \$71,204.41 | \$64,731.28 | \$13,570.77 | \$7,097.64 |

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| PSAP | Population (County) | SB 50 Tiers* | Total Units (2009) | Current Annual Revenues | Annual Revenues under SB 50 | Annual Revenues if Law Changes July 1 | SB 50 Revenues - Current Revenues (difference) | Revenues if Law Expires - Current Revenues (difference) |
|--|---------------------|--------------|-----------------------|----------------------------|-----------------------------------|--|--|---|
| Riley County | 71,341 | 85% | 46,484 | \$191,573.61 | \$260,775.61 | \$278,904.40 | \$69,202.00 | \$87,330.79 |
| Rooks County | 4,984 | 100% | 6,472 | \$35,176.70 | \$50,000.00 | \$38,829.33 | \$14,823.30 | \$3,652.63 |
| Rush County | 3,143 | 100% | 5,788 | \$36,366.20 | \$50,000.00 | \$34,728.55 | \$13,633.80 | -\$1,637.65 |
| Russell County | 6,596 | 100% | 8,316 | \$43,675.01 | \$54,885.55 | \$49,895.95 | \$11,210.54 | \$6,220.94 |
| Saline County | 54,364 | 91% | 57,825 | \$313,506.43 | \$347,294.47 | \$346,947.53 | \$33,788.04 | \$33,441.10 |
| Scott County | 4,560 | 100% | 5,744 | \$22,810.08 | \$50,000.00 | \$34,461.61 | \$27,189.92 | \$11,651.53 |
| Sedgwick County | 490,864 | 82% | 542,546 | \$2,821,319.37 | \$2,936,260.22 | \$1,627,638.70 | \$114,940.85 | -\$1,193,680.67 |
| Seward County | 23,013 | 100% | 20,350 | \$104,370.90 | \$134,313.11 | \$122,102.83 | \$29,942.21 | \$17,731.93 |
| Shawnee City | 542,737 | 82% | 71,511 | \$259,569.45 | \$387,019.48 | \$214,534.08 | \$127,450.03 | -\$45,035.37 |
| Shawnee County | 176,255 | 82% | 197,024 | \$1,046,560.10 | \$1,066,291.27 | \$591,070.55 | \$19,731.17 | -\$455,489.55 |
| Sheridan County | 2,435 | 100% | 3,120 | \$16,741.69 | \$50,000.00 | \$18,718.93 | \$33,258.31 | \$1,977.24 |
| Sherman County | 5,860 | 100% | 7,686 | \$33,247.74 | \$50,728.07 | \$46,116.43 | \$17,480.33 | \$12,868.69 |
| Smith County | 3,753 | 100% | 4,789 | \$26,438.89 | \$50,000.00 | \$28,734.62 | \$23,561.11 | \$2,295.73 |
| Stafford County | 4,342 | 100% | 4,953 | \$27,228.08 | \$50,000.00 | \$29,717.76 | \$22,771.92 | \$2,489.68 |
| Stanton County | 2,107 | 100% | 1,465 | \$4,393.63 | \$50,000.00 | \$8,787.26 | \$45,606.37 | \$4,393.63 |
| Stevens County | 5,129 | 100% | 6,687 | \$20,059.56 | \$50,000.00 | \$40,119.12 | \$29,940.44 | \$20,059.56 |
| Sumner County | 23,488 | 100% | 23,496 | \$124,511.78 | \$155,073.53 | \$140,975.93 | \$30,561.75 | \$16,464.15 |
| Thomas County | 7,343 | 100% | 13,761 | \$67,057.34 | \$90,824.64 | \$82,567.85 | \$23,767.30 | \$15,510.51 |
| Trego County | 2,920 | 100% | 3,260 | \$19,791.70 | \$50,000.00 | \$19,561.28 | \$30,208.30 | -\$230.42 |
| Unified Government of Wyandotte County | 155,085 | 82% | 155,744 | \$798,504.30 | \$842,887.33 | \$467,232.45 | \$44,383.03 | -\$331,271.85 |
| Wabaunsee County | 6,846 | 100% | 6,210 | \$36,396.49 | \$50,000.00 | \$37,257.90 | \$13,603.51 | \$861.41 |
| Wallace County | 1,408 | 100% | 1,425 | \$6,408.77 | \$50,000.00 | \$8,547.31 | \$43,591.23 | \$2,138.54 |
| Washington County | 5,683 | 100% | 6,487 | \$36,679.36 | \$50,000.00 | \$38,920.05 | \$13,320.64 | \$2,240.69 |
| Wichita County | 2,109 | 100% | 2,513 | \$14,540.66 | \$50,000.00 | \$15,078.28 | \$35,459.34 | \$537.62 |
| Wilson County | 9,474 | 100% | 7,764 | \$38,697.68 | \$51,240.23 | \$46,582.03 | \$12,542.55 | \$7,884.35 |
| Woodson County | 3,240 | 100% | 2,967 | \$14,773.19 | \$50,000.00 | \$17,799.91 | \$35,226.81 | \$3,026.72 |
| Totals | 2,818,747 | N/A | 3,109,959 | \$14,861,077.16 | \$19,164,048.84 | \$13,820,974.72 | \$4,302,971.68 | -\$1,040,102.44 |

*SB 50 uses tiers based on population to determine how much of the total unit amount (\$0.55/unit/month assumed) goes back to the PSAP:

Populations less than 25,000 keep 100%
 Populations 25,000 to 34,999 keep 97%
 Populations 35,000 to 44,999 keep 94%
 Populations 45,000 to 54,999 keep 91%
 Populations 55,000 to 64,999 keep 88%
 Populations 65,000 to 74,999 keep 85%
 Populations 75,000 and above keep 82%



SEDGWICK COUNTY, KANSAS
DIVISION OF PUBLIC SAFETY

www.sedgwickcounty.org 714 N Main, Wichita, KS 67203

**TESTIMONY TO THE SENATE UTILITIES COMMITTEE ON
SENATE BILL 50**

Dear Senator Apple and Members of the Committee:

I represent Sedgwick County Government and our Emergency Communications Center. The Sedgwick County Emergency Communications Center is the single Public Safety Answering Point (PSAP) in Sedgwick County. If you dial 911 in Sedgwick County it goes to one place. Additionally, our center provides dispatch services to twenty six public safety agencies and by January 2012 that will grow to twenty nine agencies.

Sedgwick County Emergency Communications responded to over 440,000 emergency calls in 2010 made over 520,000 responder dispatches and answered 180,000 telephone queries from supported agencies and was involved in millions of radio transmissions. Emergency communications in Sedgwick County is a busy and technologically intensive operation.

As you know, in 2004 language which added a fee for wireless phones to the existing statutes for hardwire phone also contained a "sunset" clause which reset both the wired and wireless monthly fee to a uniform of \$0.25 per line in large counties (population of 125,000 or more) with effect from July 1, 2010. ***This will reduce our annual 911 fee revenue by nearly \$1,200,000.*** At the same time, there have been significant changes in technology, cost and need to sustain the level of service required in Sedgwick County and other jurisdictions providing enhanced 911 services.

Paying the "every day" bills, responding to technological obsolescence and looking to the future to embrace new and emerging ways in which citizens communicate will require sufficient and predictable funds. In 2010 Sedgwick County received \$2,749,437 in 911 fees. We spent \$1,677,633 meeting operational needs, leaving about \$1,071,804 to meet future needs. You can see the potential loss of \$1,200,000 in 911 fees will require a different source of funds to meet some basic needs and certainly to handle known and unknown future needs.

What are some of those future needs we are saving for?

Typically, excess 911 funds are placed in equipment reserve accounts where they can be accessed to handle both expected and unexpected needs. A very significant issue facing Sedgwick County is the need to replace our 800 MHz radio system. There are over 6000 users of our county-wide radio system. It is the backbone of all emergency communications in our county and can be linked to the State system for regional interoperability as required. Unfortunately, the analog radio technology in our 16 year old system is becoming obsolete in the industry. Critical components will no longer have guaranteed vendor support beyond 2012 and other components will lose vendor logistics support soon after. We must transition to contemporary digital

Senate Utilities Committee
January 31, 2011
Attachment 5-1

technology meeting federal and industry standards. The estimated cost to install such a system approximately \$22,000,000. The current plan is to bond the new system and use 911 fees in excess of our routine needs to cover the cost of payments.

As you know, another yet undefined need is the ability of 911 systems to respond to calls in the many ways in which everyday communications happen now and in the future - like text messages and video inputs. Today's 911 systems currently do not have the technology to effectively handle and leverage those forms of communication. Next Generation 911 will be in our future - but the costs and implications of how to make it work are still unknown.

Absent sufficient 911 fees, the property taxpayer will undoubtedly bear the financial burden of these necessary projects and advances. We believe telephone fees are a much better and fairer solution to fund emergency communications.

What Sedgwick County desires?

Sedgwick County needs new legislation that provides and sustains approximately the same revenue stream that it currently receives. This will provide our community with the ability to deliver current service and meet future needs.

We support uniform fees for wire and wireless phone lines, and uniform uses of funds that ensure the tools and architecture to provide encompassing, effective emergency communications services are available now and into the future.

We support a nominal fee on prepaid phones to ensure all persons using the 911 system contribute toward its expense.

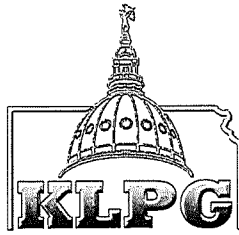
Sedgwick County supports a mechanism to assure the sustainment of E-911 and future deployment of Next Generation 911 for the benefit of all those who live, work and play in Kansas.

We believe that SB 50 in its current form substantially meets those desires and request your favorable consideration and advancement of this bill

Respectfully



Robert Lamkey
Sedgwick County Director of Public Safety



**Testimony of John Miller, Norton County Commissioner
President of Kansas Legislative Policy Group
Before the Senate Committee on Utilities
RE: Senate Bill No. 50
January 31, 2011**

Dear Chairman Apple and Members of the Committee:

The Kansas Legislative Policy Group (KLPG) is pleased to provide testimony in support of Senate Bill No. 50. KLPG is a bi-partisan, non-profit corporation of elected commissioners from 30 western Kansas counties. I appreciate the opportunity to submit remarks on this issue, because our members recognize the great importance of providing effective 911 services.

Emergency 911 service systems are a vital part of our state's ability to provide emergency assistance services and disaster preparedness responses. It is important that Kansas invest in and deploy a comprehensive emergency communications infrastructure and programs statewide. Such infrastructure plans should include universal and reliable communication networks (whether they be hardwired, wireless and internet based) and enhanced 911 services.

In order to deliver emergency responders quickly and effectively, Public Safety Answering Points (PSAPs) must upgrade their Emergency 911 equipment on a regular basis. Once a 911 system is installed that is not the end of it, training, maintenance and enhancements are constantly needed for the equipment. How do rural communities, with declining populations and reduced revenues, which won't allow them to absorb the costs, accomplish these needed upgrades without sacrificing the quality and coverage of the services? The primary resource is the current 911 grant fund and hopefully the continuation of the grant fund as proposed in Senate Bill No. 50. Although the legislation provides for an increase in the regular disbursements made to local PSAPs, this funding may or may not be sufficient to cover the cost of new technology. For those PSAPs without the needed resources the grant fund is an important tool in the development of a successful 911 system.

With the current advancements in technology, the emergency communication networks built years ago are becoming less efficient, less technologically advanced and, as a result, less able to provide the public the new technology 911 services. Improvements to the system must be considered.

While wireless access continues to increase and landline usage will decline, an offset that the uniform fee proposed in Senate Bill No. 50 for all methods of communication will insure a consistent flow of revenue to PSAPs and the state grant fund.

Senate Utilities Committee
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We concur with Senator Apple on utilizing the expertise of the Wireless Enhanced 911 Advisory Board and Next Generation 911 Committee as we move forward and incorporating those members into the Coordinating Council is important.

We encourage this Committee to favorably consider Senate Bill No. 50.

Thank you for your consideration and the opportunity to present these remarks.



JOHNSON COUNTY, KANSAS Emergency Communications

www.jocoks911.org • 11880 S. Sunset Drive, Olathe, KS 66061

TESTIMONY TO THE SENATE UTILITIES COMMITTEE ON SENATE BILL 50

Chairman Apple and Members of the Committee:

I represent Johnson County Government and the Kansas City Regional E911 System that serves Johnson, Miami, Wyandotte and Leavenworth Counties as well as five Missouri metropolitan area Counties. I am providing testimony in support of SB 50.

This Committee has been presented with extensive information during the past two legislative sessions about the significant functional limitations of the existing 1970's era technology 911 systems in Kansas and of the pressing need to upgrade 911 systems across the state to digital based Next Generation 911 (NG911) capabilities. Kansas citizens routinely use digital based wireless and VoIP communications to talk, exchange information and photos, and to send text messages to family, businesses and friends, and they have the expectation that 911 Public Safety Answering Points (PSAPs) can fully receive their digital communications when they are requesting an emergency response.

NG911 service in Kansas will enable PSAPs to receive, process and transmit digital voice, text messages, photos, video and other data sent from citizens and from automatic crash notification systems in vehicles. The ability of PSAPs to receive all of this information will greatly enhance the effectiveness of law enforcement, fire and emergency medical responders in all Kansas communities. For example, a PSAP could receive a text message from a hearing impaired individual and more promptly respond to their request for service, or a 911 dispatcher could directly receive a cell phone photo of a missing child or of a robbery suspect and directly transmit that image to law enforcement officers in multiple jurisdictions.

The US Department of Justice issued a *Notice of Proposed Rulemaking on Accessibility of Next Generation 9-1-1* in August 2010 that seeks comments on the standards for direct and equal access to 911 for persons with disabilities. The Department of Justice stated that it is considering a revision of ADA requirements to ensure that 911 centers can communicate with such persons who are using digital devices and the Internet to request emergency services.

The Federal Communications Commission (FCC) issued a *Notice of Inquiry* in December 2010 in response to a recommendation in the National Broadband Plan to develop a better understanding of the gap in capabilities of Next Generation 911, Internet-Protocol (IP) based networks and technologies with today's existing legacy analog 911 system. The objective of the FCC proceeding is to determine how to build NG911 service in the United States in order to further public safety and homeland security.

Both of the above federal government actions are in response to citizen and public safety demands to modernize our 911 systems to communicate effectively with all citizens. Kansas public safety agencies are desirous of meeting these new expectations for 911 services from our citizens. To meet these expectations, Kansas PSAPs will need sufficient funding for their existing legacy 911 systems as well as for implementation of NG911 service. They will also need more technical and logistical support to assist them in building a shared, secure NG911 network that will interconnect those 911 centers and further the opportunities to share computer aided dispatch systems, radio systems and exchange 911 and call for service information. Such a NG911 network offers opportunities to PSAPs to share expensive infrastructure and equipment as well as to assist each other in emergencies. It should also be emphasized that NG911 systems must include the radio and data communications networks and enabling equipment required to transmit 911 call information between PSAPs and emergency responders.

On July 1, 2011, the existing 1% wireless enhanced 911 grant fee on prepaid wireless telephone service will expire, and the estimated 18% of Kansas wireless telephone subscribers who have selected prepaid service will no longer pay a 911 fee in support of the 911 systems in Kansas. Also occurring on July 1st, the Wireless and VoIP enhanced 911 grant fees will expire and no further funding will be contributed to state wireless 911 grant fund which will cease to exist. A third funding change is that the 911 surcharge on wireline telephone service will be reduced from \$.75/month to no more than \$.50/month for counties under 125,000 population and to no more than \$.25/month for counties over 125,000 population. Wireless 911 fees in those counties will be the same amount as the authorized wireline 911 fees.

All of the above changes in 911 funding authority are of concern to most PSAPs in Kansas. Aside from the loss of grant funding available to 100 counties which has been needed by many to pay for monthly 911 trunk lines and 911 equipment, most counties will be seriously challenged to fund both NG911 implementation and ongoing E911 system costs that include updating of digital maps required to locate wireless callers, replacement of 911 and other equipment in their PSAPs before such equipment fails from prolonged, 24 hour/day use, and maintenance to Computer Aided Dispatch systems and radio system infrastructures to effectively manage call volumes and deliver 911 call information to responders.

For the urban counties, the anticipated reduction of 911 funding beginning July 1, 2011 is about \$545,000 for Johnson County, \$450,000 for Shawnee County, \$1,200,000 for Sedgwick County, and \$248,000 for the Unified Government of Wyandotte County. Such funding reductions will have a significant adverse impact upon 911 services in those counties.

SB 50 provides for an equitable 911 fee of \$.55/month for wireline, wireless and VoIP telephone service and for a 1.1% fee on prepaid wireless telephone service that will ensure that all persons using the 911 system contribute toward its financial support. The \$.55 monthly fee provides 911 revenue to appropriately maintain the existing E911 system and allow PSAPs to have funding toward implementation of NG911 services.

I would request your favorable consideration of this bill.

Walter Way, Director



To: Senate Utilities Committee
From: Kim Winn, Deputy Director
Date: January 31, 2011
Re: SB 50

On behalf of the member cities of the League of Kansas Municipalities (LKM), thank you for the opportunity to appear before you to discuss SB 50 and the 911 system in Kansas. LKM has been actively involved in 911 legislation for the past 15 years and we have served, together with the Kansas Association of Counties (KAC), for the last six years as the Local Collection Point Administrator (LCPA).

In 2009, LKM and the KAC were asked to work with the telecommunications industry to develop a compromise piece of legislation to update the 911 laws and help us transition into Next Generation 911. An agreement was reached among the parties that we believe reflected a solid compromise to move Kansas forward in the area of 911. This new legislation differs significantly from that previous agreement. LKM is concerned about the increased state bureaucracy in this legislation and the possibility of having the funds swept for purposes other than the 911 system.

As in previous years, we anticipate that one of the telecommunications providers will offer an amendment that asks that they receive a portion of the state 911 funds (above and beyond the 2% administrative fee that they are to receive under this legislation). The Kansas Legislature has rejected this proposal numerous times as a taxpayer subsidy of a private business and we would once again urge rejection of this proposal.

In 2010, legislation was passed that asked us to collect certain data from PSAPs regarding 911 revenues so that we may accurately assess wireless and wireline trends and determine the impact of any future legislation on individual PSAPs. I have attached a summary of that data to this testimony.

This data reflects the calendar year 2008 and 2009. Cities and counties should be closing out their books from 2010 in the near future, so we are sending out the request for 2010 data this week.

Please let me know if you have any questions or if there is anything that we can do to assist the Committee as you work on this very important issue.

Senate Utilities Committee
January 31, 2011
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Summary 911 Data
as of 1/28/2011

| | 2008 | 2009 |
|-----------------------|-----------------|-----------------|
| Wireline Units | 1,173,086.24 | 1,142,684.96 |
| Wireless Units | 1,921,618.30 | 1,967,274.30 |
| Total Units | 3,094,704.54 | 3,109,959.26 |
| | | |
| Wireline Revenue | \$9,147,047.28 | \$8,959,254.26 |
| Wireless Revenue | \$5,764,854.91 | \$5,901,822.90 |
| Grant Funds Collected | \$6,351,174.29 | \$6,682,289.16 |
| Total 911 Fees | \$21,263,076.48 | \$21,543,366.32 |

Unit Data by PSAP
as of 1/28/2011

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| PSAP | Population | 2008 Wireline Units | 2008 Wireless Units | 2008 Total Units | 2009 Wireline Units | 2009 Wireless Units | 2009 Total Units | Average Total Units |
|-------------------|------------|------------------------|------------------------|---------------------|------------------------|------------------------|---------------------|------------------------|
| Allen County | 13,203 | 5,581.56 | 7,611.59 | 13,193.15 | 5,196.33 | 8,005.14 | 13,201.47 | 13,197.31 |
| Anderson County | 7,872 | 3,044.90 | 3,346.63 | 6,391.53 | 3,099.93 | 3,484.08 | 6,584.01 | 6,487.77 |
| Andover | 10,581 | 3,792.78 | 6,372.87 | 10,165.65 | 3,405.44 | 7,023.36 | 10,428.81 | 10,297.23 |
| Arkansas City | 16,817 | 2,603.94 | 8,529.11 | 11,133.06 | 2,753.31 | 8,969.23 | 11,722.54 | 11,427.80 |
| Atchison County | 16,411 | 3,062.91 | 9,148.07 | 12,210.98 | 3,300.18 | 10,180.42 | 13,480.61 | 12,845.79 |
| Augusta | 8,743 | 3,243.35 | 5,253.70 | 8,497.05 | 2,965.64 | 5,550.50 | 8,516.15 | 8,506.60 |
| Barber County | 4,593 | 2,874.78 | 3,389.42 | 6,264.20 | 2,508.34 | 3,629.61 | 6,137.95 | 6,201.07 |
| Brown County | 9,927 | 4,813.83 | 6,273.56 | 11,087.40 | 4,702.31 | 6,602.52 | 11,304.83 | 11,196.11 |
| Barton County | 27,464 | 5,649.11 | 17,247.68 | 22,896.79 | 6,027.89 | 18,575.76 | 24,603.65 | 23,750.22 |
| Butler County | 44,760 | 16,588.49 | 27,720.05 | 44,308.54 | 15,982.83 | 28,971.10 | 44,953.93 | 44,631.23 |
| Clark County | 2,081 | 1,196.58 | 2,591.29 | 3,787.88 | 1,132.23 | 1,495.16 | 2,627.39 | 3,207.64 |
| Coffey County | 8,436 | 2,728.11 | 6,170.26 | 8,898.37 | 3,289.89 | 6,288.75 | 9,578.64 | 9,238.50 |
| Cherokee County | 21,064 | 9,646.07 | 10,290.18 | 19,936.25 | 8,078.68 | 10,997.32 | 19,076.00 | 19,506.13 |
| Comanche County | 1,873 | 982.00 | 1,677.20 | 2,659.20 | 1,111.28 | 1,167.45 | 2,278.73 | 2,468.97 |
| Cheyenne County | 2,700 | 1,524.94 | 1,530.37 | 3,055.30 | 3,757.44 | 1,664.62 | 5,422.06 | 4,238.68 |
| Concordia | 9,263 | 3,917.16 | 5,389.61 | 9,306.76 | 3,242.48 | 5,836.00 | 9,078.48 | 9,192.62 |
| Chautauqua County | 3,745 | 2,439.57 | 2,218.40 | 4,657.97 | 2,351.35 | 2,396.53 | 4,747.88 | 4,702.92 |
| Crawford County | 38,869 | 15,338.12 | 20,909.45 | 36,247.57 | 14,954.81 | 22,034.58 | 36,989.39 | 36,618.48 |
| Chase County | 2,798 | 1,443.28 | 1,657.35 | 3,100.63 | 2,464.09 | 1,625.52 | 4,089.60 | 3,595.12 |
| Clay County | 8,704 | 3,597.05 | 5,239.83 | 8,836.88 | 1,814.93 | 5,497.89 | 7,312.82 | 8,074.85 |
| Decatur County | 2,855 | 1,546.56 | 1,869.85 | 3,416.41 | 1,446.00 | 2,038.99 | 3,484.99 | 3,450.70 |
| Douglas County | 116,383 | 30,573.92 | 66,763.00 | 97,336.93 | 36,614.40 | 68,446.16 | 105,060.56 | 101,198.74 |
| Dickson County | 19,015 | 8,237.89 | 11,815.54 | 20,053.43 | 7,156.89 | 12,485.14 | 19,642.03 | 19,847.73 |
| Doniphan County | 7,624 | 3,187.78 | 4,459.74 | 7,647.52 | 3,094.22 | 4,979.16 | 8,073.38 | 7,860.45 |
| Edwards County | 3,071 | 1,626.58 | 1,832.61 | 3,459.20 | 1,423.04 | 1,849.84 | 3,272.88 | 3,366.04 |
| Elk County | 3,001 | 1,499.58 | 1,043.71 | 2,543.29 | 1,431.62 | 1,169.65 | 2,601.28 | 2,572.28 |
| Ellis County | 27,739 | 12,119.39 | 20,579.44 | 32,698.83 | 11,198.83 | 22,034.19 | 33,233.02 | 32,965.92 |
| Emporia | 33,601 | 10,888.86 | 21,091.49 | 31,980.36 | 10,548.97 | 21,330.86 | 31,879.83 | 31,930.09 |
| Ellsworth County | 6,179 | 1,192.28 | 3,635.97 | 4,828.26 | 1,264.56 | 3,942.63 | 5,207.19 | 5,017.72 |
| Ford County | 33,692 | 11,527.32 | 20,827.62 | 32,354.94 | 14,539.76 | 18,349.95 | 32,889.71 | 32,622.32 |
| Franklin County | 26,441 | 9,339.44 | 18,610.70 | 27,950.14 | 8,681.44 | 18,623.69 | 27,305.14 | 27,627.64 |
| Fort Scott | 14,884 | 7,493.33 | 8,254.63 | 15,747.96 | 5,633.78 | 8,741.12 | 14,374.90 | 15,061.43 |
| Garden City | 42,074 | 12,755.03 | 20,675.06 | 33,430.09 | 12,207.25 | 21,082.11 | 33,289.35 | 33,359.72 |
| Geary County | 31,751 | 9,029.55 | 24,416.71 | 33,446.26 | 9,335.87 | 25,964.55 | 35,300.42 | 34,373.34 |
| Ham County | 2,435 | 774.00 | 2,351.52 | 3,125.52 | 766.33 | 2,494.68 | 3,261.01 | 3,193.27 |
| Lele County | 1,234 | 837.05 | 841.83 | 1,678.88 | 604.42 | 910.84 | 1,515.27 | 1,597.08 |
| Grove County | 2,480 | 1,766.72 | 1,994.06 | 3,760.78 | 1,679.62 | 2,099.99 | 3,779.61 | 3,770.19 |
| Grant County | 7,353 | 4,519.25 | 5,593.36 | 10,112.61 | 4,353.07 | 5,899.94 | 10,253.02 | 10,182.81 |
| Greenwood County | 6,666 | 3,114.10 | 3,780.12 | 6,894.22 | 3,132.08 | 3,972.45 | 7,104.53 | 6,999.37 |
| Gray County | 6,005 | 2,895.74 | 6,659.43 | 9,555.17 | 2,756.98 | 4,448.56 | 7,205.54 | 8,380.35 |

Unit Data by PSAP
as of 1/28/2011

| PSAP | Population | 2008 Wireline Units | 2008 Wireless Units | 2008 Total Units | 2009 Wireline Units | 2009 Wireless Units | 2009 Total Units | Average Total Units |
|--------------------|------------|------------------------|------------------------|---------------------|------------------------|------------------------|---------------------|------------------------|
| Hodgeman County | 1,906 | 1,087.18 | 2,311.09 | 3,398.28 | 900.86 | 1,299.57 | 2,200.43 | 2,799.35 |
| Hamilton County | 2,625 | 1,541.00 | 1,571.52 | 3,112.52 | 1,475.17 | 1,904.74 | 3,379.91 | 3,246.21 |
| Harper County | 5,667 | 3,047.56 | 3,285.05 | 6,332.61 | 6,101.78 | 3,567.47 | 9,669.24 | 8,000.93 |
| Haskell County | 4,006 | 2,537.52 | 2,700.89 | 5,238.41 | 2,065.73 | 2,859.82 | 4,925.55 | 5,081.98 |
| Harvey County | 34,247 | 14,227.33 | 21,575.53 | 35,802.86 | 13,325.11 | 22,767.87 | 36,092.98 | 35,947.92 |
| Independence/MG Co | 34,254 | 7,071.22 | 21,601.58 | 28,672.80 | 6,756.11 | 22,604.86 | 29,360.97 | 29,016.89 |
| Jackson County | 13,412 | 9,817.33 | 7,577.54 | 17,394.87 | 5,301.44 | 7,777.06 | 13,078.51 | 15,236.69 |
| Jefferson County | 18,207 | 6,743.69 | 11,871.89 | 18,615.58 | 6,589.34 | 12,510.62 | 19,099.96 | 18,857.77 |
| Johnson County | 82,600 | 41,498.35 | 84,483.68 | 125,982.03 | 37,059.18 | 72,994.42 | 110,053.60 | 118,017.82 |
| Jewell County | 3,059 | 1,759.51 | 1,703.49 | 3,463.00 | 1,498.43 | 1,776.58 | 3,275.01 | 3,369.01 |
| Kearny County | 4,169 | 0.00 | 2,446.82 | 2,446.82 | 0.00 | 2,682.19 | 2,682.19 | 2,564.51 |
| Kingman County | 7,571 | 3,545.76 | 4,549.50 | 8,095.26 | 2,879.54 | 4,684.10 | 7,563.64 | 7,829.45 |
| Kowa County | 2,322 | 573.06 | 1,740.17 | 2,313.23 | 561.54 | 1,730.77 | 2,292.32 | 2,302.77 |
| Larned | 6,206 | 1,600.68 | 3,988.77 | 5,589.46 | 1,313.06 | 4,167.30 | 5,480.36 | 5,534.91 |
| Labette County | 21,776 | 9,320.67 | 11,761.40 | 21,082.07 | 8,793.22 | 12,394.73 | 21,187.95 | 21,135.01 |
| Lincoln County | 3,123 | 1,520.87 | 2,069.36 | 3,590.23 | 1,343.34 | 2,174.31 | 3,517.65 | 3,553.94 |
| Leawood | 31,766 | 16,141.17 | 27,030.04 | 43,171.21 | 14,414.52 | 26,935.31 | 41,349.82 | 42,260.52 |
| Lane County | 1,742 | 1,231.99 | 1,604.44 | 2,836.42 | 1,206.15 | 1,742.37 | 2,948.52 | 2,892.47 |
| Lenexa | 48,087 | 23,487.64 | 58,837.90 | 82,325.55 | 20,975.12 | 51,102.60 | 72,077.72 | 77,201.63 |
| Logan County | 2,549 | 1,370.00 | 2,386.07 | 3,756.07 | 2,106.89 | 2,474.02 | 4,580.91 | 4,168.49 |
| Linn County | 9,335 | 5,956.03 | 5,494.71 | 11,450.74 | 5,889.38 | 5,723.95 | 11,613.33 | 11,532.03 |
| Leavenworth County | 40,146 | 24,466.22 | 27,399.34 | 51,865.57 | 21,793.00 | 28,890.26 | 50,683.26 | 51,274.41 |
| Leavenworth | 35,081 | 39,425.78 | 18,142.01 | 57,567.79 | 38,540.44 | 18,729.52 | 57,269.97 | 57,418.88 |
| Mitchell County | 6,344 | 1,613.57 | 4,316.91 | 5,930.48 | 1,453.86 | 4,400.54 | 5,854.40 | 5,892.44 |
| Meade County | 4,407 | 3,307.55 | 3,074.27 | 6,381.82 | 1,764.04 | 2,985.82 | 4,749.87 | 5,565.85 |
| Miami County | 30,969 | 12,316.80 | 24,383.06 | 36,699.87 | 12,140.39 | 22,776.69 | 34,917.08 | 35,808.47 |
| Marion County | 11,982 | 5,311.60 | 7,541.19 | 12,852.79 | 4,797.90 | 7,780.32 | 12,578.22 | 12,715.51 |
| Mpherson County | 28,866 | 12,130.04 | 19,012.58 | 31,142.62 | 11,749.30 | 19,859.65 | 31,608.95 | 31,375.79 |
| Morris County | 5,994 | 3,347.84 | 3,707.43 | 7,055.27 | 4,047.41 | 3,892.91 | 7,940.32 | 7,497.80 |
| Marshall County | 10,123 | 5,307.72 | 5,664.65 | 10,972.37 | 5,007.33 | 5,901.59 | 10,908.92 | 10,940.65 |
| Morton County | 3,031 | 0.00 | 1,327.99 | 1,327.99 | 0.00 | 1,703.92 | 1,703.92 | 1,515.95 |
| Nemaha County | 9,968 | 4,628.93 | 4,516.09 | 9,145.02 | 4,548.99 | 4,610.34 | 9,159.33 | 9,152.18 |
| Neosho County | 16,046 | 7,443.22 | 10,004.99 | 17,448.22 | 6,576.78 | 10,693.87 | 17,270.64 | 17,359.43 |
| Ness County | 2,835 | 2,132.07 | 2,686.68 | 4,818.75 | 2,079.87 | 2,870.43 | 4,950.30 | 4,884.53 |
| Newton County | 5,330 | 2,693.63 | 3,643.57 | 6,337.20 | 2,159.11 | 3,950.64 | 6,109.75 | 6,223.47 |
| Northborne County | 3,849 | 2,241.48 | 2,912.16 | 5,153.64 | 2,135.97 | 3,124.32 | 5,260.30 | 5,206.97 |
| Osage | 121,962 | 54,269.09 | 102,928.42 | 157,197.52 | 48,463.81 | 108,856.62 | 157,320.44 | 157,258.98 |
| Overland Park | 174,907 | 87,025.40 | 159,213.34 | 246,238.74 | 77,716.11 | 157,329.22 | 235,045.33 | 240,642.04 |
| Osage County | 16,104 | 6,481.90 | 9,621.00 | 16,102.90 | 7,180.53 | 10,209.26 | 17,389.79 | 16,746.34 |
| Ottawa County | 5,974 | 2,184.32 | 3,939.78 | 6,124.10 | 1,159.25 | 4,070.27 | 5,229.52 | 5,676.81 |

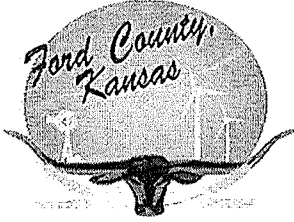
8-4

Unit Data by PSAP
as of 1/28/2011

5-8

| PSAP | Population | 2008 Wireline Units | 2008 Wireless Units | 2008 Total Units | 2009 Wireline Units | 2009 Wireless Units | 2009 Total Units | Average Total Units |
|---------------------|------------|------------------------|------------------------|---------------------|------------------------|------------------------|---------------------|------------------------|
| Phillips County | 5,272 | 1,720.72 | 5,217.12 | 6,937.84 | 1,600.67 | 4,644.15 | 6,244.82 | 6,591.33 |
| Prairie Village | 21,703 | 12,876.07 | 18,273.09 | 31,149.17 | 11,498.69 | 18,756.08 | 30,254.78 | 30,701.97 |
| Pratt County | 9,304 | 5,127.68 | 5,910.88 | 11,038.56 | 4,632.27 | 6,392.89 | 11,025.16 | 11,031.86 |
| Pottawatomie County | 19,994 | 6,985.80 | 18,303.71 | 25,289.51 | 7,098.24 | 18,704.14 | 25,802.38 | 25,545.94 |
| Rawlins County | 2,425 | 1,649.51 | 1,456.86 | 3,106.37 | 1,365.89 | 1,591.78 | 2,957.67 | 3,032.02 |
| Rice County | 10,079 | 4,491.36 | 6,298.47 | 10,789.84 | 4,211.33 | 6,577.21 | 10,788.55 | 10,789.19 |
| Rush County | 3,143 | 2,180.83 | 2,439.32 | 4,620.14 | 3,166.99 | 2,621.10 | 5,788.09 | 5,204.12 |
| Riley County | 71,341 | 18,043.64 | 27,878.72 | 45,922.37 | 17,373.80 | 29,110.26 | 46,484.07 | 46,203.22 |
| Reno County | 63,357 | 26,822.89 | 36,473.41 | 63,296.30 | 25,952.20 | 37,172.15 | 63,124.35 | 63,210.33 |
| Rooks County | 4,984 | 2,736.12 | 3,580.04 | 6,316.16 | 2,627.01 | 3,844.55 | 6,471.56 | 6,393.86 |
| Republic County | 4,808 | 2,582.76 | 2,858.09 | 5,440.86 | 2,289.44 | 2,950.55 | 5,239.99 | 5,340.43 |
| Russell County | 6,596 | 3,394.05 | 4,727.04 | 8,121.09 | 3,121.17 | 5,194.82 | 8,315.99 | 8,218.54 |
| Salina County | 54,364 | 24,324.89 | 33,132.83 | 57,457.72 | 23,338.78 | 34,485.81 | 57,824.59 | 57,641.16 |
| Scott County | 4,560 | 1,771.24 | 3,584.45 | 5,355.68 | 1,859.76 | 3,883.84 | 5,743.60 | 5,549.64 |
| Sheridan County | 2,435 | 1,277.79 | 1,716.56 | 2,994.35 | 1,230.37 | 1,889.45 | 3,119.82 | 3,057.09 |
| Stafford County | 4,342 | 2,124.11 | 2,750.38 | 4,874.50 | 2,061.53 | 2,891.43 | 4,952.96 | 4,913.73 |
| Sedgwick County | 490,864 | 215,789.00 | 317,558.80 | 533,347.80 | 198,946.78 | 343,599.46 | 542,546.23 | 537,947.02 |
| Shawnee | 61,712 | 28,016.65 | 45,340.44 | 73,357.09 | 25,019.65 | 46,491.71 | 71,511.36 | 72,434.23 |
| Sherman | 5,860 | 3,400.41 | 4,162.31 | 7,562.72 | 3,396.51 | 4,289.56 | 7,686.07 | 7,624.40 |
| Smith County | 3,753 | 2,062.32 | 2,614.57 | 4,676.89 | 2,011.93 | 2,777.17 | 4,789.10 | 4,732.99 |
| Shawnee County | 176,255 | 39,291.11 | 116,587.19 | 155,878.30 | 75,914.93 | 121,108.59 | 197,023.52 | 176,450.91 |
| Stanton County | 2,107 | 0.00 | 1,206.97 | 1,206.97 | 0.00 | 1,464.54 | 1,464.54 | 1,335.76 |
| Sumner County | 23,488 | 9,443.98 | 13,698.78 | 23,142.76 | 9,003.97 | 14,492.02 | 23,495.99 | 23,319.37 |
| Stevens County | 5,129 | 3,844.23 | 3,427.57 | 7,271.80 | 2,951.97 | 3,734.55 | 6,686.52 | 6,979.16 |
| Seward County | 23,013 | 7,747.15 | 12,074.84 | 19,821.99 | 7,219.91 | 13,130.56 | 20,350.47 | 20,086.23 |
| Thomas County | 7,343 | 6,471.68 | 4,897.64 | 11,369.32 | 8,591.14 | 5,170.17 | 13,761.31 | 12,565.31 |
| Trego County | 2,920 | 1,730.49 | 1,496.22 | 3,226.71 | 1,668.51 | 1,591.70 | 3,260.21 | 3,243.46 |
| Unified Government | 155,085 | 62,107.57 | 101,982.16 | 164,089.73 | 55,211.98 | 100,532.17 | 155,744.15 | 159,916.94 |
| Wallace County | 1,408 | 336.77 | 1,022.07 | 1,358.84 | 355.85 | 1,068.70 | 1,424.55 | 1,391.70 |
| Wabaunsee County | 6,846 | 3,012.58 | 3,152.84 | 6,165.42 | 2,961.26 | 3,248.39 | 6,209.65 | 6,187.53 |
| Wichita County | 2,109 | 1,224.43 | 1,282.01 | 2,506.44 | 1,166.92 | 1,346.13 | 2,513.05 | 2,509.74 |
| Winfield | 16,817 | 3,769.89 | 11,659.40 | 15,429.29 | 4,540.44 | 12,347.29 | 16,887.74 | 16,158.51 |
| Wilson County | 9,474 | 3,183.78 | 5,108.02 | 8,291.80 | 2,567.78 | 5,195.89 | 7,763.67 | 8,027.73 |
| Woodson County | 3,240 | 1,061.78 | 1,958.46 | 3,020.24 | 978.87 | 1,987.78 | 2,966.65 | 2,993.45 |
| Washington County | 5,683 | 3,084.33 | 3,497.06 | 6,581.39 | 2,869.89 | 3,616.79 | 6,486.68 | 6,534.03 |
| Statewide Totals | | 1,173,086.24 | 1,921,618.30 | 3,094,704.54 | 1,142,684.96 | 1,967,274.30 | 3,109,959.26 | 3,102,331.90 |

January 26, 2011



Edward W. Elam, County Administrator
100 Gunsmoke
Dodge City, KS 67801

Senate Utilities Committee
c/o Ann McMorris, Senate Utilities Secretary
State Capitol, 300 SW 10th Ave., Room 224E
Topeka, KS 66612

Re: Senate Bill 30 addressing the prepaid wireless users and 911
Senate Bill 50 addressing the E-911 users regardless of equipment used to
obtain 911 services

Dear Chairman Apple and Committee Members:

Ford County, Dodge City, and the Ford County Communications Department would like to express our concerns and hopes that you will support 911 Senate Bill 30 and 911 Senate Bill 50 on behalf of our area and the PSAPS throughout Kansas.

Eliminating the prepaid wireless users from the 911 user fee will only provide more reasoning for consumers to choose this route of service over the other types of wireless vendors. Prepaid telephones do not provide user information and this causes more stress for the PSAP operator. Wireless users now make up between 70% and 78% of all 911 calls received by Ford County Communications in 2010. With the economy issues that face all citizens, the choice will be for one telephone bill and they are choosing the wireless telephone over the landline telephone. In most cases, the wireless prepaid telephones are cheaper for the consumer to use.

We are also hoping that you will support the Senate Bill 50 for E-911 to continue as it has in the past. Ford County has benefited from the E-911 fees from the beginning and the grants since 2006. Ford County Communications has been able to purchase computer aided dispatch, radios, mapping, and a new telephone system. All of this equipment was very important to our County and our citizens and those passing through. Now that we have this wonderful technology we are going to need funding to maintain it and update when needed. Our citizens have come to expect us to provide the best of services and we want to be able to continue to provide those services. Without your support of these Senate bills, Ford County and many other Kansas counties will not be able to maintain the technologies that we have obtained nor will we be able to provide possible mandated technologies in the future such as texting or receiving pictures or video streaming. The

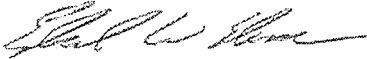
*The Mission of Ford County Government is to build on our heritage, prepare for the future,
and provide quality services to our citizens*

Senate Utilities Committee
January 31, 2011
Attachment 9-1

Next Generation 911 will provide ability to assist victims to access 911 by protecting them in various ways by texting and video and provide assistance in solving crimes and protecting the responder.

Please consider these bills as though you were on the 911 line requesting emergency services. What do you expect of the 911 Center? Thank you for all the efforts you put forth for the State of Kansas and the important voice that you carry for all of us.

Respectfully yours,



Edward W. Elam, Ford County Administrator/Surveyor

CC: Melissa Wangemann, General Counsel (KAC)

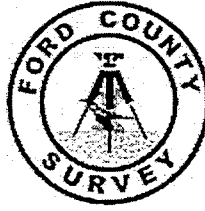
Wangemann@ksnscounties.org

CC: Ann McMorris, Senate Utilities Secretary

Ann.MCMorris@Senate.ks.gov



Edward W. Elam, RLS, ICM-CM
County Administrator/Surveyor
Ford County Government Center
100 Gunsmoke
Dodge City, KS 67801
Office: (620)227-4670
Fax: (620)227-4717
Cell: (620)339-9737
eeelam@fordcounty.net





Dale Goter
Government Relations Manager

TESTIMONY

City of Wichita
455 N Main, Wichita, KS. 67202
Wichita Phone: 316.268.4351
dgoter@wichita.gov

Senate Utilities Committee

Hearing on SB50

Monday, Jan. 31, 1:30 p.m. Rm 548S

Chairman Apple and members of the Senate Utilities Committee:

The City of Wichita supports passage of SB50 as a means of preserving the vital 911 service that is essential to the public safety of our community.

More than 90 percent of 911 calls received by the Sedgwick County Emergency Communications come from the citizens of Wichita. Failure to preserve current 911 funding would place a heavier burden on local property tax payers, not only to maintain current services, but to plan and pay for future essential services.

The City of Wichita is supportive of the Sedgwick County legislative goals to maintain the current revenue stream, provide uniform fees for wired and wireless phone lines and a grant program to sustain E911 and future deployment of next generation 911 services.

The City of Wichita is also supportive of retaining the League of Kansas Municipalities as a primary administrative agent for the program.

Senate Utilities Committee
January 31, 2011
Attachment 10-1



**Kansas Association of
Chiefs of Police**

PO Box 780603
Wichita, KS 67278
(316)733-7301



**Kansas Sheriffs
Association**

PO Box 1853
Salina, KS 67402
(785)827-2222



**Kansas Peace Officers
Association**

PO Box 2592
Wichita, KS 67201
(316)722-8433

January 31, 2011

**Testimony to the Senate Utilities Committee
In Support of SB50
E911**

Chairman Apple and Committee Members,

The Kansas Association of Chiefs of Police, the Kansas Sheriffs Association and the Kansas Peace Officers Association support SB50. As you know, the 911 systems in place today are quickly becoming yesterday's technology. Governments at all levels are challenged to provide the funding needed to support their services. PSAPs are no exception. The expectation from the public that 911 services can receive and respond to developing technologies continues to expand. However, the legacy 911 systems in place in nearly every Kansas county will require system upgrades to meet these demands.

All Kansas PSAPs need the 911 funding source to maintain their current systems. The current level of funding will sunset July 1 if no legislative action is taken. Although a reduced level of funding would continue if that were to happen, the resulting level of funding will be inadequate to maintain the current system. It will be the less populated counties in rural Kansas that will be most negatively affected if this happens. And there will be no funds to develop the future technology into our 911 systems. It is absolutely essential we pass 911 funding legislation this session. Ideally, that legislation will be something that will provide the funding mechanisms needed to not only maintain current systems but to also develop modern 911 technology. This is necessary to properly serve our citizens and to assure quick and accurate assignment of emergency personnel.

An important component of the funding is a fee on prepaid phones. These phones comprise a growing share of the cell phone market now approaching 20% of the market. Kansas continues to allow prepay phone users to not pay their fair share of the 911 funding. And unless new legislation is passed that will drop to no support July 1.

The management criteria proposed in this bill is, in our opinion, another critical factor in this legislation. 911 systems are operated by local governments primarily serving local government emergency responders. They are serving the needs of the people and those needs are best served when the governments closest to the people, local governments, have proper control of those operations. Operational decisions need to remain local. Coordination, compatibility, and integration capabilities along with utilization of the state IP infrastructure throughout the state are the other side of this balance subject to an appropriate amount of state coordination. The system that is put in place must have these two needs balanced properly. Too much oversight will border on interference of local control, too little coordination will result in systems that do not communicate with each other and limit capabilities. Of course a fair amount of accountability that is not overly demanding of scarce resources are also

Senate Utilities Committee
January 31, 2011
Attachment 11-1

important. We urge you to fully vet these provisions with those affected most by the decisions prior to making final decisions.

Not passing legislation in 2011 is not an option. Hopefully we can get past a minimal response of just extending current law once again which will only delay our ability to move forward. The funding mechanisms proposed in this bill appear adequate. The balance between local control of operations and state coordination appear acceptable.

We strongly urge you to recommend this bill favorably to the full Senate and to work with the House to assure a bill passes this year.

Ed Klumpp

Ks Association of Chiefs of Police – Legislative Committee Chair

Ks Sheriffs Association – Legislative Liaison

Ks Peace Officers Association – Legislative Liaison

eklumpp@cox.net

Phone: (785)640-1102

11-2



ABOVE AND BEYOND. BY DESIGN.

8500 Santa Fe Drive
Overland Park, Kansas 66212

913-895-6000 | www.opkansas.org

Testimony before the Senate Utilities Committee
Regarding Senate Bill 50
By Erik Sartorius

January 31, 2011

The City of Overland Park appreciates the opportunity to present testimony in support of Senate Bill 50. This legislation provides a broadly-supported solution to the challenge of funding emergency 911 services now and into the future.

In the Kansas City metropolitan region, local governments recognize the need for a quick-responding emergency system. We have worked jointly to create a system to meet the needs of the public by working hard to provide enhanced 911 service to the metro area.

Receiving and dispatching emergency calls with the utmost speed and accuracy is a vital public service. One of the challenges in our increasingly technologically-driven society is to be able to adapt governments' methods of receiving pleas for help to the means utilized by those contacting emergency responders.

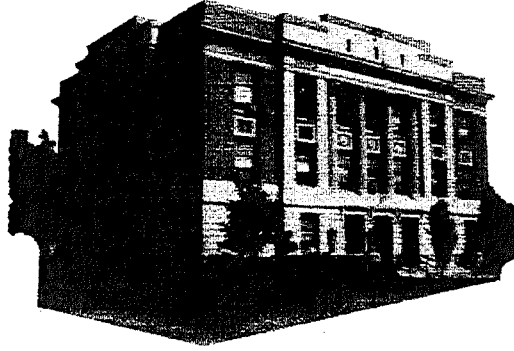
Individuals increasingly communicate with each other via text messages, digital photos, and videos. They expect public safety responders to be able to do the same, and may mistakenly assume that current systems are able to process these more advanced communication options when in fact they cannot.

The ongoing changes in telecommunications technology require technology and equipment enhancements to ensure the provision of E911 services. Continuation of funding mechanisms is critical to accomplishing this important task.

Again, the City appreciates the opportunity to offer testimony before this committee. We respectfully ask that you recommend Senate Bill 50 favorably for passage.

Senate Utilities Committee
January 31, 2011
Attachment 12-1

NORTON COUNTY, KANSAS



NORTON, KANSAS


January 25, 2011

Melissa Wangemann
General Council- Legislative Service Director
Kansas Association of Counties
300 SW 8th
3rd, Floor
Topeka, Kansas

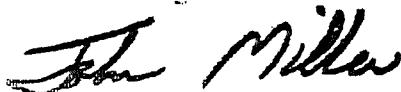
Melissa,

Norton County is writing to send our support for the SB and funding of local PSAP. This funding is very important to the county. Without the funding, Norton County would be without financial support of our local 911 service fees and required monthly charges. This funding has been part of our local budgets for many years and continues to be very vital for our citizens and community. Please accept this as a letter of support from Norton County Commissioners for local PSAP funding.

Respectfully,



Carolyn Applegate, Chairman



John Miller, Commissioner



Richard Thompson, Commissioner

Senate Utilities Committee
January 31, 2011
Attachment 13 -1



Chris Carroll
Director
External Affairs

AT&T Kansas
8900 Indian Creek Parkway
Suite 120
Overland Park, KS 66210

T: 913.676.1519
M: 913.449.8696
F: 913.676.1504
chris.carroll@att.com

**Testimony of Chris Carroll, Director of External Affairs – AT&T
Before the Senate Utilities Committee in Support of SB 50
January 31, 2011**

Mr. Chairman and Members of the Committee,

My name is Chris Carroll. I am the Director of External & Legislative Affairs for AT&T in Kansas, and I appreciate this opportunity to provide written testimony in support of Senate Bill 50.

This bill contains changes in the funding of our 911 system in Kansas, as well as other modifications that will make the collection of 911 funds more efficient and equitable for all. Importantly, it provides a consistent and uniform fee that will be assessed to all users of telecommunications services, whether they are landline or wireless, or even newer technologies like Voice over Internet Protocol (VoIP).

Of significance to AT&T and the service provider industry, SB 50 will, for the first time, impose a charge directly on the end users of "prepaid" wireless devices. Today there are approximately 440,000 prepaid wireless phones in Kansas - nearly 18% of the total wireless devices in the state. These prepaid wireless customers do not fund the 911 system like other telecommunications users. Prepaid wireless is a "pay as you go" offering, satisfying a consumer demand that is growing by more than 15% annually.

SB 50 outlines a fair and efficient process for the collection of 911 fees by retailers at the point of sale transaction. By applying a 911 user fee on the subscribers of prepaid wireless service, Kansas should realize an additional \$1.2M each year to support the Public Safety Answering Points (PSAP's).

It is time to update current statutes and provide a fair and efficient funding process for all who benefit from the 911 system.

AT&T supports this bill because it presents a balanced funding system, and improves the collection process for 911 fees in Kansas.

I ask for your support of SB 50.

Thank You.

Senate Utilities Committee
January 31, 2011
Attachment 14-1

Prepaid Wireless - Drawbacks of Current Methods

Lacking a method to collect the public safety fee from prepaid users, some states, including Kansas, impose the 911 funding responsibility on the prepaid service provider. Under current Kansas law, the service provider is required to remit a 1% fee for each active prepaid wireless account sold in the state. There are significant problems and revenue shortfalls with this arrangement.

Service provider companies sell mass quantities of air time at wholesale rates to large "Aggregators", who package the minutes into various denominations of prepaid cards and resells them to third party retail establishments across the country. Neither the service providers, nor the Aggregator know where these prepaid wireless cards will ultimately end up to be sold at the retail level.

Service providers use national pricing plans, and because cards are distributed nationally, there is no equitable way to recoup the fee directly from consumers. This is especially true with prepaid wireless subscribers, since there is no relationship between the provider and the users of these devices. If the carriers attempted to increase prices to recover the cost of payment of 911 fees, the result would be that customers in states with low wireless 911 fees would end up paying more to subsidize customers in states with higher 911 fees.

The average 911 fee for wireless customers nationwide is .80 per month. This ranges from states like Missouri where there is no wireless 911 fee, to West Virginia, whose rate is \$3.00 per month per subscriber. As a result of these problems, many providers end up paying the fees on behalf of the end-user customer.

Requiring service providers to pay 911 fees for prepaid wireless customers turns the longstanding policy of a "user fee for a benefit received" on its head. It prevents accountability and transparency because end users are getting a service they don't have to pay for. In this case, users of prepaid wireless devices have access to the PSAP's in an emergency, yet pay nothing to support them.

Conclusion

It is estimated that 70%-80% of all calls into the PSAP's originate from wireless phones. Collecting 911 fees from those that benefit by having access to 911 emergency services is critical to meeting public expectations for effective and accessible 911 emergency services. SB 50 will ensure that all wireless phone users help to fund the 911 system.

The wireless industry continues to make significant investments so that high quality wireless services are available throughout Kansas. A very large amount of capital is also being invested to bring faster mobile broadband services to as many customers as possible. Implementing point of sale collection of 911 fees for prepaid wireless users would provide more clarity and transparency for customers; augment the amount of 911 funds available to support current, and next generation 911 services in all areas of the state; and increase the efficiency and availability of the service providers' wireless networks in Kansas.



Testimony of:

William Johnson Jr., Butler County Administrator

Bill Keefer, Augusta City Manager

Senate Bill 50

January 28, 2011

Chairman Apple and Members of the Senate Utilities Committee:

Thank-you for allowing Butler County and the City of Augusta the opportunity to provide written testimony in support of the Senate Bill 50.

Stable funding of E911 fees is essential to prevent additional strain on property taxes. In addition to the costs associated with equipment used to receive 9-1-1 reports, PSAPs must maintain all of the systems in use to process these calls and insure emergency assistance arrives in a timely manner. When combined, the maintenance costs for computer aided dispatch systems, radio infrastructure, 9-1-1 controllers, and the like exceed the revenue generated by the 9-1-1 fees for many PSAPs. Since all of this mission critical equipment is used on a 24 hour per day basis and technology advancements are frequent, ongoing replacement is essential.

The assessment of a 55¢ per month fee for all devices with the ability to access 9-1-1 is an equitable approach. When coupled with the grant program established by SB50 all PSAPs will receive the indispensable funding required to fulfill their obligations.

Butler County and the City of Augusta support Senate Bill 50 and request your favorable consideration of the bill.

Thank you for the opportunity to present written testimony on Senate Bill 50.

A handwritten signature in black ink, appearing to read "William Johnson Jr.", written over the printed name.

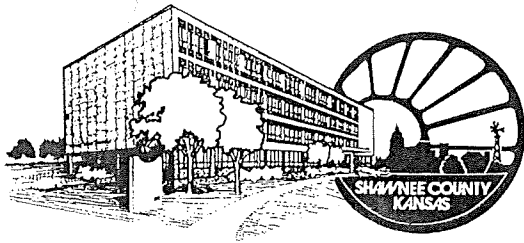
William Johnson Jr., County Administrator
Butler County
316-322-4300

A handwritten signature in black ink, appearing to read "Bill Keefer", written over the printed name.

Bill Keefer, City Manager
City of Augusta
316-775-4515

Senate Utilities Committee
January 31, 2011
Attachment 15-1

William H. Johnson, Jr., County Administrator



Shawnee County Board of Commissioners

Rm. B-11, Courthouse Topeka, Kansas 66603-3933

Shelly Buhler, 1st district

Vic Miller, 2nd district

Theodore D. Ensley, 3rd district

(785) 233-8200 ext. 4040, Fax: (785) 291-4914

E-Mail: Commission@snco.us

Network Address: www.co.shawnee.ks.us

January 31, 2011

Dear Senator Apple and Members of the Committee:

I am the Chair for the Board of County Commissioners for the County of Shawnee and am presenting testimony on behalf of our Shawnee County Consolidated Emergency Communications Center (SCCECC). The Shawnee County Consolidated Emergency Communications Center, administered by the Shawnee County Sheriff's Office, is the single Public Safety Answering Point (PSAP) in Shawnee County. If you dial 911 in Shawnee County we answer the phone. Additionally, our center provides dispatch services to fourteen public safety agencies, including the Kansas Highway Patrol. The SCCECC responded to approximately 520,000 total calls in 2010.

In 2004, the language which added a fee for wireless phones, to the existing statutes for hardwire phones, also contained a "sunset" clause which reset both the wired and wireless monthly fee to a uniform \$0.25 per line in large counties (population of 125,000 or more). That sunset clause is operative on July 1, 2011. This will reduce our annual 911 fee revenue by more than \$450,000. At the same time, there have been significant changes in technology, costs and need to sustain the level of service required in Shawnee County and other jurisdictions providing enhanced 911 services.

Paying the "every day" bills, responding to technological obsolescence and looking to the future to embrace new and emerging ways in which citizens communicate will require sufficient and predictable funds. In 2010 Shawnee County received \$991,000 in both wireless and landline 911 fees. This amount barely covers the operational needs of the SCCECC.

The most significant issue facing Shawnee County is the need to replace our 800 MHz radio system. It is the backbone of all emergency communications in our county. Unfortunately, the analog radio technology in our over 20 year old system is becoming obsolete in the industry. Critical components will no longer have guaranteed vendor support beyond 2012 and other components will lose vendor logistics support soon after. We must transition to contemporary digital technology meeting federal and industry standards. The estimated cost to install such a system is approximately \$17.9 million. Revenue options are still being researched. Absent sufficient 911 fees, the property taxpayer will undoubtedly bear the financial burden of these necessary projects and advances. We believe telephone fees are a much better and fairer solution to fund emergency communications.

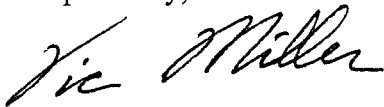
Senate Utilities Committee
January 31, 2011
Attachment 16-1

Shawnee County needs new legislation that provides, and sustains, approximately the same revenue stream that it currently receives. This will provide our community with the ability to deliver current service and meet future needs. We support uniform fees for wire and wireless phone lines, and uniform uses of funds that ensure the tools and architecture to provide encompassing, effective emergency communications services are available now and into the future.

We support a nominal fee on prepaid phones to ensure all persons using the 911 system contribute toward its expense. Shawnee County supports a mechanism to assure the sustainment of E-911 and future deployment of Next Generation 911 for the benefit of all those who live, work and play in Kansas.

We believe that SB 50 in its current form substantially meets those desires and request your favorable consideration and advancement of this bill.

Respectfully,

A handwritten signature in cursive script that reads "Vic Miller".

Vic Miller
Chair, Shawnee County Commission