

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

The meeting was called to order by SENATOR ROBERT V. TALKINGTON at
Chairperson

9:00 a.m. a.m./p.m. on Tuesday, March 27, 1984 in room 254-E of the Capitol.

All members were present except:

Senators Hein and Burke

Committee staff present:

Fred Carman, Hank Avila, Rosalie Black

Conferees appearing before the committee:

HB 2167 - Kim Dewey, Sedgwick County; Fred Allen, KS Association of Counties;
Joni Fish, Executive Director of Big Lakes Regional Council

HB 3078 - John Smith, Dept. of Revenue

The meeting was called to order by Senator Talkington, Chairman, for hearing on House Bill 2167 and House Bill 3078.

HOUSE BILL 2167 - HEARING AND ACTION

Kim Dewey requested support of HB 2167 to allow counties and cities greater latitude in using funds collected from the 2% tax on base access charges for emergency telephone services. He added that the bill, as amended by the House, provides for expenditure of funds for monthly recurring charges billed by the service supplier; initial installation, service establishment and nonrecurring startup charges; charges for capital improvements and enhancements; or any combination of the above. (Attachment 1.)

Fred Allen, speaking in support of Mr. Dewey's statement, said that HB 2167 contains the amendment recommended by the association of counties.

Joni Fish indicated the five counties that she represents also favor the bill as amended by the House.

Senator Morris moved that HB 2167 be reported favorable for passage; seconded by Senator Meyers and passed.

HOUSE BILL 3078 - HEARING AND ACTION

John Smith explained that HB 3078 establishes uniform restrictions on drivers' licenses in various statutes. He suggested an amendment that would require surrender

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES,
room 254-E, Statehouse, at 9:00 a.m. a.m./p.m. on March 27, 19 84

HOUSE BILL 3078 - HEARING AND ACTION

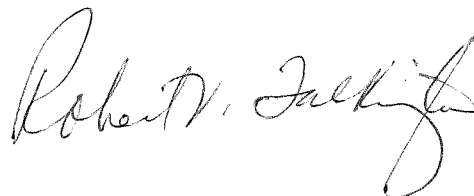
of an individuals present driver's license and requirement of issuance of a thirty-day restricted license by the Department of Revenue.

Senator Meyers moved to amend Line 59 to allow issuance of a thirty-day restricted drivers license by the Department of Revenue; seconded by Senator Morris. The amendment was adopted.

Senator Morris moved for an amendment to make the title of HB 3078 different, if necessary; seconded by Senator Meyers. The amendment was adopted.

Senator Morris moved that HB 3078 be reported favorable for passage as amended; seconded by Senator Meyers and passed.

The meeting adjourned at 9:30 a.m.



Tues. 3-27-74

Please PRINT Name, Address, the organization you represent, and the Number of the Bill in which you are interested. Thank you.

NAME	ADDRESS	ORGANIZATION	BILL NO.
BILL EADS	TOPEKA	REVENUE	3078
John W Smith	Topeka	Revenue	3078
Kim C. Roney	Wichita	Seawick Co.	2167
Don Dugg	Jedgwick	county	2167
John Fish	Manhattan	Biglakes Reglouncil	2167
Kenneth Duckworth	Jedgwick		2167
ED SCHAVE	Topeka	SWBT	2167
Fred Allen	Topeka	KMC	2167
Ed Mosher	11	Longview M.	
Don Hens	Topeka	AP	
Hannette Jarabe	Waller, Mo.		
Steve Janke	Horton Kansas		



SEDGWICK COUNTY, KANSAS

BOARD OF COUNTY COMMISSIONERS

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COUNTY COURTHOUSE • SUITE 320 • WICHITA, KANSAS 67203-3759 • TELEPHONE (316) 268-7411

TESTIMONY OF KIM C DEWEY
SENATE TRANSPORTATION & UTILITIES COMMITTEE
HOUSE BILL 2167

MARCH 27, 1984

Since the enactment of the Emergency Telephone Services Act in the 1980 session of the Kansas Legislature, counties and cities have sought to have greater latitude concerning the use of funds collected from the 2% tax on base access charges which was authorized by the Act. Currently, these funds may only be used to pay the monthly recurring charges billed by the service supplier. Although these charges are not insignificant, they are certainly a small part of the total cost of an emergency telephone service operation.

The first approach to removing this restriction was to request legislation allowing use of the tax proceeds for any purpose related to the emergency telephone system. This Committee may recall Senate Bill 602 of the 1982 session, and will recall the opposition of the telephone service suppliers to this legislation. We once again requested similar legislation last session, and the House Committee on Local Government introduced House Bill 2167.

It became quite apparent in hearings before the House Committee on Communications, Computers & Technology last year that we could never achieve a broader use of these tax funds given the active opposition of the service suppliers. The Bill was not acted upon last year and in the hope that an approach could be developed which would diminish the opposition of the service suppliers, the Board of Sedgwick County Commissioners sent the attached letter to the leading service supplier in the State, Southwestern Bell.

The Company graciously responded by sending several representatives to Wichita to meet with the Board of Sedgwick County Commissioners and the Mayor of Wichita. In this meeting, they suggested the precise language which the House Committee amended into the bill. Although they remained philosophically opposed to the tax in the first place, they stated that they could assume a neutral position on legislation which contained this specific language.

We are very much in support of this approach. We desire to provide certain enhancements to our emergency telephone service system, specifically a computer-aided dispatch system. We also feel that this legislation would tend to encourage the establishment of "911" systems in other communities, systems which we feel are of unquestionable value in the protection of life and property. Finally, we believe this legislation is consistent with the general philosophy that services should be financed with user fees to the greatest extent possible. We request your favorable consideration of House Bill 2167.

Atch. 1



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Mr. James Ellis
Southwestern Bell Telephone Company
Room 500
220 E. Sixth
Topeka, KS 66603

Dear Mr. Ellis:

We are contacting you in regard to HB 2167 which has been held over in the House Communications, Computers and Technology Committee. Your company and the counties which operate emergency telephone service systems have had considerable disagreement over this legislation during the past several legislative sessions. It has been a great concern to this Board since our relationship with Southwestern Bell has always been one of cooperation and assistance. We hope that this can continue.

In order to resolve this disagreement, we would like to suggest a compromise position which would meet our need to improve and enhance the Emergency Telephone System, yet maintain restrictions on the use of the proceeds of the tax. We have had indications in the past that one of the primary objections to the present form of the Bill is that the tax proceeds could be used to defray personnel costs. As we have indicated to you in the past, it is our desire to use the tax proceeds for capital improvements to the system. To accomplish this, the statute would be amended by adding the language, "or for capital improvements and enhancements to the Emergency Telephone System." A copy of the proposed amendment is attached.

We hope that you will give prudent consideration to this compromise. In your consideration, please keep in mind the cooperation that is necessary between the counties and utilities in order to best serve our mutual constituencies/customers. Please consider the life saving importance of the Emergency Telephone Service and the importance of enhancements in terms of improving the efficiency and effectiveness of service delivery. When the service in question is one of life and death importance, any degree of improvement in delivery of service is immeasurable in terms of cost.


We are cognizant of the fact that your opposition to this tax is related to your concerns with the franchise taxes levied by cities on utility bills.

We would like to point out that counties do not levy franchise taxes and consequently receive no compensation for the use of public right-of-ways in unincorporated areas. Additionally, the uses of franchise tax proceeds are unrestricted, while the proceeds of this tax would be restricted to clearly identifiable uses, directly connected with a specific service.

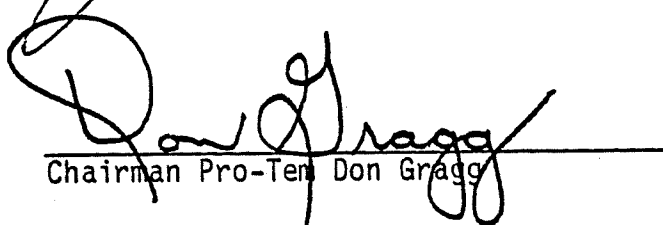
We thank you for your consideration, and hope that we can look forward to a continuation of the good relationship between Southwestern Bell and Sedgwick County, as well as other counties in the State.

Sincerely,

The Board of Sedgwick County
Commissioners



Chairman Jack Spratt



Chairman Pro-Tem Don Gragg



Commissioner Tom Scott

Enclosure