

Approved

Ivan Sand

Date

2/29/88

MINUTES OF THE House COMMITTEE ON Local Government

The meeting was called to order by Representative Ivan Sand at
Chairperson

1:30 a.m./p.m. on February 24, 1988 in room 521-S of the Capitol.

All members were present except:

Representative Johnson, excused

Representative Kennard, excused

Representative Sawyer, excused

Committee staff present:

Bill Edds, Revisor of Statutes' Office

Lenore Olson, Committee Secretary

Conferees appearing before the committee:

Dr. Arnold Levenson, Manhattan

Denny Koch, Southwest Bell Telephone

Jeff Russell, United Telephone Company of Kansas

John Torbert, Kansas Association of Counties

Bruce Hertel, Ellis County Sheriff

Ken Carter, City Manager of Hays

Gary Reser, Kansas Telecommunications Association

Joe Baker, Russell County

Ernie Mosher, League of Kansas Municipalities

Bill Edds gave an overview of HB 2856.

Chairman Sand announced that Dr. Levenson was available for resource information on HB 2856.

Denny Koch testified on HB 2856, stating that the Southwestern Bell Telephone supports the concept of emergency 911 service, but is concerned with funding the service. (Attachment 1)

Dr. Levenson stated that the use of 911 is not to increase the response time, but it is for ease in remembering the 911 number.

Jeff Russell testified on HB 2856, stating that he supports the bill but that the E911 system would be even better. (Attachment 2)

John Torbert testified on HB 2856, stating that his organization has no specific position on this bill. He also stated that this bill is a mandate, and that they generally oppose mandates. They are also concerned with the cost. (Attachment 3)

Ernie Mosher testified on HB 2856, stating that the League is in opposition to this bill. They feel that local municipalities should be able to make their own decisions regarding the use of 911. They are also concerned with the cost of the system. They also recommend a policy statement rather than a mandate as represented by HB 2856.

Gary Reser testified on HB 2856, stating that his association is in favor of the concept of 911 or E911, but has reservations regarding a state mandated approach. (Attachment 4)

Ken Carter testified on HB 2856, stating that he supports this bill because it is a mandate which will force the different county and city agencies to cooperate in implementing the 911 system. (Attachment 5)

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Local Government,
room 521-S, Statehouse, at 1:30 ~~a.m.~~/p.m. on February 24, 1988

Bruce Hertel testified in support of HB 2856, stating that it would be very helpful if the "Emergency Telephone Tax" monies collected could be used for other purposes, including manpower for the operations of a communications center and for computer equipment that can be interfaced for use with the 911 system. (Attachment 6)

Dr. Levenson testified on HB 2856, stating that he recommends counties install the basic 911 system first and later consider the E911 system.

Joe Baker testified in favor of HB 2856, stating that he lives in a rural area and is not sure who he could count on for emergency service. He also stated that he feels the 911 service should be mandated by the state.

The meeting adjourned.

HOUSE COMMITTEE ON LOCAL GOVERNMENT

DATE 2/24/88

NAME

ADDRESS

REPRESENTING

NAME	ADDRESS	REPRESENTING
Mike Reed	Topeka	AT + T
Pat Russell	TOP EKA	UNITED TEL. CO. of KS
Gary Reser	Topeka	Kan. Telecomm. Assn.
Jim Gardner	Topeka	S.W.B.T
Demoy Koch	Topeka	SWBT
Pat Myers	Topeka	KCC
Jo Jenkins	Topeka	KCC
Judy Ferguson	Topeka	Div. of Budget
Ken Carter	Hays	City of Hays
Bruce Hertel	Hays	Ellis County Sheriff
Joe Baker	Russell Ks	Russell County
Mr. J. E. Ruppner	Manhattan, KS	Big Lake Region Col.
Bob M. Darr	111 W 1st	*HP
W. Lashar	Topeka	Home of KS. Mungo &
John V. Doherty	"	KTAC

Please don't take this pen!

HB 2856

Denny S. Koch

Southwestern Bell Telephone Company

Historically, Southwestern Bell Telephone supports the concept of Emergency 911 Service. The first 911 service was established in 1969 in Lawrence, Kansas funded by the city.

Southwestern Bell now has 41 systems serving 1,533,000 people throughout Kansas. We estimate 65 to 70% of Kansans now have access to 911.

Our primary concern has been the method of funding 911 service. Presently that funding mechanism is to impose a 911 emergency telephone tax in an amount not to exceed 2% of the basic telephone exchange rate.

It is also possible that the full 2% tax would not provide sufficient funding to pay for every countywide system. We believe it is not reasonable to mandate countywide emergency telephone services without consideration of the many issues that arise when the systems are designed.

For example, city and county jurisdictions may have unique coverage and dispatch requirements that must be worked out jointly. Likewise, exchange boundaries do not match county or city boundaries. To provide emergency dispatch for callers served by a wire center located in a different county, arrangements must be made to transfer 911 calls received to the proper agency responsible for public safety emergency services. Granted, these problems can be worked out, but the 911 systems in place today are the result of joint planning efforts between cities, counties, SWBT, and other telephone companies.

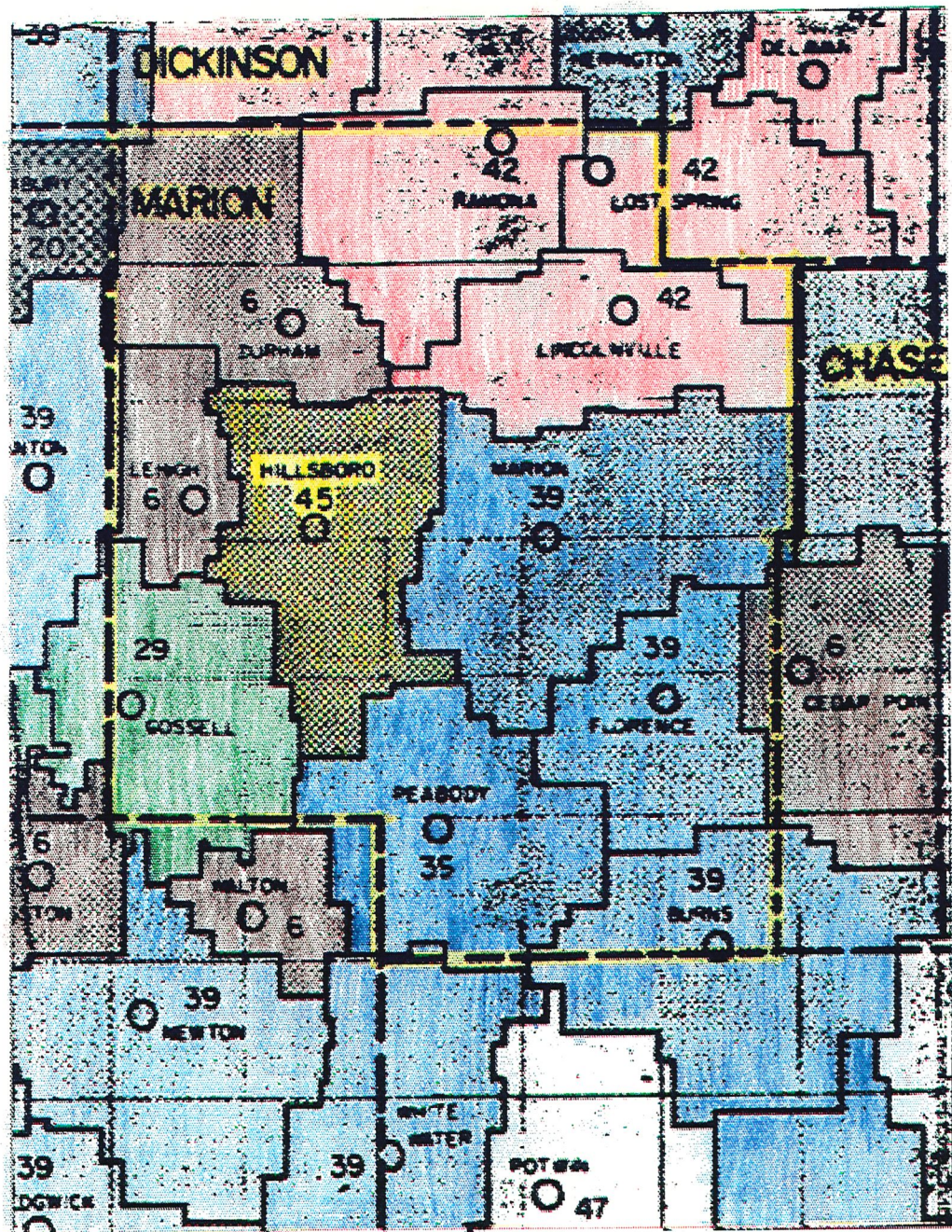
Attached is a map of Marion county that points out our above concerns.

1. Seven different telephone companies involved.
2. Telephone exchange boundaries extend beyond the county line.
3. 2% tax would not generate enough revenue to support the system.
(For example: The exchanges of Marion- Florence - Burns - Peabody would produce approximately \$500 a month in revenue, compared to an estimated cost of approximately \$1400 a month.)

As a company, we can support the expansion of 911 services through active participation in the design and planning of each system.

Attachment

*Attachment 1
2/24/88*



- Southwestern Bell Telephone Co.
- Tri County Telephone Assoc.
- Moundridge Telephone Co.
- Continental Telephone Co.
- Wheat State Telephone Co.
- United Telephone Co.
- Home Telephone Co.

TESTIMONY BEFORE THE
HOUSE LOCAL GOVERNMENT COMMITTEE
February 24, 1988

*Attachment 2
2/24/88*

Mr. Chairman and Members of the Committee

I am Jeff Russell, Governmental Affairs Director for the United Telephone Company of Kansas. I am here today to express our support for the intent of HB 2856.

911 service is now available to an estimated 70% of the population of the United States, including larger concentrated population areas such as Johnson, Wyandotte and Sedgwick counties here in Kansas. The remaining 30% is made up of rural areas with small population centers and large land masses - in essence, a small tax base and high cost per capita to deliver 911 service. Presently approximately 32% of the United Telephone Company customers in Kansas have basic 911 service.

Most communities with Basic 911 (number only) service have found the service to be inadequate and are now seeking additional funds to upgrade to Enhanced or E911, which provides a display of the telephone number and address of the calling telephone.

The cost to modify a Central Office for 911 can be a major expense, depending on the type of Central Office and if there is a "9" in the prefix. This cost is passed on to the community and is not made a part of our rate base.

Considering the magnitude of statewide 911, we encourage you to give the Bill further study to (1) ensure adequate funding for 911 for all counties, and (2) county wide coordination with authority to settle jurisdiction disputes should also be considered.

We would welcome the opportunity to provide resource personnel to any study group, interim committee, or task force to help determine funding requirements as well as the possibility of mandating E911 service instead.

Thank you for the opportunity to appear before the Committee; and I will attempt to answer any questions the Committee may have.

Kansas Association of Counties

Serving Kansas Counties

212 S.W. Seventh Street, Topeka, Kansas 66603

Phone (913) 233-2271

February 24, 1988

Testimony

To - House Local Government Committee

From - John T. Torbert, Executive Director
Kansas Association of Counties

Subject - HB 2856

The Kansas Association of Counties does not have a specific position with regard to HB 2856. Frankly, we do have mixed emotions about the legislation.

First of all, on the minus side, the bill is clearly a mandate. We generally oppose mandates. The legislation would remove the authority of the governing body of the cities to provide for the establishment and operation of emergency telephone service - commonly referred to as 911. At the same time, it would mandate that every county establish the service and impose the tax to pay for it. From that perspective, KAC would have difficulty supporting the legislation in its current form.

On the plus side however, testifying against 911 is sort of like testifying against mom and apple pie. Everybody recognizes the value and desirability of the service. And, it certainly is a laudable goal to have the service established on statewide basis so that every Kansan would have access to it.

The issue around which this legislation revolves is, as usual, money. Generally speaking, the cost of 911 implementation is determined by the kinds of modifications that have to be done on the switching equipment to enable it to accomodate the service. For example, a county where the phone switching equipment is fairly new would probably find that 911 implementation was not cost prohibitive. But, in a county where the equipment was antiquated, the tax contained in this legislation would probably not generate sufficient revenue to cover what would be extremely high start up costs. Some sort of pooled revenue fund may be the only way to address the problem adequately and fairly.

In summary, I think the goal of the legislation is laudable but the approach is flawed. The idea of statewide 911 needs to be discussed at length by all concerned parties including city, county, state, public safety and phone company representatives to arrive at an approach that is fair and that can be widely and uniformly supported.

*Attachment 3
2/24/88*

TESTIMONY
BEFORE THE KANSAS HOUSE LOCAL GOVERNMENT COMMITTEE
STATEMENT OF KANSAS TELECOMMUNICATIONS ASSOCIATION
OPPOSING HOUSE BILL 2856
1:30 P.M. WEDNESDAY, FEB. 24, 1988

Rep. Sand, Rep. Miller, and members of the committee. My name is Gary Reser. I am executive vice president of the Kansas Telecommunications Assn. (KTA), the trade association for the Kansas telephone industry. Three telephone holding companies, 28 Kansas independent telephone companies, and three long distance carriers are members of the association. The 31 member companies have approximately 1,200,000 telephone access lines in the state.

Even though the KTA is technically opposing H.B. 2856 today, many association members see the merits of statewide emergency telephone service in Kansas. They perceive it as a program which could provide invaluable assistance in difficult times for the state's citizens. The association's testimony, therefore, is intended more to express reservations and concerns about state mandated service. And while raising a few potential "red flags," the KTA will also pledge the telephone industry's cooperation and support in hopefully taking a cautious, carefully planned approach to statewide emergency service implementation.

There appears to be a number of different approaches around the state currently in regard to providing emergency telephone service (E-911) locally. Several KTA companies have one exchange serving from two to as many as four counties. One company's exchanges provide E-911 service into Sedgwick County for three customers in Conway Springs (Sumner County) and 15 customers in Norwich (Kingman County). There are several instances

*Attachment 4
2/24/88*

where there is partial E-911 in a county or availability in only some of the counties which a company serves.

These are concerns among KTA members in cases where exchanges serve more than one county. What will be the potential problems for companies as subsequent counties are added to E-911? Each county may require different billing formats, reporting requirements, or compliance standards. What happens when a customer who lives in one county wants to be served by E-911 in an adjoining county? This might require separating calls to the county with jurisdiction or the county with the service the customer desires. How should E-911 response be routed when exchanges cross county lines?

Some KTA member companies have observed that a two percent surcharge would not even begin to generate enough income in their locales to provide E-911. A two percent surcharge would only generate \$36.15 per month for one company's two exchanges. This is probably the case in many sparsely populated rural areas.

There is another interesting point to be made here. One KTA member stated there simply was not sufficient emergency response technology, equipment, facilities, or personnel to answer calls in his area, at least on a 24-hour basis, by emergency service providers.

Telephone companies naturally are also reluctant to become "tax collectors." They already include on their billings federal excise tax, state sales tax, local sales tax, retail tax, and E-911 tax in many counties. Psychologically, telephone customers perceive increases in monthly phone bills, not as a tax

4.2

for a valuable service, but simply an increase in telephone rates.

Though it is hard for me as a native Topekan to believe, there are hardy, independent souls from around the Sunflower State who feel they should not be told what to do by those in the state capitol. That particular pioneering spirit can even be found among KTA member companies. They hold firmly to the belief that local issues should be decided locally, and certain services should not be mandated unless they are needed. There are those of us in Topeka who will be naturally chagrined by that attitude, but some of my constituents did want me to share that philosophy with you.

Seriously, Mr. Chairman, several members have stressed that there is no local E-911 because local residents have not asked for it.

As one KTA member put it, "This is a local exchange issue. If a company's customers want the service and are willing to pay a tariffed amount for it, fine. Let's not force it upon those who express no need for it."

On the other hand, Mr. Chairman and members of the committee, some KTA members have expressed no problems with a state mandated plan. There are those in the Kansas industry who see a need for statewide E-911. The industry would never give an unequivocal no to service which may protect the lives, health, welfare, and property of Kansans.

The KTA stands ready to do anything it can to assist with the continued investigation of statewide E-911. All parties

involved, consumers, emergency service providers, telephone companies, local government, legislators, and regulators should be made part of the process. In that way, we can be sure statewide E-911 is implemented logically, effectively, and completely. The association pledges its assistance.

Respectfully submitted,

Gary Reser

Gary Reser, CAE
Executive Vice President
Kansas Telecommunications Association

COMMISSIONERS

DANIEL G. RUPP, MAYOR
ROBERT W. PURDY
MIKE GRUB
KENNETH C. HAVNER
GEORGE PHILIP

ADMINISTRATIVE OFFICERS

KEN CARTER, CITY MANAGER
DOROTHY SODERBLOM, CITY CLERK-DIR. FINANCE
JOHN T. BIRD, CITY ATTORNEY



TEL. 913/625-3465

P.O. BOX 490
HAYS, KANSAS 67601-0490

February 24, 1988

TO: The Honorable Representative Ivan Sand, Chairman
House Committee on Local Government

FROM: Ken Carter, City Manager
Hays, Kansas

MR. CHAIRMAN AND MEMBERS OF THE HOUSE COMMITTEE ON LOCAL GOVERNMENT:

My name is Ken Carter. I am the City Manager of Hays, Kansas. I am here today to speak on behalf of legislation requiring "911" telephone service throughout the State of Kansas.

The City of Hays has had the benefit of having "911" emergency service since November, 1975. At that time the Telephone Company, in conjunction with the Police Department, Fire Department, Ambulance Service and Sheriff's Department, cooperated in devising a system whereby the local prefixes of 625 and 628 were put under the "911" system. These prefixes covered the City of Hays and the area around the City. Included in this outside area were several small communities and Fort Hays State University. The cost of installing the necessary modifications to the telephone system and trunkline equipment was paid by the Telephone Company. The cost of that conversion was estimated to be \$12,500. The above mentioned agencies agreed to share the cost of operating expenses. Shortly after the construction of a Law Enforcement Center, the Hays Police Department began providing dispatch service for both Police Department and Sheriff's Department personnel and the County assumed the monthly operating cost of the "911" system.

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The current "911" system incorporates approximately 23,000 people out of a total county population of 28,800. There are approximately seventeen calls per day on the 911 emergency line of which 50% are administrative in nature. The remaining calls are for the various emergency service personnel served through the dispatch center. The City of Hays pays all costs of personnel for operating the dispatch center while the County Sheriff, Emergency Preparedness Office and Rural Fire Department assist in equipment purchases and some routine operating expenses.

The City of Hays is very supportive of the establishment of a county-wide "E911" system for Ellis County. The benefits to the citizenry of Ellis County far outweigh the jurisdictional problems that might arise from such a system. A concern to the City of Hays at this time is the additional personnel expense that might arise from the establishment of an "E911" county-wide system. The City of Hays taxpayer may not approve having their tax rates increased to provide emergency dispatch service for residents of Ellis, Victoria and even certain individuals living in Trego County. If additional personnel is needed, we are quite confident that a workable arrangement with the County can be negotiated and the citizens of Ellis County served through an efficient and effective "911" System.

In establishing a "911" emergency telephone system, the citizens of Hays and Ellis County were fortunate in that the cities and county governments were able to work together and had only one telephone company with which to work. Many counties and cities are not so fortunate. In addition, some cities our size have been told the local telephone company will not have the necessary equipment for "E911" until well after the year 2000. They do not want to pay the cost of installing a basic "911" service now and within a few years pay again to install the better "E911" system.

The jurisdictional disputes between cities, cities and the county, competing telephone companies and/or a nonresponsive telephone company may well create an impasse in establishing a "911" service being available to the citizens of Kansas. Without a State mandate to implement such a service, it will most likely never happen.

Bruce A. Hertel - Sheriff
Ellis County Sheriff's Dept.
105 West 12th. Street
P.O. Box 369
Hays, Kansas

HOUSE OF REPRESENTATIVES
Committee on Local Government

RE: House Bill No. 2856

Dear Committee Members;

I was invited here to give testimony to this committee concerning the 911 system in Ellis County, and to offer my support for H.B. 2856.

The number 911 is intended as a nationwide universal telephone number which provides the public direct access to a Public Safety Answering Point.

For 911 to work effectively all of the various emergency aid officials must agree to participate in the service and cooperate with a 24 hour communications center so their respective agencies can be reached through the same 911 number.

Before 911 was installed, persons in need of emergency help had to remember and dial at least one seven-digit number depending upon what emergency aid they needed. Often times the public was confused on who they should call because of jurisdictional boundaries of law-enforcement, fire, and ambulance services. The simple method of dialing 911 for any emergency solves all of these problems.

We have had the 'Basic 911 System' for the City of Hays and some parts of Ellis County since late 1975. The 'Basic system' simply allows telephone users within a certain prefix area to dial 911 for any type of emergency call for service. The call is connected to a 24 hour central communications center, which is operated by the Hays Police Department. The dispatchers that answer these calls are trained and have the necessary equipment to dispatch whatever emergency equipment is necessary to the scene from this one central point.

Our Central Communications Center in Ellis County receives calls for the following services:

Ambulance
Civil Defense
City and County Fire Departments
City, County, and State Law Enforcement
City, County, and State Public Works
County Weather Warnings
Mutual Aid from other Counties

*Attachment 6
2/24/88*

Our Communications Center handles these 911 emergency calls by serving as a dispatcher for these agencies. Transferring the calls to the proper agency. And/or collecting and relaying emergency information to the proper agency.

In September of 1987, while searching for computer software for law enforcement we discovered there were software packages available to be used in conjunction with computer aided dispatch and the 911 system. We were also aware that in 1980 a law was passed that authorized the imposition of a 'Emergency Telephone Tax' for local government to collect to help pay for the 911 system.

We then inquired to South Western Bell Telephone Company for a proposal to up-grade our present 'Basic 911 system' to the 'Enhanced version that S.W. Bell was now promoting.

The 'Basic 911 System' capabilities were for the caller in and around our major city of Hays who had the telephone prefix of 625 or 628 to use the 911 number to call for an emergency. Some of the problems we are experiencing are; If the caller was excited and forgot to give the dispatcher the address to respond to, the dispatcher could press a button on the 911 phone and ring back the phone used to call in the emergency, this was helpful only if that person would or could answer the phone. We have found that many times the caller is excited enough to give the wrong address or no address at all before he or she hangs up. Another problem with this type of system is if the caller is unable to talk, or in the case of a young child that could not give the dispatcher the proper information it would take up to several hours to trace the call. Also there are two other incorporated cities within Ellis County that do not have access to 911 because they are being served by another telephone company and have different prefixes. So while the 'Basic system' is a good system for saving time there were still some problems in certain situations. Before the law was passed in 1980 allowing local Governments to implement a 'Emergency Telephone Tax' we had no way of financing a more costly but much more efficient 'Enhanced Version' of the 911 system that would allow us to cover a much larger area of our County.

There are a total of eleven different telephone exchanges in Ellis County and fortunately we will be able to serve about 95% of the County population by expanding the 911 to include just two other telephone exchanges.

Our County Commissioners voted to implement a 2% tax by passing the required resolution to start collecting the tax starting in January of 1988. We are planning to use these funds to have the 'Enhanced Version' installed after sufficient funding is collected to finance the installation and on-going monthly expense.

(Installation Charge for Ellis County is \$88,200. The Monthly rate was quoted as \$ 2,324 per month.)

The 'Enhanced Version' or 'E911' as it is now referred to allows for Automatic Location Identification, Automatic Number Identification and a Computer Aided Dispatch Interface.

This system should take care of the previous problems we were experiencing with the 'Basic 911 System'.

One major problem that a County will experience should you decide to pass a mandatory 911 for Counties in Kansas is the fact that presently Telephone Exchanges are not separated by County Boundary lines of jurisdiction.

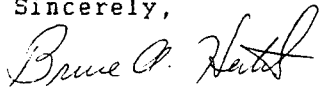
In Ellis County we would have to include another eight telephone exchanges to service the other 5% of our population, since these eight exchanges 'dip' into Ellis Counties on all sides and service adjoining counties also. This would be cost prohibitive as each individual exchange would have to supply our main exchange with connecting lines, switches, and addresses and updates on a continues basis.

For the E911 system to work properly, the Entire County would have to be street addressed. Under the present law K.S.A. 12-5304 1986 supplement, the money collected under the 'Emergency Telephone Tax' does not allow for the expenditure of those funds for the costs of hiring an engineer to come up with a master plan and to map out a County for street addressing. The Funds, under present law can be used only for the following; 1. the monthly recurring charges billed by the service supplier for the emergency telephone service, 2. initial installation, service establishment, nonrecurring startup charges billed by the service supplier, 3. charges for capitol improvements and enhancements to the emergency telephone system billed by the service supplier or, 4. any combination thereof.

It would be very helpful if the 'Emergency Telephone Tax' monies collected could be used for other purposes including manpower for the operation of a communications center and for computer equipment that can be interfaced for use with the 911 system.

Thank you for your time and consideration in this matter of mutual interest.

Sincerely,


Bruce A. Hertel
Ellis County Sheriff

02/24/88

