

Approved: March 7, 2000 *Carl Dean Holmes*
Date

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES.

The meeting was called to order by Chairman Carl D. Holmes at 9:07 a.m. on February 16, 2000 in Room 522-S of the Capitol.

All members were present except: Rep. Tom Klein

Committee staff present: Lynne Holt, Legislative Research Department
Mary Torrence, Revisor of Statutes
Jo Cook, Committee Secretary

Conferees appearing before the committee: Major General Greg Gardner, Adjutant General
Judy Moler, Kansas Association of Counties
Rebecca Aranda, Kansas Commission for the Deaf &
Hard of Hearing
David Lake, Kansas Board of Emergency Medical Services
Diane Gage, Sedgwick County Department of
Emergency Communications
Kim Gulley, League of Kansas Municipalities
Dana Fenton, County of Johnson County

Others attending: See Attached Guest List

Copies of information retrieved from the Internet regarding the Direct Marketing Association's do-not-call list were distributed to the committee (Attachment 1).

HB 2945 - Task force to make recommendations to legislature regarding 911 and E911 telephone service

Major General Greg Gardner, Adjutant General, testified in support of **HB 2945** (Attachment 2). His presentation also included the request that his office be removed from the task force.

Judy Moler, Legislative Services Director for the Kansas Association of Counties, testified as a proponent of **HB 2945** (Attachment 3). This bill is similar to SCR 1641, which was requested by the Association.

Ms. Rebecca Aranda, Executive Director of the Kansas Commission for the Deaf & Hard of Hearing, testified in support of **HB 2945**. She stated that this was the first step in improving the training for persons working with the deaf and hard of hearing and facilitating their use of 911 services.

Mr. David Lake, Director of the Board of Emergency Medical Services, provided testimony in favor of **HB 2945** (Attachment 4). Mr. Lake asked for consideration in adding a representative of pre-hospital emergency medical services to the task force membership.

Diane Gage, Director of the Sedgwick County Department of Emergency Communications, testified as a proponent of the bill (Attachment 5). Her testimony included a request to expand the membership of the task force to include local government and legislators.

Ms. Kim Gulley, Director of Policy Development for the League of Kansas Municipalities, appeared in support of **HB 2945** (Attachment 6). The League believes that it is vital that the task force be balanced in its representation and would oppose altering the balance that is currently in the bill.

Dana Fenton, Intergovernmental Relations Coordinator for Johnson County, testified in support of **HB 2945** (Attachment 7). Mr. Fenton also recommended that the task force be expanded to include members of the legislature.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES in Room 522-S on February 16, 2000 at 9:07 a.m.

The conferees responded to questions from Rep. McClure, Rep. Sloan, Rep. Alldritt, Rep. Long, Rep. Kuether, Rep. Krehbiel, Rep. Dahl and Rep. Holmes.

HB 2943 - Authorized uses of tax revenues collected for emergency (911) telephone service

Rebecca Aranda, Executive Director of the Kansas Commission for the Deaf & Hard of Hearing, testified in support of **HB 2943**. Ms. Aranda stated the Commission felt this bill was very critical.

There were no questions.

Meeting adjourned at 10:05 a.m.

Next meeting will be Thursday, February 17, 2000 in Room 231-N at 9:00 a.m.

HOUSE UTILITIES COMMITTEE GUEST LIST

DATE: February 16, 2000

NAME	REPRESENTING
Chuck Boedahl	Adjutant General's Dept
Mtj Jose Davis	" " "
Nana Keston	Johnson County
Bob Lambert	Sedgwick County
Diane Gage	Sedgwick County
Marcie Ann	Sedgwick County
Jeff Both	KPOA / KSA
Carolyn Jeffries	Topeka Independent Living Res
Kevin Walker	HEARD Association
Cindy Lash	Post Audit
Julie Melen	Ks. Assoc of Counties
Kim Gully	LKM
Rob Hodges	KTIA
Mike Murray	Sprint
Rebecca Rosenthal	KCOHH
Greg Gardner, Major General (Ks)	Adjutant General
Dale Hays	State Fire Marshal
David Rosentim	SWBT
Brenda Eddy	TAP
Andy Schary	DISC

HOUSE UTILITIES COMMITTEE GUEST LIST

DATE: February 16, 2000

NAME	REPRESENTING
Kelley Kuitala	City of Overland Park
Walker Hendrix	CURB
Pat Hurley	
Mike Reecht	ATT
Jennifer Crow	
Guy McDonald	KCC

Consumers

a helpful guide

Consumer FAQs
 Shopthenet.org
 Consumer Assistance
 Privacy
 Parents
 Environmental Issues
 Home

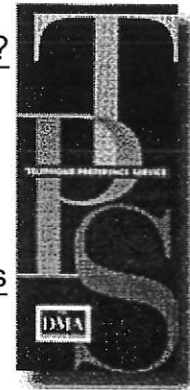


How to get your name off telemarketing lists.

Many people enjoy receiving information about products or services in their homes over the telephone. Many consumers find telephone shopping to be a convenient way to shop. However, some consumers would like to receive fewer telephone marketing calls at home. The Telephone Preference Service (TPS), a do-not-call service, is a free service to assist those consumers in decreasing the number of national commercial calls received at home.

The Telephone Preference Service (TPS) is a free consumer service sponsored by the Direct Marketing Association (DMA). Established in 1917, DMA is the oldest and largest national trade association serving the direct marketing field. (DMA is not the source of calling lists, and does not sell calling lists to other companies).

- How do I register with TPS?
- What happens after I register with TPS?
- Does registration with TPS mean an end to all advertising calls?
- Can I register my FAX number with TPS?
- What happens when I move or get a new telephone number?
- Can I request deletion from specific lists through TPS?



How do I register with TPS?

You may register with this do-not-call file by sending your name(s), home address, and home telephone number (including area code) and signature in a letter or on a postcard to:

**Telephone Preference Service
 Direct Marketing Association
 P. O. Box 9014
 Farmingdale, NY 11735-9014**


Or, you may print this page from your browser and mail it in.

The DMA takes only postal mail

HOUSE UTILITIES

DATE: 2-16-00

ATTACHMENT



requests for inclusion on the MPS and TPS files. This is because, as much as possible, we need to verify that the person who submits the request is the person whose name is being removed from marketing lists. Receipt of a signed request via the Postal Service provides The DMA, MPS user companies, and consumers with a practical method for verification. E-mail does not provide safeguards to protect your privacy or a means to verify your identity.

[Return to contents](#)

What happens after I register with TPS?

When you register with TPS, your name, address and telephone number are placed on a do-not-call file. This "delete file" is updated four times a year -- January, April, July, and October -- and made available to telephone marketing companies who choose to use it. Your name remains on file for five years.

Typically you will see the number of calls you receive begin to decrease approximately two months after your name is entered onto the quarterly file.

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Does registration with TPS mean an end to all advertising calls?

No. Although registration with TPS will help reduce the number of telemarketing calls you receive, it will not stop all telemarketing calls. You may continue to receive calls from local merchants, religious and charitable organizations, professional and alumni associations, and political candidates and office holders.

Calls of a business-to-business nature received at your place of employment are also not affected through registration with TPS. Business names, addresses and telephone numbers are not accepted on TPS, and companies that market to other companies do not use this consumer-oriented do-not-call

file.

Note: Registration with TPS will not affect sequentially dialed automated recorded message (computerized) calls. If you receive a computerized call from a company you do not wish to hear from again, listen to the automated message to obtain the telemarketer's name and address or phone number. Then, contact the company directly and ask to be placed on the company's do-not-call list.

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Can I register my FAX number with TPS?

No. FAX numbers are not included on TPS.

It is against the law to send an unsolicited FAX to anyone [the Telephone Consumer Protection Act]. You may wish to report companies sending unsolicited FAXes to the nearest office of the Federal Communications Commission [FCC]-look in the US Government pages of your local telephone directory.

If you prefer not to receive FAXes from a company or person with whom you have an already established business relationship, advise that person or company directly so that it may take steps to comply with your request and adhere to the law.

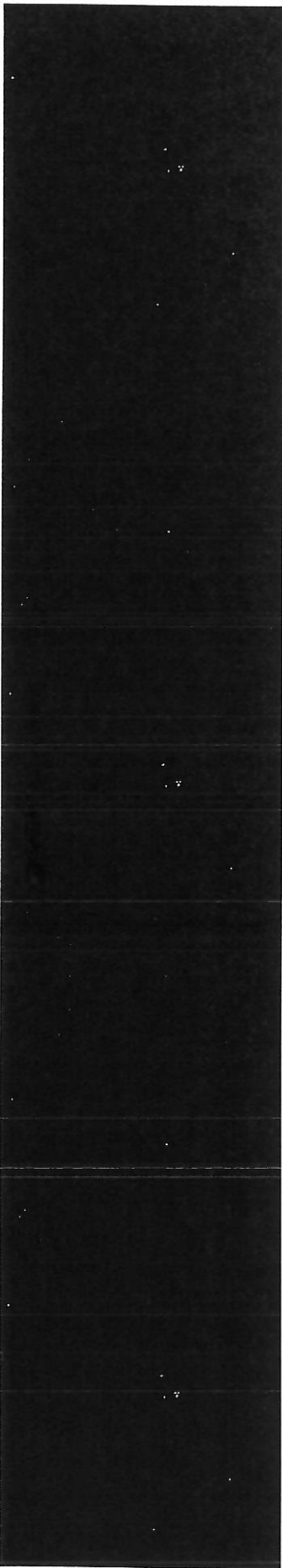
[Return to Contents](#)

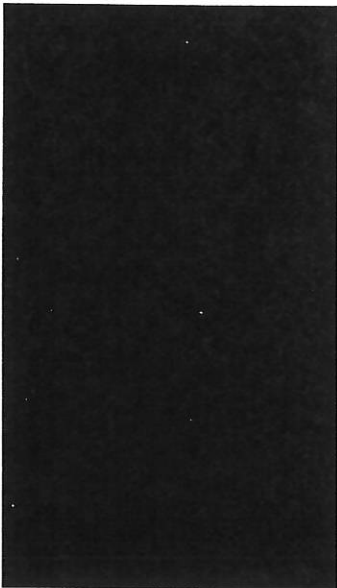
What happens when I move or get a new telephone number?

You may write again to register your new address and telephone number with the service. Or, if you turn in a change-of-address card at the Post Office, your old address will be removed from the TPS file and the new address and telephone number will replace it.

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Can I request deletion from specific lists





through TPS?

No. Name removal through TPS is general in nature. You may reduce the number of telephone marketing calls you receive from a specific company by asking the company to place your name and telephone number on the company's do-not-call list the next time the company calls you.

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The DMA Telephone Preference Service

If you want to reduce the number of unsolicited national telemarketing calls you receive at home, you may register with TPS, a free service, by printing out this form, filling it in and mailing it to:

TELEPHONE PREFERENCE SERVICE
 DIRECT MARKETING ASSOCIATION
 P. O. BOX 9014
 FARMINGDALE, NY 11735-9014

The DMA does not provide marketers with consumer telemarketing lists. The TPS file is available to companies for the sole purpose of removing your name, address and home telephone number from their calling lists. Your information will remain on TPS for 5 years. This service does not apply to telemarketing calls coming to your business phone.

After several months you will begin receiving fewer telemarketing calls. Local businesses and organizations usually do not use this program. You will continue to receive calls from companies with which you already do business.

Not all companies use TPS to purge their calling lists, therefore, you may continue to receive some companies' calls. If you are sure you do not want to do business with the company now or in the near future, ask to be placed on the company's do-not-call file.

PLEASE REGISTER MY NAME WITH TELEPHONE PREFERENCE SERVICE.

NAME: _____

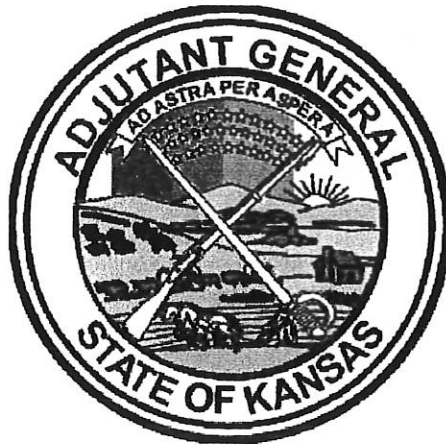
STREET: _____ APT#: _____

CITY: _____

STATE: _____ ZIP CODE: _____ - _____

TELEPHONE NUMBER: _____

SIGNATURE: _____



**Maj General (KS) Greg Gardner
Adjutant General**

**Testimony on HB 2945
House Utilities Committee
Feb 16, 2000**

HOUSE UTILITIES

DATE: 2-16-00

ATTACHMENT 2

HB 2945

- ◆ Tasks Adjutant General to
 - Appoint member
 - Call first meeting

**QUESTION IS
DO WE RELATE?**

2

Answer

NO WAY LITTLE

3



Who we are

Mission

What we do

Professionals:

- Providing military capability for our nation
- Protecting life and property in our state
- Adding value to our community.

Phases of Emergency Management



Mitigation

Prevent or reduce impact

*KDEM leads state team
& manages grants*



Recovery

*KDEM assess damage
& manages grants*



Preparedness

Plan-Train-Exercise
*KDEM coordinates,
assists, & instructs*

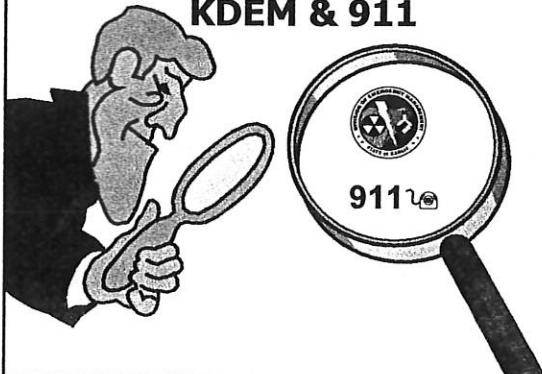
Response

KDEM coordinates state & federal assistance



5

Virtually No Relationship KDEM & 911



6

Thoughts on Task Force Members

- ◆ 911 Emergency Service Providers
 - Law Enforcement Agencies ✓ Ok
 - Emergency Medical Services ✓ Maybe
 - Fire Fighters ✓ Maybe
- ◆ State Communication Systems
 - Division of Information Systems & Communications (DISC)

NUMBERS = NO IS

7



KANSAS
ASSOCIATION OF
COUNTIES

TESTIMONY ON HB 2945

House Utilities Committee

By Judy A. Moler, Legislative Services Director

February 16, 2000

Chairman Holmes and Members of the Committee, thank you for allowing me to speak in support of HB 2945 on behalf of the Kansas Association of Counties. As proposed, this bill is similar to Senate Concurrent Resolution 1641 which was requested by the Kansas Association of Counties (attached).

The KAC has for several years requested legislation that would expand tax currently collected on hard wired telephones for 9-1-1 services to wireless, mobile and cellular phones. The KAC has felt that extension of this tax is a matter of tax equity

Because of the questions raised by testimony on this issue, a Legislative Post Audit reviewing the 9-1-1 emergency phone systems in Kansas was requested by the Senate Commerce Committee. The Post Audit Report was well done but questions still remain. For this reason, the KAC at its Annual Meeting decided to ask for the formulation of a task force as one of the KAC 2000 Platform priorities. We decided to take this set of education before moving toward our priority position to working toward tax equity. We felt this should be done in order that some of the questions raised by the post audit could be answered. One of those questions was the result of the other bill being considered by this committee today....that is the statutory limitation on the use of the funds.

We support the concept and the charge contained in HB 2945. The Kansas Association of Counties also appreciates the number of local officials that would serve on the Task Force contained in the HB 2945. The difference between HB 2945 and SCR 1641 is primarily the addition of legislators in the Senate version. We feel it is important that legislators be a part of this Task Force as legislation will most likely be a result of the study. For this reason, we would urge you add legislators to the Task Force.

Thank you for the opportunity to speak on this bill.

The Kansas Association of Counties, an instrumentality of member counties under K.S.A. 19-2690, provides legislative representation, educational and technical services as well as a wide range of informational services to its member counties. Inquiries concerning this testimony should be directed to the KAC by calling (785) 272-2535.

6206 SW 9th Terrace
Topeka, KS 66615
785•272•2585
Fax 785•272•3585
email kac@ink.org

HOUSE UTILITIES

DATE: 2-16-00

ATTACHMENT 3

Senate Concurrent Resolution No. 1641

By Committee on Commerce

2-9

9 A CONCURRENT RESOLUTION forming the enhanced 911 task
10 force.

11
12 WHEREAS, The ability of the public to contact police, fire and emer-
13 gency medical services by dialing the three digit 911 number has con-
14 tributed greatly to the public's safety, health and welfare; and

15 WHEREAS, Advances in telecommunications technology have made
16 enhanced 911 services available to users of wireless telephones; and

17 WHEREAS, The deployment of enhanced 911 services has created
18 several important public policy issues including the method of its de-
19 ployment, the amount and means of revenue used to support it and the
20 need for coordination between local governments: Now, therefore,

21
22 *Be it resolved by the Senate of the State of Kansas, the House of Rep-*
23 *resentatives concurring therein:* That there shall be established an en-
24 hanced 911 task force which shall develop a strategy for funding and
25 deploying wireless emergency telephone services. Such plan shall include
26 suggestions for future action by the Legislature with respect to deploying
27 efficient and economical enhanced 911 services; implementing equitable
28 and adequate means to fund such services. Specifically, the task force
29 shall make recommendations and propose legislation, if appropriate, con-
30 cerning the following: The mechanism for administering wireless 911
31 service, with a focus on whether such service shall be administered on a
32 centralized basis; the possible formation of an oversight board to address
33 future technological, coordination and regulatory issues related to de-
34 ployment of wireless emergency telephone service; the fairness and ad-
35 equacy of the mechanism for funding such service; the method for re-
36 covering costs incurred by public safety answering points and the
37 mechanism, if any, by wireless telecommunications service providers in
38 providing emergency telephone service; and any other issues the task
39 force deems relevant to the deployment of emergency telephone service.

40 *Be it further resolved:* The the task force consist of 15 members. Two
41 members shall be representatives of wireless telecommunications carriers
42 to be appointed by the Legislative Coordinating Council. One member
43 representing a local exchange carrier other than a rural telephone com-

1 pany to be designated by the Kansas Telecommunications Association.
2 One member representing a rural telephone company to be appointed
3 by the Legislative Coordinating Council. Two members appointed by the
4 Kansas Association of Counties. Two members designated by the League
5 of Kansas Municipalities. The Adjutant General or the Adjutant General's
6 designee. The Superintendent of the Highway Patrol or the Superintendent's
7 designee. The Secretary of Revenue or the Secretary's designee.
8 Four legislators as follows: one member appointed by the Speaker of the
9 House of Representatives; one member appointed by the House Minority
10 Leader; one member appointed by the President of the Senate; and one
11 member appointed by the Senate minority Leader. The Legislative Co-
12 ordinating Council shall appoint one legislative member as chair of the
13 task force. All meetings shall be on call of the chair. Legislators serving
14 on the taskforce shall be compensated at the rate prescribed in K.S.A.
15 75-3223 and amendments thereto for each day of actual attendance at
16 task force meetings and any subcommittee meeting approved by the
17 chair. All other task force members shall serve without compensation.
18 Legislative members shall be compensated from funds appropriated for
19 legislative operating expenses pursuant to vouchers prepared by the Di-
20 rector of Legislative and Administrative Services and approved by the
21 Legislative Coordinating Council pursuant to law; and
22 *Be it further resolved:* That the task force shall report its findings and
23 conclusion to the House Committee on Utilities and the Senate Com-
24 mittee on Commerce during the first week of the 2001 legislative session.
25 The Legislative Research Department and the Office of the Revisor of
26 Statutes shall provide staff support to the task force as necessary. Such
27 legislative staff shall prepare the report and any legislation recommended
28 by the task force.

KANSAS BOARD OF
EMERGENCY MEDICAL SERVICES

109 S.W. 6th AVENUE
TOPEKA, KS 66603-3826

OFFICE (785) 296-7296
FAX (785) 296-6212

TDD (785) 296-6237
www.ksbems.org

David Lake
Administrator

Dennis Allin, M.D.
Chair

Bill Graves
Governor



House of Representatives
Utilities Committee
Rep. Holmes, Chairperson
February 16, 2000
Testimony in Support of HB2945

I am David Lake, Director of the Board of Emergency Medical Services. Thank You for the opportunity to speak with you today in support of HB2945, a bill to establish a task force to make recommendations to the Legislature concerning 911 and E911 telephone service.

I served on the advisory committee in Barton County that established their E911 system. I represented the Emergency Medical Services of Barton County and the education/training component. It became very clear to me, and the rest of the committee, the importance of the 911 system and even more specifically the "enhanced" capability of the system. Of particular interest and concern with regard to EMS is the ability, via the system, to provide life-saving instructions which can greatly enhance the victims chance of surviving until more definitive care is available. Formal training and certification for this level of service by dispatchers is available and discussion has occurred in the past which has suggested requiring such training.

The purpose of my testimony this morning, in addition to indicating my support and that of the Board of EMS, is to ask that you give consideration to including a representative of pre-hospital Emergency Medical Services for membership on the task force. I will be glad to respond to any questions or comments you may have regarding this issue.

HOUSE UTILITIES

DATE: 2-16-00

ATTACHMENT 4



**SEDGWICK COUNTY , KANSAS
DEPARTMENT OF
EMERGENCY COMMUNICATIONS**

Diane M. Gage, Director
525 N Main Ste-B-6
Wichita, KS 67203-3707
(316) 383-7077
(316) 383-8060 (FAX)

**TESTIMONY TO THE HOUSE COMMITTEE ON UTILITIES
REGARDING HOUSE BILL 2945**

February 16, 2000

Chairman Holmes and members of the House Committee on Utilities, I am Diane Gage, Director of Sedgwick County Emergency Communications, Sedgwick County's "911" department. Sedgwick County supports the concept of House Bill 2945, creating a task force to make recommendations to the legislature regarding emergency telephone service. I respectfully request the proposed membership be expanded to include additional representation from local government by increasing the number of appointees from the Kansas Association of Counties to two members and the number of appointees from the League of Kansas Municipalities to two members.

Local government oversees the delivery of all "911" telephone services in this state. They are aware of the impact any changes could have on the people in our state and community. The cities and counties are ultimately responsible to their populace on issues of public safety and access to public safety. As this task force would be making recommendations for changes that impact local government, it is imperative they be aware of the implications those decisions could have on the delivery of "911" services in the communities.

Additionally, please consider appointments from the Speaker of the House, Minority Leader of the House, President of the Senate and Minority Leader of the Senate. This would assure representation from both the legislative and executive branches of our state government.

Thank you for your time and consideration, I would be glad to answer any questions.

Sincerely,

Diane M. Gage
Director, Sedgwick County
Emergency Communications

....to be the best we can be.

HOUSE UTILITIES

DATE: 2-16-00

ATTACHMENT 5



League of Kansas Municipalities

300 SW 8th Avenue
Topeka, Kansas 66603-3912
Phone: (785) 354-9565
Fax: (785) 354-4186

To: House Utilities Committee
From: Kim Gulley, Director of Policy Development
Date: February 16, 2000
Re: Support for HB2945

Thank you for allowing me to appear today on behalf of the League and our member cities. We support the formation of a task force to study the issues surrounding the 911 system in Kansas.

During our policy development process last Fall, League member cities discussed the 911 issue and the following was adopted as a priority by our Governing Body and Convention of Voting Delegates:

- We Support Extending the 911 Tax to All Telecommunications Customers. Although all telecommunications customers may use 911 services free of charge, current law exempts wireless communications customers from paying the local 911 tax. The 911 tax supports a vital public safety interest and should be funded equitably by all users of the service. *The League of Kansas Municipalities supports the formation of a statewide task force to investigate issues concerning local government 911 systems.*

We recognize both the importance and complexity of this issue. We, therefore, support the formation of a task force to study the issue and make recommendations. We believe that it is vital that the task force be balanced in its representation and would oppose altering the balance that is represented in the bill as currently drafted. However, because the Legislature will ultimately have to consider any changes that are recommended, we would support the addition of legislators to serve on the task force as well.

We respectfully request your favorable consideration of HB 2945 and I would be happy to answer any questions that you have.



Johnson County, Kansas

Office of the County Administrator

**TESTIMONY REGARDING HB 2945
HOUSE UTILITIES COMMITTEE
FEBRUARY 16, 2000**

DANA FENTON, INTERGOVERNMENTAL RELATIONS COORDINATOR

Mister Chairman and members of the committee, my name is Dana Fenton, Intergovernmental Relations Coordinator for Johnson County, Kansas. Thank you for this opportunity to appear in front of the committee. I am here to express the SUPPORT of the Johnson County Board of Commissioners for the task force concept embodied in HB 2945.

HB 2945 would authorize the formation of and the appointment of private and public sector professionals to a task force for the purpose of studying the emergency 911-phone system in the State of Kansas. The task force would study the best way to implement enhanced 911 services for wireless telephone users. Specifically, the committee would examine and make a recommendation concerning the best technology available for locating wireless telephone users in the event of an emergency. Furthermore, the task force would also examine and make a recommendation as to the fairest method of financing the development and implementation of wireless locator technology.

The task force concept was proposed by the Legislative Post Audit Department in its report to the Legislative Post Audit Committee in 1999 on the state of 911 services in Kansas. The audit report was well done and the members of the Post Audit Department contributing to this study should be complimented for their hard work and cogent analysis. It also appears that the size and composition of the task force embodied in HB 2945 closely follows the recommendations of the audit report. The task force would be composed of private sector telecommunications providers and public sector personnel (both state and local). However, one major constituency was not considered in the composition of the task force – the State Legislature.

Many task forces are formed to study issues of concern to the legislature. Most, if not all of these task forces include members of the Legislature. I don't need to say to this committee that the voters choose legislators. We believe a task force with legislators, private sector telecommunications providers, and public sector personnel (both state and local) will bring the major constituencies involved in this issue to the table. Thus, we respectfully request that the House Utilities Committee consider adding legislators to the task force.

Thank you Mister Chairman and I will be glad to stand for questions.

HOUSE UTILITIES

DATE: 2-16-00

ATTACHMENT 7