

Approved: February 12, 2004
Date

Carl Dean Holmes

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES.

The meeting was called to order by Chairman Carl D. Holmes at 9:05 a.m. on January 13, 2004 in Room 231-N of the Capitol.

All members were present except: Rep. Peggy Long-Mast
Rep. Jerry Williams

Committee staff present: Mary Galligan, Legislative Research
Dennis Hodgins, Legislative Research
Mary Torrence, Revisor of Statutes
Jo Cook, Administrative Assistant

Conferees appearing before the committee: Judy Moler, Kansas Association of Counties
Kim Gulley, Kansas League of Municipalities
Don Navinsky, Leavenworth County
Ron C. Hoffman, Kansas 911 Providers Association

Others attending: See Attached List

Chairman Holmes welcomed the committee members to the first meeting of the year and asked for bill introductions.

Representative Sloan detailed five bill topics he would like introduced as committee bills. They include: 1) incentives to increase electric transmission and generation capacity, 2) generation from renewable resources; requirements for state agency use; rate of return on generation facilities, 3) telecommunications; high-speed service required to be available; location of wireless towers; KCC civil fine authority, 4) utility energy efficiency and conservation programs for certain residential customers, and 5) electric utilities; additional rate of return allowed as a renewable energy and transmission system upgrade incentive. Representative Sloan moved that the bills be introduced as committee bills. Representative Reitz seconded the motion. The motion carried.

Mary Galligan, Principal Analyst for the Legislative Research Department, provided a comparison of all the wireless enhanced 911 (e-911) bills currently assigned to the committee (Attachment 1). The comparisons are based on the provisions in **HB 2476**. Ms. Galligan responded to questions from the committee.

HB 2334 - Loan fund established to fund enhanced wireless 911; 911 tax applicable to both land-line and wireless telephone service users ; HB 2473 - Emergency telephone service; wireless enhanced 911 service; HB 2476 - Wireless enhanced 911 act; Sub SB 153 - Wireless enhanced 911 act

Chairman Holmes opened the hearing on **HB 2334, HB 2473, HB 2476 and Sub SB 153.**

Judy Moler, General Counsel and Legislative Services Director for the Kansas Association of Counties, testified as a proponent of the bills on behalf of the Public Safety Alliance (Attachment 2). Ms. Moler stated that as a result of several meetings throughout last year **SB 153** and **HB 2334** were introduced, followed by **HB 2473** and **HB 2476**, which represents a compromised reaching in the final hours of the 2003 session.

Kim Gulley, Director of Policy Development for the League of Kansas Municipalities, appeared in support of the e-911 bills (Attachment 3). Ms. Gulley stated that **HB 2334** is most reflective of what the League believes to be the most appropriate approach to wireless enhanced 911 in the state. She also noted that **HB 2476** represented a great deal of compromise and League's position would not change on that bill.

Don Navinsky, Leavenworth County Commission Chairman, provided testimony in support of the bills (Attachment 4). Mr. Navinsky detailed Leavenworth County's budget concerns with the wireless e-911 program currently provided. He explained that they had the services but not need an avenue to receive funding from the wireless users to continue to provide the service.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES, Room 21-N, Statehouse, at 9:05 a.m. on January 13, 2004.

Mr. Ron C. Hoffman, Chairman of the Kansas 911 Providers Association, testified in support of **HB 2476** (Attachment 5). Mr. Hoffman provided information regarding Harvey County's unfunded costs for implementation of wireless e-911 program.

Ms. Moler, Ms. Gulley, Mr. Navinsky, and Mr. Hoffman responded to questions from the committee.

The meeting adjourned at 10:25 a.m.

The next meeting will be Wednesday, January 14, at 9:00 a.m.

HOUSE UTILITIES COMMITTEE GUEST LIST

DATE: January 13, 2004

NAME	REPRESENTING
John D. Piregar	Kansas Legislative Policy Group
Dina Fusk	Verizon Wireless
Judy Mohr	KAC
Andy Shaw	Celltel
Reiff	HV Co 9-1-1
Steve Montgomery	MCI
Hewther Grace	Kathy Dameron
Danielle Hoe	Johnson County
DAVIN LAKE	Bo. of EMS
Kevin Barone	Hein Law firm
LINDA LYONEN	rural Telephone
Don Navinsky	Leavenworth Co Comm
Whitney Dameron	City of Topeka
Russell B. Welter	City of Burton
Sandra Braden	Cingular
Mike Mooney	Sprint
Aime Spiess	KTIA - KS Telecom Industry Assn.
Idea RAHES	KS Daley Assn.
Jim Gartner	SBC
Tom Burgess	RTMC

HOUSE UTILITIES COMMITTEE GUEST LIST

DATE: January 13, 2004

NAME	REPRESENTING
JOHN C. BOTTENBERG	SIS@
Pat Lehman	KS Fire Service Alliance

Selected 2003 and 2004 Wireless Enhanced 911 (e-911) Bills

HOUSE UTILITIES

DATE: 1-13-04

ATTACHMENT 1

Provision	2004 HB 2476	2003 HB 2473*	2003 HB 2037 and 2003 SB 153*
<p>Failure of PSAP to implement wireless e-911 after imposition of tax</p>	<p>If a PSAP has not made a valid request to wireless carriers to implement wireless e-911 service by July 1, 2006, tax revenue generated would be deposited in the Grant Fund. A waiver of up to one year could be granted by the Advisory Board if necessary equipment is not available to meet the time requirement, or for other just cause.</p>	<p>Deadline for making the request would effectively be the same.</p> <p>Provisions regarding failure to make a valid request would be the same.</p> <p>PSAPs would be required to provide wireless carriers with six months notice prior to filing a formal request for implementation of e-911 service.</p>	<p>No similar provision</p>
<p>e-911 Fee</p>	<p>25¢ per month fee (e-911 fee) on each wireless subscriber account and prepaid wireless telephone service in Kansas. The fee would be collected from the wireless user by the carrier and remitted to the Secretary of Administration for deposit in the Grant Fund. Collection of the fee would begin July 1, 2004.</p> <p>Authority for the fee would expire July 1, 2008.</p>	<p>Same</p> <p>The fee would be discontinued when e-911 service has been deployed in every county.</p>	<p>The bill would create a public safety fee of 25¢ per month to be paid by each <u>wireless service user</u>.</p>
<p>Grant Fund</p>	<p>The Wireless Enhanced 911 Grant Fund (Fund) would be created as the repository for revenue generated by the e-911 fee and other moneys available for the purposes of the fund.</p> <p>On <u>July 1, 2008</u> the fund would be abolished and any unobligated balance in the fund would be paid to the LCPA for distribution to municipalities based on population.</p>	<p>Same</p> <p>The Fund would be abolished <u>when e-911 service has been deployed in every county</u>, any bonds issued under the Act are retired, and any unobligated balance in the fund at that time would be paid to the LCPA for distribution to cities and counties based on population.</p>	<p>The fund name would be different. Other provisions would be the same.</p> <p>Effectively the same.</p>
<p>Use of Grant fund revenue</p>	<p>Grants to counties with <u>populations of less than 75,000, or cities located in such counties</u>. Those grants could be used to finance:</p> <ul style="list-style-type: none"> • Necessary and reasonable costs incurred by PSAPs to implement e-911 service; • Purchase or upgrade of equipment used solely to process data elements of e-911 service; • Costs of maintenance and license fees for e-911 equipment and training of personnel to operate that equipment. <p>Grant funds specifically could not be used to build new or expanded facilities or to construct other capital improvements not explicitly authorized by the Act.</p>	<p>Same, and in addition, payment of principal and interest on bonds issued pursuant to the Act to finance e-911 projects eligible for grant funding.</p>	<p>Cities and counties of any size could receive grant funds.</p> <p>Allowable uses of fund moneys would be the same.</p>

* Comparisons are to provisions of 2004 HB 2476.

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Selected 2003 and 2004 Wireless Enhanced 911 (e-911) Bills

Provision	2004 HB 2476	2003 HB 2473*	2003 HB 2037 and 2003 SB 153*
Administration of Grant Fund	<p>The grant fund would be administered by the Secretary of Administration who would be required to:</p> <ul style="list-style-type: none"> • Provide eligible municipalities with technical advice and assistance regarding e-911 projects or grant applications; • Establish grant application procedures and requirements; and • Make an annual report to the Governor and the Legislature describing how the goals and objectives of the previous year have been met and reporting progress toward implementation of federal phase II e-911 requirements. <p>The Secretary would be authorized to:</p> <ul style="list-style-type: none"> • Adopt rules and regulations to implement the Act; • Select projects to be funded from the Grant Fund; and • Enter into agreements with grantees for payment of e-911 project costs. <p>Administrative expenses would be limited to a maximum of 5 percent of revenue. Those administrative costs may include costs incurred by the advisory board and the cost of audits.</p>	<p>Same</p> <p>Same, except that a maximum of \$195,000 of Fund revenue could be used for administrative expenses during FY 2005.</p>	<p>Grant fund administered by Secretary of Administration.</p> <p>The administrator would be required to provide municipalities with technical advice and assistance regarding a project or an application for a grant.</p> <p>The administrator would be authorized, but not required, to make an annual report to the Governor and the Legislature.</p> <p>Same</p> <p>Same, but no enumeration of costs to be considered "administrative."</p>
Advisory Board	<p><u>Nine members</u> appointed by Governor. Representatives of: The Association of Counties; League of Municipalities; local law enforcement; local fire/EMS; PSAPs in counties of less than 15,000 population, and 15,000 or more; wireless carrier industry; local exchange service providers; and the Kansas Highway Patrol.</p> <p>Of those appointees representing the associations and public entities, two must be from counties with populations over 75,000, two must be from counties of 15,000 to 75,000 population, and two must be from counties with populations under 15,000.</p> <p>The Advisory Board would be abolished on July 1, 2008.</p>	<p><u>An eleven-member</u> Wireless Enhanced 911 Advisory Board would be appointed by the Governor. Composition would be the same, except for the additional members. Those two additional members would represent: <u>the Citizens' Utility Ratepayer Board and persons with communication disabilities recommended by the Kansas Commission for the Deaf and Hard of Hearing.</u></p> <p><u>No provision for representation based on size of county other than for representatives of PSAPs.</u></p> <p>The Advisory Board would be abolished <u>when e-911 service has been deployed in every county.</u></p>	<p>Same, except that PSAPs would have only one representative and the Board also would include a person with a communication disability.</p> <p>Effectively the same.</p>
Annual Plan	<p>The Secretary and Advisory Board prepare an annual plan identifying intended uses of moneys in the fund. The plan must include, at least: a project priority list; short and long-term goals and objectives for e-911 deployment; and information on projects to be financed from the fund, grant terms and municipalities that will receive grants.</p>	<p>Same</p>	<p>No requirement that the plan include grant terms and identification of municipalities receiving grants.</p>

* Comparisons are to provisions of 2004 HB 2476.

1-3

Selected 2003 and 2004 Wireless Enhanced 911 (e-911) Bills

Provision	2004 HB 2476	2003 HB 2473*	2003 HB 2037 and 2003 SB 153*
<p>Failure of PSAP to implement wireless e-911 after acceptance of grant</p>	<p>Grantees served by PSAPs that have not requested wireless carriers to implement e-911 service <u>by July 1, 2006</u>, would be required to repay to the Secretary all grant funds received.</p> <p>A waiver of up to one year could be granted by the Advisory Board for just cause or if necessary equipment is not available to meet the two-year requirement.</p> <p>Any amounts paid back would be deposited in the Grant Fund. Any grantee who forfeits grant funds due to failure to make a valid request would be prohibited from receiving another grant until the grantee has submitted evidence to the Secretary that a valid request has been made.</p>	<p>Grantees served by PSAPs that have not requested wireless carriers to implement e-911 service <u>within two years of receiving the first grant payment</u>, would be required to repay grant funds received.</p> <p>Same</p> <p>Same</p>	<p>All grant agreements would have to include provision for repayment of the grant if implementation is not completed.</p>
<p>Tax and Fee Collection</p>	<p>Wireless service users would be liable for the tax and the fee imposed by the bill until the tax or fee is paid to the wireless carrier. Wireless carriers would begin collecting the fee and tax imposed under the bill <u>July 1, 2004</u>. The tax would be added to and could be separately enumerated on users' bills. Both the fee and any tax imposed under authority of the bill would be collected at the same time as, and along with, charges for wireless service in accordance with wireless carriers' regular billing practices. Carriers would remit monthly amounts collected from customers.</p> <p>Revenue generated from the fee would be remitted to the Secretary of Administration.</p> <p>Revenue generated from the tax would be remitted to the LCPA.</p> <p>In the case of prepaid wireless telephone service, the tax and fee would be imposed on each such telephone associated with the state for each subscriber account with sufficient balance on the last day of the month.</p>	<p>Same</p> <p>Wireless carriers would begin collecting the fee, and any tax imposed under the bill <u>two months</u> after the effective date of the Act. Other provisions the same.</p>	<p>Wireless carriers would be required to collect the wireless emergency telephone tax. The tax could be separately identified on the bill received by the wireless subscriber.</p> <p>The tax would be <u>remitted to the local governments</u> quarterly along with a tax return agreed upon by the governing body and the wireless carrier.</p> <p>Collection from users of prepaid services would not be addressed.</p>

* Comparisons are to provisions of 2004 HB 2476.

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Selected 2003 and 2004 Wireless Enhanced 911 (e-911) Bills

Provision	2004 HB 2476	2003 HB 2473*	2003 HB 2037 and 2003 SB 153*
<p>Accountability</p>	<p>Legislative Post Audit would be required to conduct <u>audits in 2006 and in 2008</u> of each wireless carrier, each city or county, the LCPA, and each PSAP relating to payments, disbursements, and use of funds authorized by the Act. Those audits would have to be conducted in accordance with the Post Audit Act and a scope statement authorized and approved by the Post Audit Committee. As outlined in the bill, those audits would include, but not be limited to:</p> <ul style="list-style-type: none"> • the appropriate uses of funds; • sufficiency of funds collected; • status of e-911 implementation; and • the need and level of continued funding. <p>Information provided to Post Audit in connection with the audits would be treated as proprietary and withheld from the public at the request of the submitting party.</p> <p>The Grant Fund and the LCPA would be subject to an annual audit in accordance with the Post Audit Act. The annual audit report would be provided to the Governor and the Legislature along with the annual report of the of e-911 implementation.</p> <p>The Secretary <u>shall in 2004</u> and the Secretary <u>or the LCPA may</u> thereafter require an annual financial audit of any wireless carrier's books and records regarding the collection and remittance of fees and taxes under the Act. <u>Any such audit would be conducted at the expense of the Secretary or the LCPA.</u></p>	<p>A single audit in 2005 of the same entities and under the same terms.</p> <p>Same</p> <p>Same</p> <p>Same</p> <p>The Secretary would be authorized, but not required, to conduct an audit of any wireless carrier's books and records regarding the collection and remittance of fees, taxes, and surcharges under the Act. (A surcharge could be imposed by a wireless carrier to recover the carrier's costs related to e-911). <u>Any such audit would be paid for by the carrier.</u></p>	<p>Same as HB 2473.</p> <p>Same Based on the audit findings, the Legislature could impose a moratorium on or reduce the funding source for the public safety grant fund, wireless carrier surcharge, or wireless emergency telephone tax.</p> <p>Same</p> <p>Same</p> <p>No similar provision.</p>
<p>PSAP Request to Carriers</p>	<p>Unless granted a one-year extension by the Board, PSAPs are required to make a request for wireless e-911 services by July 1, 2006.</p> <p>If the request is not made in the time required, the PSAP must return any grant funds received. No additional funds could be granted to the PSAP until the Secretary received evidence that the request for wireless e-911 service had been submitted to the carriers.</p>	<p>Request must be made within <u>24 months</u> after the municipality receives moneys from the fund unless a one year extension is granted.</p> <p>Same</p> <p>PSAPs would be required to provide wireless carriers with six months notice prior to filing a formal request for implementation of e-911 service.</p>	<p>No similar provision.</p>

* Comparisons are to provisions of 2004 HB 2476.

9-1

Selected 2003 and 2004 Wireless Enhanced 911 (e-911) Bills

Provision	2004 HB 2476	2003 HB 2473*	2003 HB 2037 and 2003 SB 153*
Public Access to Records	Information submitted to the state by wireless carriers under the act would be withheld from the public at the request of the submitting carrier.	Same	No similar provision.
Limitation of Liability	Liability of the Secretary, LCPA, governing bodies of cities and counties, public agencies, wireless carriers and their employees and agents would be limited for damages resulting from installing, maintaining, or providing e-911 service under certain circumstances.	Same	Same
Recovery of Carriers' Costs	The bill would prohibit interpretation of the Act as limiting the ability of wireless carriers to recover, directly from their customers, costs associated with collecting and administering the tax and fee, designing, developing, deploying, and maintaining e-911.	Same	Wireless carriers would be required to collect a surcharge from each wireless subscriber in Kansas. This surcharge could not exceed 25¢ per month per subscriber telephone number in the state. The surcharge would ensure full recovery by wireless carriers of necessary and reasonable costs associated with development and maintenance of emergency telecommunications service on a technologically and competitively neutral basis. Only that portion of the cost of equipment or services used in the wireless carrier's main infrastructure necessary to implement e-911 or wireless e-911 service would be eligible for funding.
Accurate Coverage	The bill would require all PSAPs and wireless carriers to make a good faith effort to ensure that e-911 calls placed near jurisdictional borders are forwarded to the appropriate PSAP.	Same	No similar provision.
Notice of Waiver Request	The bill would require PSAPs to notify the Secretary when they are notified of a wireless carrier's application to the federal Communication Commission for a waiver of deadlines for implementation of e-911.	Same	No similar provision
Bond Financing Authority	NA	Kansas Development Finance Authority to issue bonds to pay for costs of wireline 911, e-911, or both.	Same

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* Comparisons are to provisions of 2004 HB 2476.



TESTIMONY

Before the House Utilities Committee

Enhanced 9-1-1

January 13, 2004

By **Judy A. Moler, General Counsel/
Legislative Services Director,
Kansas Association of Counties**

American Heart Association

City Attorneys Association of Kansas

City Clerks/Municipal Finance Officers Association

Johnson County Sheriff's Office

Johnson County Fire Chiefs Association

Kansas 9-1-1 Providers Association

Kansas Association of Counties

Kansas Association of Chiefs of Police

Kansas Association Council/Commissioners

Kansas Association for Court Management

Kansas Chapter, American Planning Association

Kansas Chapter, National Emergency Number Association

Kansas County Sheriff's Association

Kansas Emergency Medical Services Association

Kansas Fire Service Alliance

Kansas Government Finance Officers Association

Kansas Human Resource Management Association

Kansas Human Relations Association

Kansas Legislative Policy Group

Kansas Mayors Association

Kansas Municipal Insurance Trust

Kansas Recreation & Park Association

Kansas State Association of Fire Chiefs

League of Kansas Municipalities

Mid-America Regional Council

Thank you Chairman Holmes and Members of the House Utilities Committee for allowing the Kansas Association of Counties to provide testimony on Enhanced 9-1-1. I am speaking on behalf of the Kansas Public Safety Alliance (PSA) whose members are named at the left hand side of this page. I think all of the members of the Alliance as well as the members of the committee see this as a public safety issue and one of utmost importance. The wireless carriers have also stated in previous testimony that public safety is a priority of their group.

The Kansas Association of Counties worked in concert with the 24 entities listed on this page to bring a responsible bill to the 2003 legislature. The result of several meetings throughout last year was a bill (SB 153) which was introduced in Senate Commerce Committee as well as this committee last year (HB 2334). In the very waning hours of the 2003 session we reached a compromise that is found in HB 2476.

The Public Safety Alliance identified several guiding principles for reaching our end goal of addressing public safety.

The issue of tax inequity has existed for quite some time as local governments have been allowed to collect taxes on hardwired phones while wireless phones have been exempted. The vast amount of wireless phone usage was just not contemplated by the original law. However, as a result, the hardwired users have built the system while the wireless users have not been asked to share in the tax that builds the system. Users of wireless and cellular phone services have an understandable expectation that their mobile phone will provide them with access to and response from emergency services if needed. To this end, the removal of the exemption from taxation of wireless is the equitable manner in which to fund the building of the enhanced system.

Secondly, the ability of small, less populous counties to collect enough money to build an adequate system is an issue for citizens who live there day in and day out. We support a grant program administered by the state to help the less populous counties build the E 9-1-1 system.

The entities involved from the local government side can compromise on many things. We can discuss the amount charged to wireless users. We can discuss the agency that administers the loan or grant program. We can support the liability protection and exempting the wireless phones used for remote control purposes. While we respect the need and expect wireless to have cost recovery, the one thing we cannot support is the taxing by local or state government to subsidize private industry.

With these tenets being stated, the Kansas Association of Counties representing the Public Safety Alliance supports the passage of legislation to impose an equitable tax on wireless phone users for the building of the E 9-1-1 system.

*House Utilities
Date 1-13-04
Attachment 2*



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: January 13, 2004
Re: Support for Enhanced Wireless 911 Legislation

Thank you for the opportunity to appear before you today on behalf of the League of Kansas Municipalities and our 556 member cities. LKM is a member of the Public Safety Alliance which is committed to the development of enhanced wireless 911 services in Kansas. The delivery of 911 in Kansas has been, from its inception, an intergovernmental enterprise. In most areas of the state, cities and counties work hand in hand to provide this critical service to our citizens.

It is my job today to review the three bills which are being considered and offer our comments concerning each of them.

- **HB 2334 (local control + statewide grant fund + wireless recovery on bill).** This is the bill which was introduced last year at the request of the Public Safety Alliance. It allows local units of government to impose a tax on wireless service users in the same manner and under the same restrictions as the 911 tax on hard-wired users. In addition, it provides for a \$.25 statewide tax to be used to establish a public safety loan fund which would be administered by the Kansas Corporation Commission. The loan fund in this legislation was modeled after the existing revolving loan funds for water and wastewater treatment facilities. In this legislation, wireless carriers are authorized to recover their costs associated with enhanced wireless 911 by charging any such costs back to their customers. In addition, wireless carriers could retain an administrative fee of up to 2% to cover the administrative burden of implementing the act.
- **Sub. SB 153 (the \$.25/\$.25/\$.25 plan).** In its original form, SB 153 was identical to HB 2334. The substitute version of the bill provided a three-tiered approach to enhanced wireless 911. It imposes a statewide \$.25 fee which would establish the revolving loan fund to be administered by the Secretary of Administration. It authorizes local units of government to establish a tax of up to \$.25 locally. And, the bill specifically authorizes wireless carriers to impose a surcharge of up to \$.25 to provide for specific cost recovery. A couple of key issues arise with respect to Sub. SB 153 in the form that it left the Senate. First, it is unclear whether the "cap" on wireless carrier cost recovery would be allowed under federal law. The FCC has ruled that carriers have the right to full cost recovery and that they may achieve such recovery either through their rates or by a separate surcharge on their bill. Second, some wireless carriers raised the issue of the difficult administrative burden which would be forced on them if they had to cut checks each quarter to all of the various PSAPs in the state. That issue was addressed in the conference committee report which was ultimately not adopted and which is reflected in HB 2476.

HOUSE UTILITIES

DATE: 1-13-04

ATTACHMENT 3

- **HB 2476. (\$.25 grant fund + \$.25 for locals remitted to a single point + wireless recovery on bill).** This bill reflects the final conference committee report and provides for a statewide \$.25 fee to fund the grant fund, which would be administered by the Secretary of Administration and would be limited to those counties under 75,000 in population. It also provides for a \$.25 local fee to be collected and sent to a "local collection point administrator." This was done to ease the burden of cutting multiple checks each quarter. Wireless carriers would be authorized to impose a surcharge on the bill to recover their costs. Finally, this legislation includes a number of deadlines which PSAPs must meet in order to have access to the necessary funds. While we would prefer not to impose such mandates on PSAPs, we accepted them in the spirit of compromise at the close of the 2003 session.

From our perspective, HB 2334 is reflective of what we believe to be the most appropriate approach to enhanced wireless 911 in Kansas. It is a plan which is easily understood and administered. However, none of the three pieces of legislation violate the basic tenets which were established by the Public Safety Alliance in support of enhanced wireless 911. Therefore, we would support any of the three bills in their current form.

It is also important to note that HB 2476 represents a great deal of compromise on this issue and if that bill is selected as the starting point for this session, it would be very difficult for us to compromise much further from the language in that bill.

Again, thank you for the opportunity to discuss this very important issue. I would be happy to stand for questions at the appropriate time or otherwise assist the committee in any way possible.

COUNTY OF LEAVENWORTH

COURTHOUSE
300 WALNUT
LEAVENWORTH, KANSAS 66048
Area Code (913) 684-0400



FROM THE OFFICE OF:

BOARD OF COUNTY COMMISSIONERS

January 13, 2004

Representative Carl Holmes: Chairperson

Reference: Wireless 911 Funding

Dear Committee Members:

Today I come before you not only as a Leavenworth County Commissioner, but also as a representative for Kansas County Commissioners. I will give you specific examples of Leavenworth County's revenues and expenses as part of the Mid America Regional Council (MARC) 8-County Emergency 911 System.

Enclosed is a copy of Leavenworth County's estimated receipts and expenses calculated for 2004. Leavenworth County was facing serious problems with 911 program funding and funds would have been depleted by July/August 2004 if it was not for the Board of County Commissioners budgeting \$191,000 of the General Funds account to support and supplement the 911 system. MARC has already instituted both phase I and phase II of the wireless implementations; phase II being the ability of PSAPs to pinpoint the location of wireless 911 calls. Leavenworth County is paying and supporting this wireless project to protect our citizens and those that may travel through our County.

Wireless 911 funding is not coming from wireless carriers to offset accelerated costs. In Leavenworth county 45% of the 911 calls came from cellular users and in the MARC regional coverage area, it is over 50%. There is less use of hard wire phone service since the advent of cellular phone service. Cellular phones now have the capability of letting first responders know where the emergency is located and it is costly to support and maintain.

HOUSE UTILITIES

DATE: 1-13-04

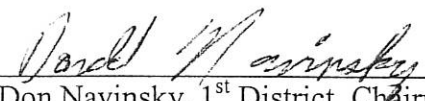
ATTACHMENT 4

For the year 2004 the approximate receipts coming from hard wire telephone will be \$258,000. Our expected expenditures since we instituted the new technology is approximately \$479,000. Last year, knowing this, we budgeted a transfer of \$191,000 from the general fund to balance the budget. As you can see by the copy of the 2004 budget form attached, all 911 funds will be depleted at the end of 2004. How can we fund this without revenue from wireless 911? With the loss of demand transfers from the state, we are struggling to fund other county functions and definitely do not have the ability to continue to transfer funds to 911.

Currently, some wireless carriers are collecting for 911 tariffs (Sprint and Nextel) but the money is not being returned to the counties who support them. Committee Members, I am here today to ask you to support legislation on wireless funding to support County wireless 911 implementation. We cannot withstand any more procrastination of 911 wireless funding. Beware of corporations that propagate false information about their budgets at the expense of the public. As a county official, I am here to say we have implemented enhanced 911 wireless services and now we need to receive funding from the wireless users.

Fiscal responsibility and need make your favorable consideration of supporting wireless legislation necessary this year.

Sincerely,



Don Navinsky, 1st District, Chairman
Leavenworth County Commissioner

Att: Leavenworth County's 911 budget
MARC's position on legislation
Example of collected 911 funds currently on customer billing

DECATUR COUNTY
911 TAXES

State of Georgia
2004 Budget Form

	Prior Year Actual 2002	Current Yr Est. 2003	Proposed Budget 2004
Unencumbered Cash Balance, Jan. 1	323,285	171,545	30,345
Cancelled Prior Year Encumbrances	0	0	0
Receipts			
911 TAXES	247,883	253,000	253,000
REIMBURSED EXPENSES	2,532	0	0
TRANSFER FROM GENERAL	0	0	191,000
Total Receipts	250,415	253,000	449,000
Resources Available	573,700	424,545	479,345
Expenditures			
OPERATIONS			
Contractual Services	276,119	360,200	479,214
Capital Outlay	126,036	34,000	0
Subtotals	402,155	394,200	479,214
Total Expenditures	402,155	394,200	479,214
Unencumbered Cash Balance, Dec. 31	171,545	30,345	131

**Kansas Wireless 9-1-1
Mid-America Regional Council
Position Statement**

The Mid-America Regional Council is an association of city and county governments serving the bi-state Kansas City metropolitan area, and Johnson, Leavenworth and Wyandotte counties in Kansas. MARC administers the regional 9-1-1 system serving the metropolitan community of more than 1.8 million citizens. The system is served by 45 emergency communications centers operated by local governments.

The Mid-America Regional Council is committed to wireless 9-1-1 implementation throughout the state of Kansas and supports efforts to provide additional revenue to local governments to implement and maintain this enhanced service.

Significant costs have been incurred to maintain the quality of the Kansas City regional 9-1-1 system considering the proliferation of wireless emergency calls. Currently, more than half of all 9-1-1 calls in the Kansas City metro area come from wireless devices. Wireless customers do not contribute to the cost of 9-1-1 operations. Without additional revenues to supplement the extreme costs of upgrading systems, implementation of enhanced wireless 9-1-1 will not be possible in most areas. Portions of the state that fund the upgrade with current revenue sources will create a financial crisis for the emergency telephone system.

The regional Kansas City 9-1-1 system supports the following action by the Kansas Legislature:

Revise the current enabling legislation to allow the extension of the existing county-imposed 9-1-1 tax on land-line telephone service to wireless services, without an entitlement to wireless service providers.

Establish a separate wireless fee to create a Public Safety Revolving Fund, administered by the Kansas Corporation Commission, to loan monies to PSAPs that need assistance with implementation costs. These loans would be repaid in a defined number of years.

MARC believes that most implementation problems will be encountered at the local level and a "one size fits all" statewide solution is not achievable under the current proposal. All established wireline 9-1-1 systems have been conceived, implemented, and operated at the local level. MARC continues to encourage the Kansas Legislature to revise the current enabling law for county option surcharge on wireless services to support wireless 9-1-1.

Account Summary

www.sprintpcs.com

Customer	Account Number	Invoice Period	Invoice Date	Page
[REDACTED]	[REDACTED]	Jul. 25 - Aug. 24	Aug. 25, 2003	2 of 24

Summary of Individual Charges (Individual Usage Summaries begin on page 3)						
Individual Information	Monthly Service Charges	Additional Usage Charges	Other Charges	Promotions/ Credits/ Adjustments	Taxes */ Surcharges & Fees	Total
[REDACTED] A	39.99	24.19	0.00	-16.90	8.43	55.71
[REDACTED] A	39.99	28.40	0.00	-9.20	10.58	69.77
Summary of Account Charges						
Description	Monthly Service Charges	Additional Usage Charges	Other Charges	Promotions/ Credits/ Adjustments	Taxes */ Surcharges & Fees	Total
Late Fee			8.04		0.51	8.55
Total Current Charges	79.98	52.59	8.04	-26.10	19.52	\$134.03

* See below for a breakdown of Taxes, and Surcharges & Fees if applicable.

Additional Billing Information

Detail of Taxes, and Surcharges & Fees

Description	Charges
Taxes	
Federal Tax	3.48
Leavenworth County Sales Tax - Services & Usage	1.07
Kansas State Sales Tax - Services & Usage	5.81
Kansas State Sales Tax - Services & Usage	0.43
Leavenworth County Sales Tax - Services & Usage	0.08
Surcharges & Fees	
Kansas State Wireless Universal Svc Fund	3.54
Federal Universal Service Fund	2.11
Federal E911	0.80
Federal Wireless Number Pooling And Portability	2.20
	\$19.52

4-5

Ron Hoffman – Chair: 316-284-6850
Stan Blanchard – Vice Chair: 785-368-2368

P.O. Box 687 Newton KS 67114



Dale Kuhn – PR Chair: 316-694-2801
Joann Angell – Secretary: 316-694-2801

Fax: 316-283-4892

TESTIMONY

OF

HB2476

BY

**RON C. HOFFMAN,
CHAIRMAN**

HOUSE UTILITIES

DATE: 1-13-04

ATTACHMENT 5

Ron Hoffman – Chair: 316-284-6850
Stan Blanchard – Vice Chair: 785-368-2368

P.O. Box 687 Newton KS 67114



Dale Kuhn – PR Chair: 316-694-2801
Joann Angell – Secretary: 316-694-2801

Fax: 316-283-4892

**BIO OF
RON C. HOFFMAN**

THIRTY PLUS YEARS IN EMERGENCY SERVICES

PASSED EMT TRAINING

CERTIFIED EMD

STATE CERTIFIED FULL STATE COMPUTER ACCESS

THREE YEARS AS PATROL OFFICER

FOURTEEN YEARS AS COMMUNICATIONS OFFICER

SEVENTEEN YEARS AS COMMUNICATIONS DIRECTOR

PAST CHAIRMAN OF THE KANSAS APCO CHAPTER

PAST CHAIRMAN OF THE DIVISION 5 KCJIS USERS

RECIPIENT OF THE 1997 LT. CARL GRAY AWARD

***RECIPIENT OF THE 2001 COMMUNICATIONS
ADMINISTRATOR OF THE YEAR AWARD***

***CHAIRMAN OF THE KANSAS 9-1-1 PROVIDERS
ASSOCIATION***

CURRENT MEMBER OF THE KCJIS SYSTEM COMMITTEE

Ron Hoffman – Chair: 316-284-6850
Stan Blanchard – Vice Chair: 785-368-2368

P.O. Box 687 Newton KS 67114



Dale Kuhn – PR Chair: 316-694-2801
Joann Angell – Secretary: 316-694-2801

Fax: 316-283-4892

Mr. Chairman, Committee Member, thank you for the opportunity to speak in support of HB 2476. The facts that I bring to you today are reflective of Harvey County and are echoed by many other counties across the State.

There are three (3) issues that I will present to you today, thus showing why HB2476 is needed.

The first issue is the loss of 9-1-1 Revenue. In 2003 Harvey County, we have seen a revenue loss of \$11,871.00. The fourth quarter is still incomplete. Most Counties across the state echo the same effects.

Secondly, Counties who implement wireless 9-1-1 Phase 1 are faced with a minimum charge of \$75.00 per tower site. In Harvey County that would amount to \$1,350.00 per month or \$16,200.00 per year. Also, two Wireless 9-1-1 phone lines would be added to our current network at a cost of \$69.00 per line per month or \$1,656.00 per year, thus bringing a total cost to \$17,856.00 per year. These costs would be borne by Harvey County, with no revenue recovery!

The Third issue is upgrading current 9-1-1 Hardware within the local PSAP (Public Safety Answering Point). These costs will range from \$160,000 to \$250,000. Also with this issue hangs the unknown cost from the Wireless Carriers (who are not regulated by the K.C.C.) and have an open window!!! Again, all of these areas are totally unfunded at this time. In the attached information of my testimony, you will find documentation showing that the wireless carriers have already set precedence and started charging their customers for wireless 9-1-1 services on monthly bases. These charges range from \$1.00 and up to \$1.37 Per month.

Attached you will find several graphs showing the revenue loss, wireless towers and the unfunded cost for these sites. Also, a graph showing you the percent of cell phone calls vs landline calls generated during a minor snowstorm in Harvey County.

Cellular companies for years have sold their product to their consumers as a safety net for their loved ones. Thus they (the consumer) blindly assume and expect we (9-1-1) know who they are, where they are and their cell phone number.

Ron Hoffman - Chair: 316-284-6850
Stan Blanchard - Vice Chair: 785-368-2368

P.O. Box 687 Newton KS 67114



Dale Kuhn - PR Chair: 316-694-2801
Joann Angell - Secretary: 316-694-2801

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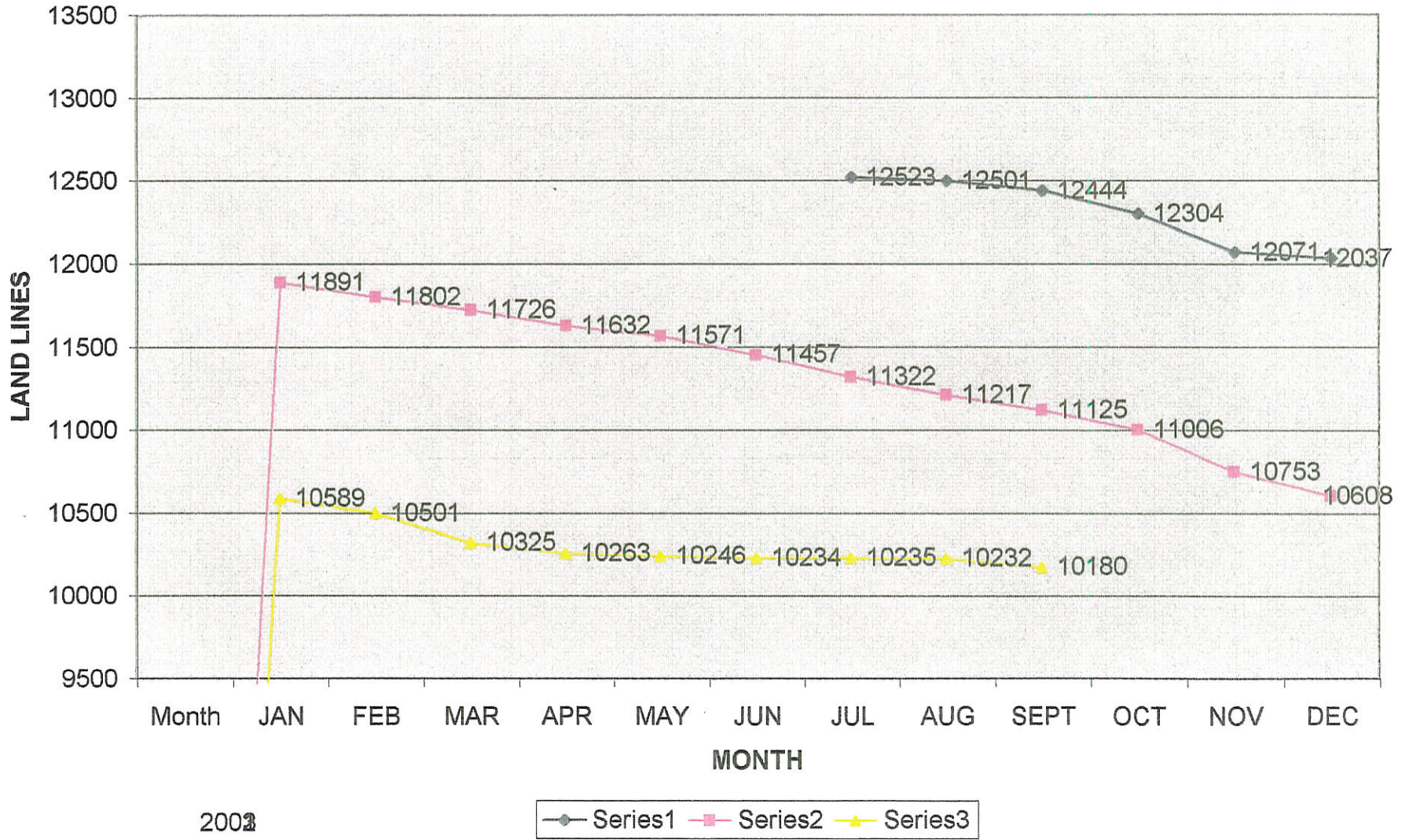
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Cellular companies for years have sold their product to their consumers as a safety net for their loved ones. Thus they (the consumer) blindly assume and expect we (9-1-1) know who they are, where they are and their cell phone number.

5-4

HARVEY COUNTY 9-1-1 LAND LINES



2-9

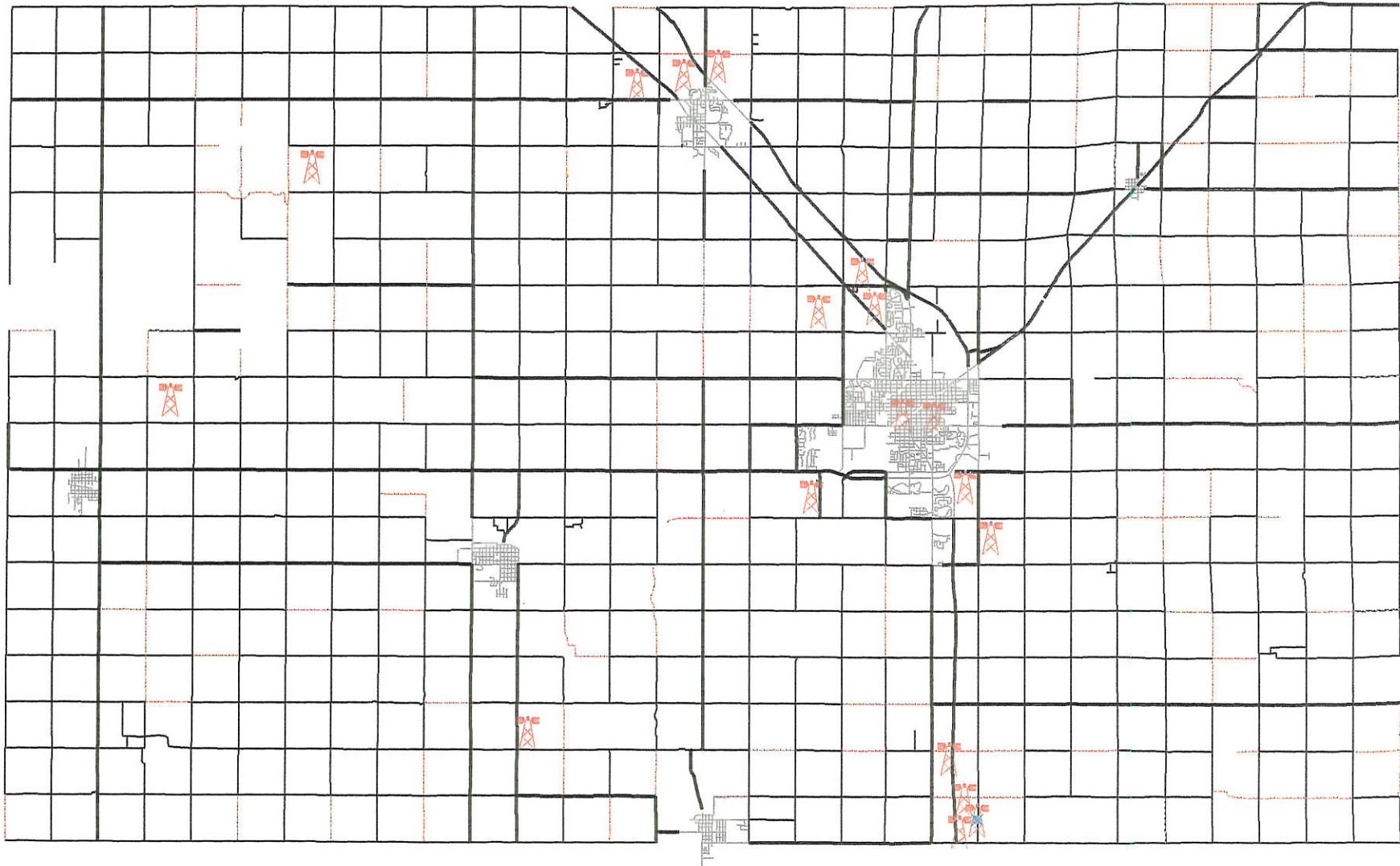
HARVEY COUNTY

9-1-1 REVENUE LOSS

	2001 LAND LINES	2002 LAND LINES	2003 LAND LINES	LOSS		LOSS PER MO		LOSS PER YEAR
JAN		11891	10589	1302	\$ 0.75	\$ 976.50	X 12 =	\$ 11,718.00
FEB		11802	10501	1301	\$ 0.75	\$ 975.75	X 12 =	\$ 11,709.00
MAR		11726	10325	1401	\$ 0.75	\$ 1,050.75	X 12 =	\$ 12,609.00
APR		11632	10263	1369	\$ 0.75	\$ 1,026.75	X 12 =	\$ 12,321.00
MAY		11571	10246	1337	\$ 0.75	\$ 1,002.75	X 12 =	\$ 12,033.00
JUN		11457	10234	1223	\$ 0.75	\$ 917.25	X 12 =	\$ 11,007.00
JUL	12523	11322	10235	1087	\$ 0.75	\$ 815.25	X 12 =	\$ 10,809.00
AUG	12501	11217	10232	985	\$ 0.75	\$ 738.75	X 12 =	\$ 11,556.00
SEP	12444	11125	10180	945	\$ 0.75	\$ 708.75	X 12 =	\$ 11,871.00
OCT	12304	11006		1298	\$ 0.75	\$ 973.50	X12 =	\$ 11,682.00
NOV	12071	10753		1318	\$ 0.75	\$ 988.50	X12 =	\$ 11,862.00
DEC	12037	10608		1429	\$ 0.75	\$ 1,071.75	X12 =	\$ 12,861.00

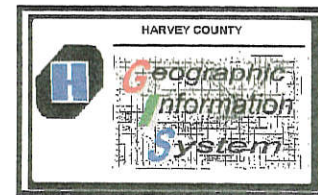
KNOWN CELLULAR TOWER LOCATIONS: HARVEY COUNTY, KS

1-9



\$75 X 18 TOWERS = \$1,350 PER MONTH

\$1,350 X 12 MONTHS = \$16,200 PER YEAR



STATEMENT
BALANCE



WIRELESS
316-772-0877
HARVEY COUNTY SHERIFF

Monthly Service Charges

DIGITAL PHONE	02/03/03 - 03/02/03	0.00
FEATURE PKG	02/03/03 - 03/02/03	0.00
TWO YEAR CONTRACT	02/03/03 - 03/02/03	0.00

Airtime and Long Distance Charges
Rate Plan: TIME MANAGER K-4 (01/03/03 - 02/02/03)

PERIOD	RATE/MIN	MINUTES	CHARGE
PEAK	INCLUDED	25.0	0.00
OFF-PEAK	INCLUDED	3.0	0.00
Total Airtime Usage		28.0	0.00
Long Distance Charges			0.00

Roaming Charges

AIRTIME	1.95
LONG DISTANCE	1.20
SURCHARGES/TAXES ON ROAMING	0.35

Surcharges/Taxes (excludes surcharges/taxes on equipment and roaming charges) ***

FEDERAL TAX	0.03
STATE TAX	0.05
COUNTY TAX	0.01

Other Charges and Credits

REG COST RCVRY FEE	02/03/03 - 03/02/03	0.41
TELCOM CNCTVTY FEE	02/03/03 - 03/02/03	0.59

9.1 Fee

Total Charges for Wireless (316)772-0877 \$4.59

AIRTIME AND LONG DISTANCE DETAIL WIRELESS NBR: 316-772-0877

DATE	TIME	CITY,ST	NUMBER CALLED	RATE PER	CALL TYPE	MIN	AIR	LD	TOTAL
001	01/04	11:39AM	MOBILE	316-215-2271	OP MM	1.0	INCL	0.00	0.00
002	01/07	5:05PM	INCOMING		P	1.0	INCL	0.00	0.00
003	01/07	5:28PM	VOICERETVL	316-772-0877	P	1.0	INCL	0.00	0.00
004	01/07	5:30PM	VOICERETVL	316-772-0877	P	1.0	INCL	0.00	0.00
005	01/07	5:31PM	VOICERETVL	316-772-0877	P	1.0	INCL	0.00	0.00
006	01/07	5:32PM	VOICERETVL	316-772-0877	P	6.0	INCL	0.00	0.00
007	01/11	12:17PM	NEWTON, KS	316-283-0160	OP	1.0	INCL	0.00	0.00
008	01/11	12:27PM	MOBILE	316-772-7273	OP MM	1.0	INCL	0.00	0.00
009	01/13	2:54PM	NEWTON, KS	316-284-2362	P	1.0	INCL	0.00	0.00
010	01/14	11:40AM	MOBILE	316-772-1935	P MM	1.0	INCL	0.00	0.00
011	01/14	11:44AM	INCOMING		P MM	1.0	INCL	0.00	0.00
012	01/16	6:26PM	NEWTON, KS	316-283-9837	P	1.0	INCL	0.00	0.00

AIRTIME AND LONG DISTANCE DETAIL WIRELESS NBR: 316-772-0877

DATE	TIME	CITY,ST	NUMBER CALLED	RATE PER	CALL TYPE	MIN	AIR	LD	TOTAL	
013	01/17	5:47PM	INCOMING		P	2.0	INCL	0.00	0.00	
014	01/17	5:58PM	SALINA, KS	785-825-2822	P	2.0	INCL	0.00	0.00	
015	01/17	6:04PM	INCOMING		P	2.0	INCL	0.00	0.00	
016	01/22	4:47PM	NEWTON, KS	316-281-0912	P	1.0	INCL	0.00	0.00	
017	01/22	4:48PM	INCOMING		P	1.0	INCL	0.00	0.00	
018	01/27	11:55AM	INCOMING		P	1.0	INCL	0.00	0.00	
019	01/29	5:21PM	INCOMING		P MM	1.0	INCL	0.00	0.00	
020	01/30	7:45AM	NEWTON, KS	316-283-1462	P	1.0	INCL	0.00	0.00	
USAGE TOTALS							28.0	0.00	0.00	0.00

TOTAL AIRTIME AND LONG DISTANCE CHARGES \$.00

ROAMING DETAIL WIRELESS NBR: 316-772-0877

DATE	TIME	CITY,ST	NUMBER CALLED	CALL TYPE	MIN	AIR	LD	TAX	TOTAL	
Service Provided by VERIZON - ST. LOUIS, MO SID 00017										
001	01/20	5:17PM	SEDGWICK, KS	316-772-0877	MM 1.0	0.65	0.40	0.11	1.16	
TOTALS						1.0	0.85	0.40	0.11	1.16

Service Provided by VERIZON - DANVILLE, IL SID 30770

001	01/19	6:12PM	NEWTON, KS	316-284-2362	2.0	1.30	0.80	0.24	2.34	
TOTALS						2.0	1.30	0.80	0.24	2.34

TOTAL ROAMING CHARGES \$3.50



5-8

*** See page 2 for explanation of charges

Account Summary

www.sprintpcs.com

Customer	Account Number	Invoice Period	Invoice Date	Page
[REDACTED]	[REDACTED]	Sep. 17 - Oct. 16	Oct. 17, 2002	2 of 14

Summary of Individual Charges (Individual Usage Summaries begin on page 3)						
Individual Information	Monthly Service Charges	Additional Usage Charges	Other Charges	Taxes, Surcharges, Regulatory Fees	Total	
[REDACTED]	60.99	229.03	0.00	0.00	\$10.92	
[REDACTED]	29.99	0.00	0.00	5.09	35.08	
Summary of Account Charges						
Description				Taxes, Surcharges, Regulatory Fees	Total	
Late Fee				16.20	1.28	17.48
Total Current Charges	110.98	229.03	16.20	6.37	\$363.49	

* See below for a breakdown of Taxes, Regulatory and Other Surcharges and Fees if applicable.

Additional Billing Information

Detail of Taxes, Regulatory and Other Surcharges and Fees

Description	Charge
Taxes and Regulatory Related Charges	
USA Federal Tax	0.95
De Soto City Sales Tax - Services & Usage	0.54
Johnson County Sales Tax - Services & Usage	0.28
Kansas State Sales Tax - Services & Usage	1.64
Kansas State Sales Tax - Services & Usage	0.86
Johnson County Sales Tax - Services & Usage	0.14
De Soto City Sales Tax - Services & Usage	0.28
Other Surcharges and Fees	
Kansas State Wireless Universal Svc Fund	1.00
USA Regulatory Obligations & Fees	0.70

Phase 2

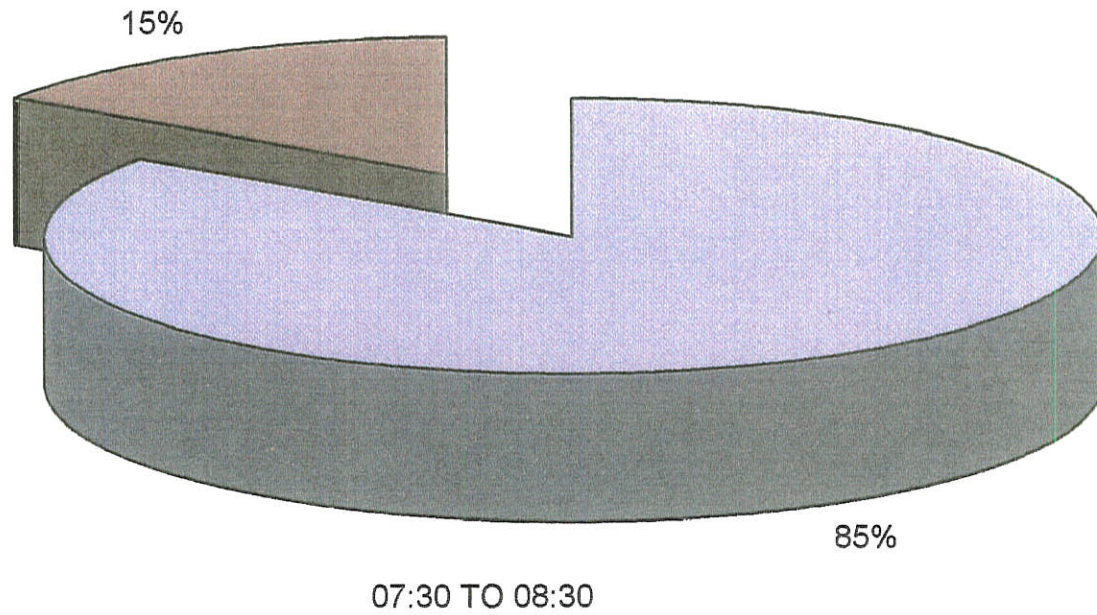
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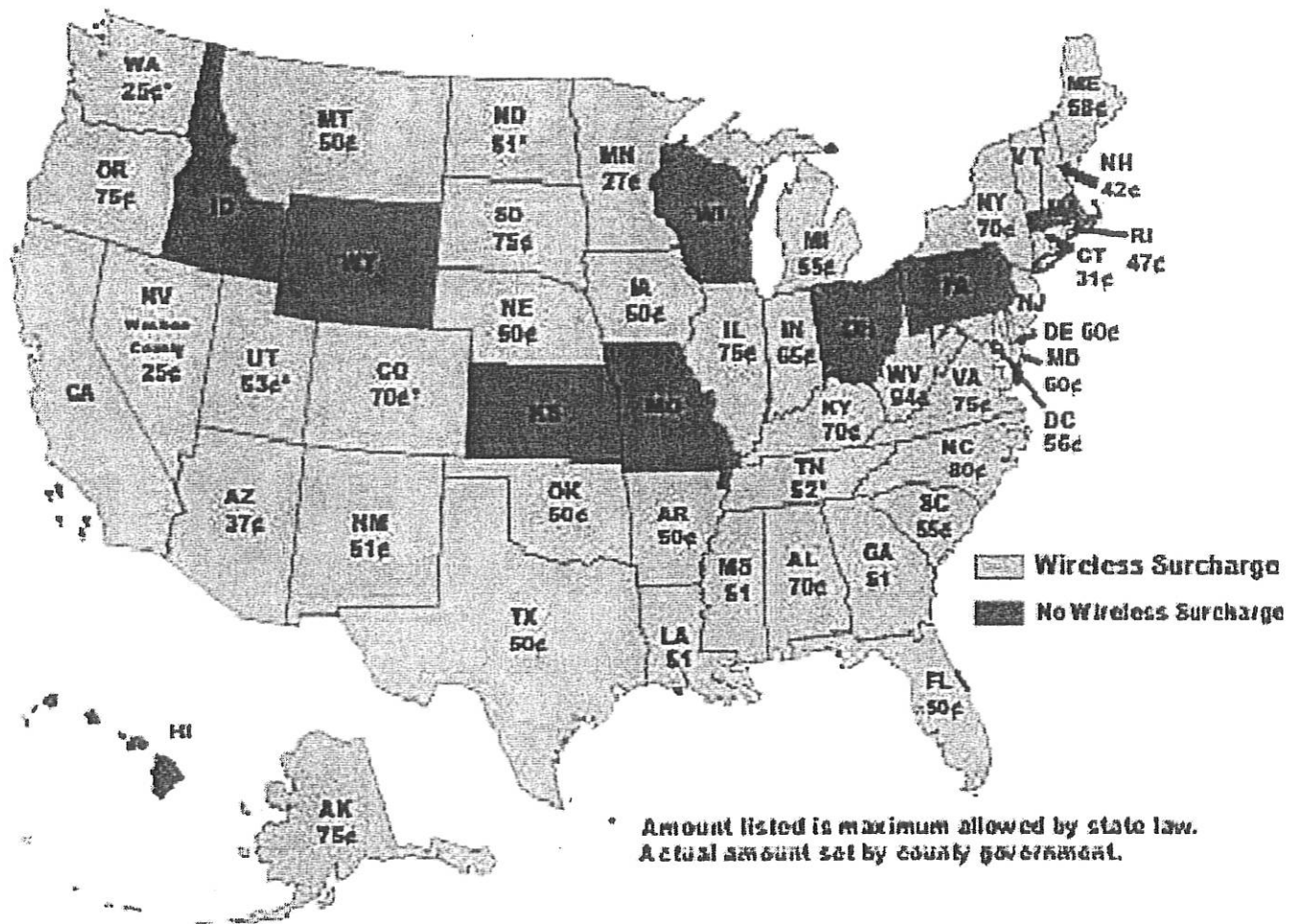
59

2-5

SNOW STORM 02/06/2003

9-1-1 WIRELESS 9-1-1 LAND LINES





Range of 9-1-1 Surcharges

Exact amounts may be adjusted locally
(* as of July, 2003. Remaining states are being verified)

State	Wireline	Wireless
Alabama*	\$2.00 (max)	\$0.70
Alaska*	\$0.50 - 0.75	\$0.50-0.75
Arizona*	\$0.37	\$0.37
Arkansas*	\$0.77	\$0.50
California	Based on Access fees	Based on Access fees
Colorado	\$0.70	\$0.70
Connecticut*	\$0.20	\$0.20
Delaware*	\$0.50	\$0.60
District of Columbia	None	\$0.56
Florida	\$0.50	\$0.50
Georgia*	\$1.50	\$1.00
Hawaii*	\$0.27	None
Idaho*	\$1.00 (max)	\$1.00 (max)
Illinois	\$1.25	\$0.75
Indiana	3-5% of monthly access	\$0.65
Iowa*	\$0.25-\$2.50	\$0.50
Kansas*	\$0.75 (max)	None
Kentucky*	\$1.75	\$0.70
Louisiana*	\$1.00 Res \$2.00 Bus	\$0.85
Maine*	\$0.50	\$0.50
Maryland*	\$0.60 (will be \$1.00 10/1/03)	\$0.60 (will be \$1.00 10/1/03)
Massachusetts	funded by directory assistance	\$0.30
Michigan*	\$0.19-\$3.00	\$0.52
Minnesota*	\$0.55	\$0.50
Mississippi*	\$1.00 Res \$1.00 Bus	\$1.00
Missouri	\$1.50 (max)	None
Montana	\$0.50	\$0.50
Nebraska*	\$0.25 - \$1.00	\$0.50
Nevada	Tax based	\$0.25
New Hampshire*	\$0.42	\$0.42
New Jersey	General Fund	General Fund
New Mexico	\$0.51	\$0.51
New York*	\$0.35	\$1.20 - \$1.50
North Carolina*	Local ordinance \$0.25 - \$4.00	\$0.80
North Dakota	\$1.00	\$1.00
Ohio*	\$0.50 (max) (limited to a few Counties, no general surcharge)	None (\$0.65 proposed)
Oklahoma*	3-5% of monthly recurring charges (up to 15%)	\$0.50
Oregon*	\$0.75	\$0.75
Pennsylvania*	\$0.74-\$1.50	\$1.00
Rhode Island	\$0.60	\$0.60
South Carolina*	\$0.50-\$1.50	\$0.59
South Dakota	\$0.75	\$0.75
Tennessee	\$0.65-\$2.00 / \$1.50-\$3 special	\$1.00
Texas	\$0.50	\$0.50
Utah	\$0.53	\$0.53
Vermont	Universal Service Funding	Universal Service Funding
Virginia*	\$3.00 (max)	\$0.75
Washington*	\$0.20 statewide \$0.35-50 by counties	\$0.25
West Virginia*	\$0.55 - \$3.75 by County	\$1.43
Wisconsin	\$1.00	None
Wyoming	\$0.50	None

5-12



KANSAS EMERGENCY MANAGEMENT ASSOCIATION

<http://www.kema.org/>

911 N Andover Road

Andover, KS 67002

(316) 733-9796 • FAX: (316) 733-0119

Pat Collins

President

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Don Button

President Elect

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Ricky Shellenbarger

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Laurie Harrison

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David Beck

VP Southeast Area

allen_co_emc@hotmail.com

Kathy Guy

VP South Central Area

bcem502@bcem1.com

Jeff Hutton

VP Southwest Area

jeff.hutton@noaa.gov

8 January 2004

Rep. Carl Holmes, Chair
House Utilities Committee
State Capitol 526-W,
300 W 10th St, Topeka, KS 66612

Mr. Chairman,

As current President of the Kansas Emergency Management Assn.(KEMA) I would like to pledge our support to the upcoming wireless 911 legislation. K.E.M.A. has, for years, endorsed any legislation that would enhance the capability of the citizens of Kansas to report emergencies. The proposed legislation provides for an adequate level of funding directly to Public Service Answering Points as well as a means for less populated areas of the state to seek additional funding in the form of grants. The proposed legislation allows for the wireless vendors to recover their costs from user fees, which will promote expansion of their systems to remote areas of the state.

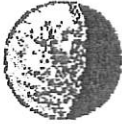
KEMA representatives have been in contact with the 911 users group in Kansas and APCO and share their concerns for some of the broad interpretations that can be drawn from the present language of the bill.

To summarize, KEMA would like to take this opportunity to support the enactment of wireless 911 legislation and would pledge any assistance our members can provide to aid in the passing of such.

Sincerely,

Patrick R. Collins, President
Kansas Emergency Management Assn.
Riley County Emergency Management
115 N. 4th St.
Manhattan, Kansas 66502

5-13



"Linda Smith"
<lsmith@fordcounty.net>
et>

To: <rhoffman@harveycounty.com>
cc:
Subject: FW: 911 and KSA 12-5302

01/09/2004 10:33 AM

-----Original Message-----

From: Linda Smith [mailto:lsmith@fordcounty.net]
Sent: Friday, January 09, 2004 10:26 AM
To: 'neufeld@house.state.ks.us'
Subject: 911 and KSA 12-5302

Dear Mr. Neufeld,

My name is Linda Smith and I work for Ford County Communications in Dodge City, Kansas. I am writing you to make a request that a serious consideration be made towards getting this bill passed with the corrections noted by the 911 Providers Group. Ronald C. Hoffman, Harvey County Communications Center is our representative on our side of these 911 cellular issues. He will be present this coming week for the 911 Hearings. Our county can not afford to purchase the equipment, pay the monthly fees, training, and keep the system updated for Phase I and for Phase II. We are not alone in this financial struggle. If we had the 75 cent 911 tax on cellular devices as we do hardwire telephone devices, we would have the funds towards the purchase, monthly fees, training, and keeping the 911 system updated, then our areas of concern would be taken care of and the citizens would be provided better service. I strongly believe that these funds, like the 75 cent hardwire 911 phone tax, should stay at the local governing level.

Our main concern as a 911 Center is to provide quality and expedient emergency service to those who call us. On a cellular call, we are unable to locate you should you lose consciousness or get disconnected or are otherwise unable to give us your location. You must understand how frustrating this lack of information is to someone who has devoted their life to sending people help when they call. We are left feeling inadequate and helpless. We had a loss of life in 1999. The caller was on a cell phone and we could not understand him enough to get his location. It took us 16 hours of door to door searching to locate this man and he was deceased. I sincerely hope no one has to suffer like this again. 911 services have been a big selling factor for cellular companies from day one and 911 agencies have seen the increase in calls and duties. Technology is wonderful but there is a responsibility associated with it and it is now the time to make a decision. States and Counties do not have the funds to ensure that every 911 agency has the technology to provide this type of 911 service. Citizens want help when they call 911 and expect delivery of this service and I believe are willing to pay this tax to provide this service.

Thank you for taking this time to hear my concerns and request that you will give this your utmost attention.

Respectfully yours,

Linda Smith
Ford County Communications
100 Gunsmoke St.,
Dodge City, KS 67801
620.227.4556

5-14