

MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairman Stan Clark at 9:30 a.m. on February 4, 2004 in Room 526-S of the Capitol.

All members were present.

Committee staff present:

Bruce Kinzie, Revisor of Statutes
Raney Gilliland, Legislative Research
Emalene Correll, Legislative Research
Ann McMorris, Secretary

Conferees appearing before the committee:

Deb Miller, Secretary, KDOT
Colonel William Seck, Kansas Highway Patrol
David Lake, Bureau of Emergency Medical Services
Colonel Walter Way, Johnson County Sheriff's Office

Others attending:

See Attached List.

Introduction of Bills

Senator Brownlee explained the various components of a proposed bill regarding school districts that transport natural gas. The bill would amend the manner in which school districts are charged.

Moved by Senator Brownlee, seconded by Senator Emler, the Senate Utilities Committee introduce a bill regarding transporting of natural gas by school districts. Motion carried.

Chairman Clark opened the hearing on **SCR 1616** and asked Senator Emler for preliminary remarks. Senator Emler indicated this resolution is the result of testimony given during the interim to Utilities and Securities Committees. It was the consensus of all parties concerned that Kansas would benefit from having an interoperable communications system.

SCR 1616 - Concurrent resolution supporting KDOT's review of radio communication policies, objectives and plan.

Proponents:

Secretary Deb Miller of Kansas Department of Transportation, outlined a proposed change in KDOT's 800 MHz radio communication policy. To better serve the needs of Kansans, KDOT has proposed an "open" policy for its 800 MHz communication system which would allow state and local public safety entities and possibly third party users the ability to use the infrastructure. It is anticipated that through this "open" approach, a fee-for-service will be considered to provide a funding mechanism which would allow 800 MHz system support, maintenance and enhancement. (Attachment 1)

Colonel William Seck, Kansas Highway Patrol, on behalf of Homeland Security Council and Kansas Highway Patrol, noted communications interoperability is one of the most vital components to ensure the safety and well being of our citizens. Kansas is one of many states that lack statewide interoperability. KDOT initiative addresses that component and other issues that have been discussed a number of years. (Attachment 2)

David Lake, Bureau of Emergency Medical Services, noted the primary concern of the Kansas Public Safety Communications Committee is the issue of inter-agency interoperability and to provide statewide coverage and capability there needs to be a single infrastructure. The present 800 MHz system of KDOT has this potential. This concurrent resolution is vital to resolving the wireless communication issues in our state and he noted several reasons. (Attachment 3)

CONTINUATION SHEET

MINUTES OF THE SENATE UTILITIES COMMITTEE at 9:30 a.m. on February 4, 2004 in Room 526-S of the Capitol.

Colonel Walter Way of the Johnson County Sheriff's Office, apprised the committee of the countywide radio and data networks in Johnson County and the various agencies that participate in this network. Johnson County and other Kansas City area governments are actively working on plans for the development of interoperable radio and data communications for that region. He explained the agreements entered into by Johnson County with the State of Kansas and wireless telephone carriers. The agreements allow Johnson County to lease tower space from some wireless carriers in some instances and for the State of Kansas and wireless carriers to lease tower space from Johnson County in other instances. (Attachment 4)

Committee members questioned the conferees regarding funding, how such a fund would be established and the handling of such an account.

Closed hearing on **SCR 1616**.

Moved by Senator Emler, seconded by Senator Taddiken, to amend **SCR 1616** to include the Kansas Congressional Delegation and the Kansas State Council of Fire Fighters in the list of those to receive an enrolled copy of **SCR 1616**. Motion carried.

Moved by Senator Emler, seconded by Senator Taddiken, **SCR 1616** be passed favorably as amended. Motion carried.

The next meeting of the Senate Utilities Committee is February 5, 2004.

Adjournment.

Respectfully submitted,

Ann McMorris, Secretary

Attachments - 4

SENATE UTILITIES COMMITTEE GUEST LIST

DATE: February 4, 2004

Name	Representing
Tom Bruno	GBBA
Walter Way	Johnson County Sheriff
David LAKOL	Ks Bd. of EMS
Pat Lehman	KS Fire Service Alliance
Chief Bob Sage	Rose Hill P. D.
CHIEF Tyler Brewer	Augusta Dept of Safety, Ks. Peace Officers Ass,
Chris J. Nard	Sen. Oleen
Bob Jayson	SBC
Kathy Tamman	Pixius
Ken Gusten	KHP
Deb Miller	KDOT
Craig Orma	DISC
Mike Crow	KDOT
Dean Testa	KDOT
Jaci Vogel	KDOT
Edwin Geer	KDOT



KANSAS

DEPARTMENT OF TRANSPORTATION
DEB MILLER, SECRETARY

KATHLEEN SEBELIUS, GOVERNOR

TESTIMONY BEFORE THE SENATE COMMITTEE ON UTILITIES

REGARDING SENATE CONCURRENT RESOLUTION 1616 RADIO COMMUNICATION POLICIES

February 4, 2004

Mr. Chairman and Members of the Committee:

I am Deb Miller, Secretary of the Kansas Department of Transportation (KDOT). I want to thank you for the opportunity to provide testimony regarding the SCR 1616 this morning.

Recently, KDOT gave a presentation on this issue to various interested legislative members, stakeholders, as well as to the Governor's Homeland Security Council. The presentation outlined a proposed change in KDOT's 800 MHz radio communication policy.

In an attempt to better serve the needs of Kansans, KDOT has proposed an "open" policy for its 800 MHz communication system. This proposal would continue to allow state and public safety entities the ability to use the 800 MHz communication infrastructure. The "open" change in the policy would allow other governmental agencies (both state and local), public safety entities, and potentially private organizations to also utilize the current KDOT 800 MHz resources and permit the use of non-800 MHz communication equipment.

It is anticipated that through this "open" approach, a fee-for-service will be considered to provide a funding mechanism which would allow 800 MHz system support, maintenance, and enhancement. Additionally, an enterprise fund will be utilized to provide the opportunity for governmental agencies (both state and local) and public safety entities to acquire 800 MHz radio equipment and participate in the system through a yearly lease with KDOT.

To accomplish the objectives of the changes for the utilization of the 800 MHz system and infrastructure, the Agency will be introducing the necessary enabling legislation. In addition, an unlimited line item will need to be included in the Agency's appropriation

Senate Concurrent Resolution 1616
Senate Committee on Utilities
Page 2
February 4, 2004

for this fund to permit the receipt and expenditure of money from third party users of the system and from any federal or other funds which might also be obtained.

KDOT is truly appreciative of the support shown by this committee and other parties as we investigate how to best use our existing 800 MHz communication infrastructure to support public safety. As previously stated, our envisioned communication policy goes beyond the support of law enforcement, public health and safety, and emergency response. We also envision opening the infrastructure to other users' as capacity and system integrity will allow.

KDOT suggests the committee consider also sending copies of their resolution to the Kansas Congressional Delegation, as we anticipate pursuing their assistance in acquiring Federal Funding and/or Grants in the establishment and enhancement of a statewide interoperable radio communication system for the entire State of Kansas.



KANSAS

WILLIAM R. SECK, SUPERINTENDENT
KANSAS HIGHWAY PATROL

KATHLEEN SEBELIUS, GOVERNOR

**Testimony on SCR 1616
to
Senate Utilities Committee**

**Presented by
Colonel William R. Seck
Kansas Highway Patrol**

February 4, 2004

Good morning, Mr. Chairman and members of the committee. My name is Colonel William Seck, and I appear before you on behalf of the Kansas Highway Patrol and in my role as Chairman of Governor Sebelius' Homeland Security Council in support of SCR 1616.

As Americans, we have all become very aware of the need to enhance homeland security and its importance to the safety of our country since September 11, 2001. As first responders and members of Kansas' ongoing homeland security effort, the Kansas Highway Patrol has joined its partners across our state and nation to ensure the safety and well being of the citizens we serve. And while we continue to strive to be the best at being prepared for the unknown, we know that we will always be making adjustments to vital components of the overall system.

SCR 1616 addresses one of these components. In fact, communications interoperability is one of the most vital components that have been identified. As you will hear from testimony today, interoperability means that public safety agencies, including law enforcement, firefighters, and emergency medical services, can talk to one another via radio communication systems exchanging voice and or data on demand, in real time, during an event. While television shows and big screen movies depict emergency response agencies communicating effortlessly on a regular basis, the truth is many public safety communication systems across this country lack interoperability. Unfortunately, Kansas is one of the many states that lack statewide interoperability.

As Superintendent of the Patrol and Chairman of Governor Sebelius' Council on

Senate Utilities Committee
February 4, 2004
Attachment 2-1

Homeland Security, I am here to tell you that our lack of interoperability is a serious public safety problem that severely undermines the capabilities of law enforcement, firefighters, emergency medical services and other first responders to respond to and manage emergency situations. Whether it be a five-vehicle multi-fatality motor vehicle crash, a tornado that passes through a Kansas community or a domestic or international terrorist attack on Kansas' soil, communications interoperability or the lack thereof will quickly determine how rapidly we are able to bring the situation to successful resolution. Tragically, it can also become a matter of life or death.

As leaders in this great state, it is our responsibility to take the lead on developing a statewide system that will meet our response needs. And while this issue has always been of concern to many of us, none of us can dismiss the fact that its immediacy has significantly increased since 9-11.

I want to recognize and commend the Kansas Department of Transportation and Secretary Deb Miller for their dedication to resolving this issue. It is very apparent that KDOT has identified the issues specific to interoperability and have developed an initiative that works toward providing the tools crucial to first responders. Again, as Kansas leaders, it is imperative we all support KDOT's efforts and help to facilitate the process of achieving our goals.

While KDOT's initiative works toward one goal, certain aspects of this initiative have addressed issues that been discussed for a number of years:

- Local jurisdictions have always been concerned about buying into a statewide system that had no direction from the state. **The KDOT initiative provides the necessary direction.**
- Costs for participation in a statewide system have always been a concern for local jurisdictions. **KDOT's initiative provides financing options to acquire the necessary equipment that include leasing and payment plans.**
- Allowing commercial access to the system can mitigate overall costs. **KDOT has recognized that this could reduce the costs to the state and any jurisdiction that wants to participate.**
- Funding has always been a delaying factor for this initiative. **KDOT's plan provides a "fast track" in development of a statewide system.**

Recently, the Homeland Security Council had an opportunity to hear a presentation given by KDOT on their initiative to address interoperability. I can tell you the Council is very supportive of KDOT's plan and will do all that it can to assist. It has since become apparent that many others are dedicated to this initiative as well, after Council received letters of support. I have attached

copies of those letters to my testimony for your review. Agencies and organizations that have made contact are:

- Butler County Emergency Services Association
- Kansas Emergency Management Association (KEMA)
- Kansas Chapter of the Association of Public-Safety Communications Officials, International (APCO)
- Kansas State Association of Fire Chiefs
- Board of Emergency Medical Services
- Kansas Peace Officer's Association (KPOA)
- Kansas Sheriff's Association (KSA)
- Kansas Association of Chief's of Police (KACP)

Mr. Chairman and members of this committee, this initiative will be one of the most important endeavors we, who are responsible for Homeland Security, will take to ensure the safety of Kansans. The Kansas Highway Patrol and the Governor's Homeland Security Counsel fully support SCR 1616 for the safety benefits it provides. In closing, the Patrol appreciates the opportunity to address you today and urges this committee to give SCR 1616 a favorable report. I will be happy to stand for any questions you might have.

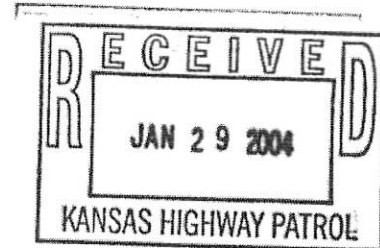
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BUTLER COUNTY EMERGENCY SERVICES ASSOCIATION



January 26, 2004

Col. William Seck
Kansas Highway Patrol
122 S.W. 7th
Topeka, Ks. 66603



Dear Col. Seck:

The Butler County Emergency Services Association is an association of emergency service agencies within Butler County that has united to find a solution to the communications problems and lack of inter-operability that has been plaguing our county for decades.

During our short time as an association we have come to learn that some of the same problems we face are shared with agencies statewide. Simply put, communications and inter-operability for Kansas (state wide) is in crisis. It is that lack of basic communication (for both voice and data), coupled with a lack of inter-operability between agencies and disciplines, which puts our emergency responders and the citizens we are sworn to protect in danger.

After realizing the importance of the issue at hand, we decided as an association to begin our own grass roots efforts to help bring this issue to the forefront. We took it upon ourselves to address every statewide emergency service association we knew of to ask for their support to upgrade the statewide system to allow for seamless voice and data communications between all agencies. ALL of the associations are in agreement, as is reflected in the attached letters. Initially, we anticipated delivering the letters to only three individuals. As a result, some associations drafted letters specifically to the persons we originally intended to contact, so I apologize for the lack of recipient specific information.

We sincerely hope that the knowledge that all emergency services in Kansas are united in support of this will help bring true inter-operability of voice and data in Kansas from concept to reality. We pledge our support as an association to assist you in any manner to help achieve this.

Respectfully submitted,

Robert S. Sage, Chairman

Chairman
Chief Robert Sage
Rose Hill Police Department
P.O. Box 185
Rose Hill, Kansas 67133
(316) 776-0191

Vice-Chairman
Chief Tyler Brewer
Augusta Dept. of Safety
2100 North Ohio
Augusta, Kansas 67010
(316) 775-4500

Secretary
Major Ray Marbut
Augusta Dept. of Safety
2100 North Ohio
Augusta, Kansas 67010
(316) 775-4500

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Voice & Data Communications Inter-Operability support letter cc recipient list.

1. Governor Kathleen Sebelius
2. Rep. Carl Holmes, Chairman, House Utilities Committee
3. Rep. Lee Tafanelli, Chairman, Homeland Security Legislative Committee
4. Rep. Carl Krehbiel, House Utilities Committee member
5. Rep. Everett Johnson
6. Sen. Less Donaven, Chairman, Senate Transportation Committee
7. Sen. Stan Clark, Chairman, Senate Utilities Committee
8. Sen. Jay Scott Emler
9. Sen. Anthony Hensley
10. Sen. Dave Corbin
11. Col. Tod Bunting, Adjutant General
12. Col. William Seck, Kansas Highway Patrol
13. Deb Miller, Secretary, Department of Transportation
14. Howard R. Fricke, Secretary, Department of Administration
15. David Lake, Chairman, Kansas Communications Committee
16. Gordon Lansford, Director, Kansas Criminal Justice Information System



December 16, 2003
Honorable Kathleen Sebelius, Governor
State Capitol, 300 S.W. 10th Ave., Ste. 212S
Topeka, KS 66612-1590

Dear: Governor Sebelius

As president of the Kansas Emergency Management Assn. (KEMA), I pledge the support of KEMA in your efforts to ensure communications interoperability through the revision of the 800 Mhz radio system used by the State of Kansas. This project is long overdue and would greatly enhance the communications capability of state agencies during times of disaster.

We further recommend that the system be enhanced to include interoperability of local emergency responders. It's our understanding that the present capabilities are severely limited and do not allow space for local interfaces. Ideally the system should be used on a daily basis to both monitor the system for operational readiness and to allow a means for local responders to keep in touch with KHP personnel during daily emergencies

Our members are aware that the primary focus of the project is to ensure state agency use. Based on the various Homeland Security initiatives, we encourage broad thinking during the planning and design of the enhancements and recommend consideration for the integration of daily emergency responder interoperability.

We thank you for your attention to this issue. Please call me if you have any questions at (785) 537-6333.

Sincerely,

Patrick Collins, President
Kansas Emergency Management Assn.

Cc: Colonel William Seck

2-6

Kansas Chapter

APCO International

209 Hudson Ave
Oakley, KS 67748

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Salina, Kansas 67401
(785) 826-7210

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Ken Easterly
Kansas Turnpike Authority
9401 E. Kellogg
Wichita, Kansas 67207
(316) 682-4537 ext 2192

PAST PRESIDENT

Michele Abbott-Becker
Marion Co. Emergency Communications
P.O. Box 242
Marion, Kansas 66861
(620) 382-2145

Re: Communications Inter-operability

To Whom It May Concern:

It has been brought to the attention of the Kansas Chapter of APCO Organization that your organization is seeking support to improve emergency communications to promote the establishment of statewide radio inter-operability.

The Kansas Chapter of APCO, supports the concept of statewide communications. We do have reservations about the implementation of such an endeavor promoting the 800mhz system. The Kansas APCO Chapter is in complete agreement that there is a need for inter-operability. There is also concern over how such a project would be funded. It would be both prudent and beneficial for those looking at this issue to explore all options available. With thousands of emergency radios; emergency vehicle radios, hand held radios, pagers, mobile data terminals, main transmitters (base stations), control stations and console equipment, inter-operability will be a major project. With the majority of agencies requiring upgrades to accomplish this, it is imperative that an agency's budget be considered to make all upgrades possible.

It is the general consensus of our organization that even though the 800mhz system is installed throughout the state for limited range usage, the cost to join this system with local communications would be difficult if not impossible for some agencies to fund. We would encourage those addressing these issues to explore the many options of portable equipment, currently supported by the Homeland Security Plan for 2003 fiscal year that would meet this need in a more cost effective manner.

We concur that in these uncertain and security conscious times this project should become a priority issue for our state. As we are the communications center for local police, fire and law enforcement we appreciate the opportunity to voice our concerns on this issue. We would appreciate further involvement on this project and will do our best to serve in whatever capacity needed to see this important mission implemented in a cost effective and successful manner.

Sincerely,

Wayne D. Pruitt

Wayne Pruitt, President
Kansas APCO Chapter

KANSAS STATE ASSOCIATION OF FIRE CHIEFS



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Chief John Lloyd
Wellington Fire Department
200 North C Street, Suite 200
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620-320-7443

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Shawnee, Kansas 66216
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Cokeville, Kansas 67029
785-443-7000

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El Dorado, Kansas 67042
316-321-0100

DISTRICT 7 REPRESENTATIVE
Chief Tim May
Parson Fire Department
1619 Washington
Parson, Kansas 67357
620-421-7050

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620-364-2305

PAST PRESIDENT
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St. Marys Fire Department
P.O. Box 50
St. Marys, Kansas 66539
785-437-0287

November 24, 2003

Chief Robert S. Sage
Rose Hill Police Department
P.O. Box 185
Rose Hill, Kansas 67133

Dear Bob,

The Kansas State Association of Fire Chiefs (KSAFC) stands in support of better communications between all emergency providers. KSAFC understands the need for all emergency services to be able to communicate with each other. It is very frustrating in an emergency when you are not able to communicate with all emergency providers. This makes the already dangerous situation even more dangerous.

Emporia Fire Chief Jack Taylor is the KSAFC representative on the State Communication Committee. If he or I can be of any more support to this challenging project please let us know.

Sincerely,

John M. Lloyd, President
Kansas State Association of Fire Chiefs

2004 CONFERENCE – SALINE COUNTY FIRE CHIEF ASSOCIATION – SALINA, KANSAS
2005 CONFERENCE – ELLIS COUNTY RURAL FIRE DEPARTMENT – HAYS, KANSAS



K A N S A S

DENNIS ALLIN, M.D., CHAIR
DAVID LAKE, ADMINISTRATOR

BOARD OF EMERGENCY MEDICAL SERVICES

KATHLEEN SEBELIUS, GOVERNOR

October 24, 2003

Robert S. Sage, Chief of Police
Rose Hill Police Department
P.O. Box 185
Rose Hill, KS 67133

Dear Chief Sage:

Effective and efficient emergency response requires coordination, communication, and sharing of information among numerous public safety agencies. A number of incidents that require mutual aid and a coordinated response happen each day. A fundamental interoperability challenge today is wireless voice communication among agencies that have different radio systems operating on various radio frequencies.

The Board of Emergency Medical Services is very aware of the challenges to make public safety communications more effective, efficient, and cost effective. We therefore, offer our support in the creation of a statewide system which will solve the communications interoperability issue and allow for voice, data, and G.I.S. information to flow between all emergency services agencies throughout the State.

Sincerely,

A handwritten signature in black ink, appearing to be "D. Allin".

Dennis M. Allin, MD
Chairperson
Board of Emergency Medical Services

900 SW JACKSON STREET, ROOM 1031, LSOB, TOPEKA, KS 66612
Voice 785-296-7296 Fax 785-296-6212 www.ksbems.org

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Ottawa Police Department
Ottawa, KS 66067

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Wichita, KS 67201

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Dodge Police Dept.
Dodge, KS 67037

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KIB
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Crawford, KS 66743
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Cassid Police Dept.
Crawford, KS 66743
KEITH RATHIER
EDAP
Charvale, KS 66720

Kansas Peace Officers' Association

INCORPORATED
TELEPHONE 316-722-8433
FAX 316-722-1988
P.O. BOX 2592 • WICHITA, KANSAS 67201



Col. William R. Seck, Chairman
Governor's Homeland Security Task Force

Re: Communications Inter-operability

Dear Col. Seck,

It has been brought to the attention of this organization that the State sits in a unique position to dramatically improve communications inter-operability statewide.

As you are aware, it is vital to the safety of our citizens and emergency services personnel to be able to communicate and share information seamlessly in a unified system where each of us has equal accessibility.

We, therefore, offer our support to you in the creation of a statewide system which will solve the communications inter-operability issue and allow for voice, data, & G.I.S. information to flow between all emergency services agencies throughout the state. We also pledge to assist you in any manner which would bring this about in the shortest amount of time because we feel that time is of the essence.

Sincerely,

Tim Cronin, President
Kansas Peace Officers Association

In Unity There Is Strength

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Kansas Sheriffs Association

P.O. Box 1853
Salina, Kansas 67402-1853
785-827-2222
Fax 785-827-5215

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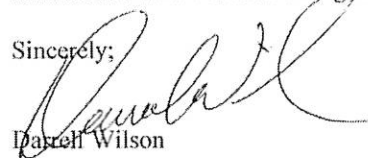
To whom it may concern:

At a recent meeting of the membership of the Kansas Sheriff's Association, it was brought to our attention that the State of Kansas is in a position to dramatically improve their inter-operative communications.

We are all aware that seamless communications is vital to the safety and service to the citizens we serve.

A vote of the members present at that meeting pledged the support of the Kansas Sheriff's Association to improve the voice, data and G.I.S. information flow between emergency services agencies.

Sincerely,



Darrell Wilson

Executive Director

E-mail: sherif959@aol.com
Home Page: ks-sheriff.org

2-11

COPY



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DOYLE KING
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Wichita, KS 67278-0603

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Shawnee Police Dept.

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Immediate Past President
Salina Police Dept.

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KSU Police Dept.

JIM DAILY
Region IV
Newton Police Dept.

LYNN MENAGH
Region V
Norton Police Dept.

VERNON RALSTON
Region VI
St. John Police Dept.

November 25, 2003

William R. Seck
Chairman, Governor's Homeland Security Task Force
Superintendent, Kansas Highway Patrol
122 SW 7th Street
Topeka, KS 66603-3847

Re: Communications Inter-operability

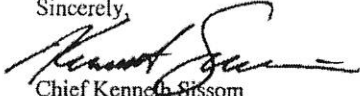
Dear Superintendent Seck:

It has come to the attention of this organization that the State sits in a unique position to dramatically improve emergency services communications inter-operability statewide. As you are aware, it is vital to the safety of our citizens and emergency services personnel to be able to communicate and share information seamlessly in a unified system where each of us has equal accessibility.

We, therefore, offer our support to you in the creation of a statewide system that will solve the communications inter-operability issue and allow for voice, data and G.I.S. information to flow between all emergency service agencies throughout the state. We also pledge to assist you in any manner which would bring this about in the shortest amount of time because we feel that time is of the essence. We are available and anxious to discuss this matter at your convenience.

We will appreciate your prompt and directed attention to this matter.

Sincerely,


Chief Kenneth Sissom
KACP President

memorandum

DATE: February 4, 2004

TO: Senator Stan Clark, Chairperson and Members
Senate Committee on Utilities

FROM: DAVID LAKE

RE: SCR1616

Mr. Chairman, members of the committee; Thank You for the opportunity to provide supporting testimony for Senate Concurrent Resolution 1616. I am presenting this testimony not only as the Administrator for the State Board of EMS but also as the chairperson of the Kansas Public Safety Communications Committee.

Very shortly after the horrendous events of September 11, 2001; former Governor Graves asked state agencies to identify vulnerabilities to consider in planning for the safety of the State in the event of a terrorist event. The Board of EMS is a regulatory agency that oversees the licensed ambulance services and provides technical support

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as requested. We do not treat or transport patients so it is hard to imagine that our agency would be much of a target. My report to the Governor's office and the Joint Committee on Homeland Security reflected those thoughts but I did stress a statewide concern that in the event of a mass-casualty incident, regardless of the cause, the ability to communicate among responding agencies was a major concern and has the great potential for delaying the prompt mitigation of the event. At the present time in almost every community in Kansas, Law Enforcement, Emergency Medical Services, Fire Service, Public Health, and Public Utilities all communicate by radio on different frequencies and lack the ability to readily communicate with each other when necessary. Mine was not the only agency to recognize and mention this concern. The result was the establishment of the Kansas Public Safety Communications Committee. Of primary concern to this committee is the issue of inter-agency interoperability; the ability for multiple agencies to communicate through wireless transmission of voice and data.

✓ I believe there are two questions we need to ask with regard to this issue: 1) How important is wireless interoperability of voice and data to the public safety/service providers of Kansas?; and, 2) Is it necessary to have this capability on a 24 hours/day, 7 days a week basis? Our committee and my agency believes the answer to both questions is a resounding YES.

To provide "round the clock", statewide coverage and capability, there needs to be a single system (infrastructure) that allows for the inclusion of all interested public safety agencies. The present 800 MHz system developed by KDOT, with continued development, has this potential.

✓ I believe the adoption of this resolution is vital to resolving the wireless communication issues in our state for several reasons: 1) it sends the message that State Government is aware of the need for a reliable, statewide communication plan; 2) it allows for the various state agencies to have a single system and network for inter-agency communication; and, 3) it allows for the establishment of a system that local governmental agencies can plan to participate in *if they wish*. It must be recognized that presently several municipalities have established their own 800 MHz system. The statewide plan should allow for them to be included.

While several municipalities have established their own 800 MHz system, most others have not and are reluctant to become a part of the State's system. The leading reasons given are the cost of equipment and no assurance that the system will be universally adopted. The plan proposed by KDOT addresses these issues by formally establishing a statewide communications plan and has provisions for methods of assisting municipalities in obtaining the necessary equipment.

In closing, I ask that you act favorably on SCR 1616 in supporting KDOT and the statewide public safety desire for a system that allows for wireless interoperability. I will be glad to respond to any questions you may have with regard to this issue.

Testimony of:

Colonel Walter Way
Johnson County Sheriff's Office
Olathe, Kansas

Senate Concurrent Resolution No. 1616

February 4, 2004

Chairman Clark, Members of the Committee on Utilities

My name is Walter Way and I am representing the Johnson County Sheriff's Office. I am testifying in support of Senate Concurrent Resolution No. 1616.

The Johnson County Sheriff's Office manages several countywide radio and data networks that are used by over 40 local government and state of Kansas agencies, totaling over 3,400 radios accessing our networks. These radio networks include a VHF system primarily used by fire and emergency medical organizations and both trunked and conventional 800 MHz systems used by criminal justice agencies and other public organizations. Since the early 1990's the Kansas Highway Patrol, Kansas Bureau of Investigation, Kansas Department of Transportation and other Kansas agencies have used Johnson County's 800 MHz trunked radio system for dispatching calls and for general radio communications in the Johnson County area..

Johnson County and other Kansas City area governments are actively working on plans for the development of interoperable radio and data communications that would allow law enforcement, fire, EMS, emergency management, transportation and other public agencies to communicate with each other during multi-jurisdictional operations as well as in the daily course of providing service to the citizens in our respective jurisdictions. This regional approach for interoperable radio communications has been undertaken to enhance the ability of government agencies to effectively communicate and collaborate with each other as well as to share in the cost of expensive radio towers and communication system infrastructure costs. I understand Senate Concurrent Resolution No. 1616 to have the same goals but on a statewide basis.

The 800 MHz system and associated radio towers managed by KDOT provide a good foundation for continuing to build a statewide communications system for public safety agencies outside the urban areas in Kansas. I understand that the KDOT radio towers are approximately 40 miles apart which is acceptable for most mobile radio communications and that additional transmitters can be installed at each tower site to accommodate additional users. It has been our experience that portable radios generally should be within 6 miles of a tower to provide for acceptable radio communications.

Johnson County has addressed the need for additional radio towers to enhance portable radio coverage by entering into agreements with wireless telephone carriers to allow our

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use of their cellular towers for our transmitters and antennas. This has allowed us to significantly expand our radio communications for emergency service workers in areas that had unreliable radio service and to do so without building more towers.

Johnson County has also entered into agreements with wireless telephone carriers to allow those carriers to co-locate their transmitters, antennas and equipment shelters on county owned towers. These agreements include a lease payment by the carriers for use of the tower and such revenue is deposited into an account to fund ongoing maintenance and enhancements to county radio systems. These agreements also require satisfactory compliance by all parties with the following criteria for use of our towers.

1. **Structural strength of the tower.** Before antennas, feedlines and dishes can be added to a radio tower, an engineering review must be conducted to ensure the tower has the structural strength to withstand the effects of certain levels of wind and icing.
2. **Frequency interference.** Intermodulation studies should be conducted to determine if the radio frequencies used by the wireless carrier will interfere with the proper operation of the government radio frequencies at the site. Most wireless carriers use radio spectrum that will not interfere with 800 MHz systems.
3. **Security of the radio tower site.** Access to government radio tower sites by non-public safety personnel is restricted in order to protect public safety communications from accidental or intentional disruption. Agreements with the carriers should identify the security procedures to be followed at the tower sites.

Johnson County has developed effective working relationships and agreements with a number of wireless telephone carriers which has resulted in the sharing of radio towers and improved radio and wireless telephone coverage in several areas of our county. These agreements have also generated revenue that the county can apply to maintenance and upgrades of its radio systems. I would encourage the State of Kansas to consider these practices for its development of a statewide public safety communications system.

Planning for a statewide radio communications system must include broad representation of law enforcement, fire, EMS, emergency management, transportation and other public safety organizations, from both urban and rural areas, state and local agencies, to ensure that essential communications needs of disparate user agencies are considered and that existing interoperable radio services are included in the plan..

Thank you for your time and I would be pleased to answer any questions the committee may have of me.

Colonel Walter Way
Johnson County Sheriff's Office