

MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairman Pat Apple at 1:30 p.m. on February 15, 2011, in Room 548-S of the Capitol.

All members were present except:

Committee staff present:

Matt Sterling, Office of the Revisor of Statutes  
Mary Torrence, Revisor of Statutes  
Cindy Lash, Kansas Legislative Research Department  
Heather O'Hara, Kansas Legislative Research Department  
Ann McMorris, Committee Assistant

Conferees appearing before the Committee:

Others attending: See attached list.

Chair opened for discussion and possible action on:

**SB 50 – concerning emergency communications, relating to fees, charges, collection and distribution**

Kansas Department of Revenue recommended that **SB 50** be amended by deleting the language in New Section 10 (b).

Moved by Senator Emler, seconded by Senator Petersen, to amend **SB 50** by deleting the language in New Section 10 (b). Motion carried.

Technical amendments to **SB 50** were recommended by the Revisor of Statutes – (1) change language in New Section 12 (c) - ~~Upon receipt of the~~ *All* moneys that have been collected from the prepaid wireless 911 fee, ~~all such moneys shall be deposited~~ ..... and in Section 12 (g) change date to 2012 from 2017; (2) Sec. 19. 12-5338 On January 1, 2012 the wireless enhanced 911 grant fee shall be discontinued, the advisory board shall be abolished, any unobligated balance of the wireless enhanced 911 grant fund shall be distributed pursuant to subsection (a) of section 6 and amendments thereto, and the fund shall be abolished. (3) Creation of an additional fund called the 911 state maintenance fund to separate the federal dollars from any moneys contributed the the state or a private donation.

Moved by Senator Petersen, seconded by Senator Taddiken, to amend **SB 50** as recommended by the Revisor of Statutes. Motion carried.

Cox Communications requested the fees be labeled 911 fees instead of “KS 911 fees” as it appears on page 8, line 17 of **SB 50**.

Moved by Senator Bruce, seconded by Senator Petersen, to amend **SB 50** to show the fees labeled as “911 fees.” Motion carried.

Kansas Legislative Research Department prepared a chart on Timeline for 2011 **SB 50** (Attachment 1)

Senator Francisco requested language that would allow retailers the ability to retain an administrative fee.

Moved by Senator Francisco, seconded by Senator Merrick, to amend **SB 50** to allow 1% administrative fee for retailers.

Substitute motion by Senator Bruce, seconded by Senator Masterson, to remove the 2% administrative provider fees. Motion carried.

Kansas Legislative Research Department distributed information on 911 revenue estimates for the two fee levels. (Attachment 2)

After considerable discussion, moved by Senator Masterson, seconded by Senator Merrick to approve lowering the 911 fee in **SB 50** from 55 cents per month to 50 cents per month. Motion was withdrawn and Kansas Legislative Research Department was directed to prepare an estimate on the amounts collected on both the 50 cent and 55 cent fees and no action taken on this matter.

CONTINUATION SHEET

Minutes of the Senate Utilities Committee at 1:30 p.m. on February 15, 2011, in Room 548-S of the Capitol.

Chair Apple proposed the committee give consideration to a separate amendment addressing a change in state coordinator and make those duties part of the duties of the chair of the Coordinating Council who would serve at the pleasure of the Governor.

Kansas Corporation Commission provided rate information to support the increases expressed as percentages in their testimony. (Attachment 3)

The meeting was adjourned at 2:30 p.m.

Respectfully submitted,

Ann McMorris  
Committee Assistant

Attachments - 3