

## MINUTES OF THE HOUSE COMMITTEE ON UTILITIES.

The meeting was called to order by Chairman Carl D. Holmes at 9:08 a.m. on January 13, 2000 in Room 522-S of the Capitol.

All members were present.

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

Conferees appearing before the committee: Mike Murray, Sprint PCS  
Cindy Lash, Legislative Post Audit  
Lynne Holt, Legislative Research  
Jim Yonally, on behalf of Cellular One

Others attending: See Attached Guest List

Chairman Holmes introduced Tom Day, Legislative Liaison with the Kansas Corporation Commission, who requested that the committee introduce a bill dealing with the siting of electric transmission lines (amending KSA66-1,178 and KSA66-1,179) hearings and notices of hearings. Rep. Sloan moved and Rep. Dahl seconded that the committee introduce this proposed bill. Motion carried.

Rep. Sloan asked for introduction of a committee bill to allow electric customers to purchase alternative generated electricity. Rep. Sloan moved and Rep. McClure seconded the introduction of the bill. Motion carried.

Chairman Holmes introduced Mike Murray, on appeared behalf of Sprint PCS, who provided information from Sprint on their wireless programs (Attachment 1). He also provided information on Sprint's Phase II program (Attachment 2). He explained that this information was quite technical, but the company could provide further information at a later date, should the committee request it.

Cindy Lash, Legislative Post Audit, continued her presentation from the previous day. Ms. Lash provided to the committee copies of the July 1990 Attorney General's Opinion on Emergency Telephone Services, Use of Proceeds (Attachment 3); the November 1992 Attorney General's Opinion on Emergency Telephone Services, Use of Proceeds, County Road Signs (Attachment 4); the September 1999 Attorney General's Opinion on Emergency Telephone Services - Emergency Telephone Tax; Use of Proceeds (Attachment 5); photographs of three county 911 Answering Points (Attachment 6) and the current Kansas Statute on Emergency Telephone Services (Attachment 7).

Ms. Lash then continued with the information provided by Legislative Post Audit on "Reviewing the 911 Emergency Phone Systems in Kansas, Part II: Federal Mandates and Organizational Structure", Question 2- Does the Current Structure of the 911 System Result in Inefficiencies, Higher Costs, or Other Problems for the Citizens of Kansas?(Attachment 8) She stated in Kansas, 911 services are wholly under the control of the city or county, without any central oversight or advisory body to help coordinate the provision of the services. Currently 83 counties have consolidated emergency reporting and dispatching functions, including 911 services, for nearly all local units of government in the county. There are not, however, any answering points in Kansas that serve more than a one county area. Most of the other states reviewed had similar local control structures, although six had some type of statewide advisory/oversight body to assist in planning or provide guidance to local programs.

The report also stated that the current state structure for its 911 system may result in some inefficiencies and higher costs. In the 14 counties that haven't consolidated, the dispatch functions for each answering point has it's own 911 system, equipment and personnel. The overall consensus of the auditors about consolidation is that if they (the local officials) want to consolidate, they can make it work. If they don't want to and it is imposed, it will not work. In order to consolidate, an elected official (sheriff, police chief) will have to give up their control over dispatch, etc. It is also noted that answering the 911 calls may be a small part of what most dispatch centers actually do.

## CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES Room 522-S at 9:08 am on January 13, 2000

In reviewing 911 operations in six counties it was found that tax receipts were typically received on a timely basis and that major purchases were made using competitive bids. Spending in these counties was overseen usually by county commissions. These officials were able to identify specific purchases they planned to make with the 911 tax money reserves they had generated. The report states that 99% of the money spent was for purposes allowed by state law, with lack of clarity in the law leading to the question of whether future spending planned goes beyond uses intended by the Legislature.

Ms. Lash concluded by reiterating the recommendations of the audit committee. They are, again, to explore the possibility of creating an advisory committee for statewide 911 oversight and to have legislative clarity on the statutory limitations on how 911 tax money can be spent.

Ms. Lash then responded to questions from Rep. Sloan, Rep. Long, Rep. Alldritt, Rep. Loyd, Rep. McClure, and Rep. Dahl.

Lynne Holt, Legislative Research, then presented information on the FCC rulings on enhanced wireless 911 services ([Attachment 9](#)) and removal of barriers impeding enhanced wireless 911 service ([Attachment 10](#)). She also addressed three issues that surfaced, at the federal level, after the Post Audit reports were completed: cost recovery, technology deployment deadlines and liability protection for wireless companies ([Attachment 11](#)).

The FCC removed the cost recovery mechanism as a precondition for implementation of E-911 services because they did not consider it necessary to mandate a cost recovery mechanism for carriers that are not subject to rate regulation and the cost recovery mechanism requirement placed delays implementation of Phase I.

The technology deployment deadline was extended to December 31, 2004 from October 1, 2001. This would allow more scheduling flexibility for wireless carriers to implement Phase II.

Liability protection for wireless carriers was added because there was a concern that several factors outside their control could prevent them from processing an E-911 call.

Mr. Jim Yonally, on behalf of Cellular One, provided information on triangulation and GPS ([Attachment 12](#)). His information included a definition of each automatic location identification method.

Conferees then responded to questions from Rep. Vining, Rep. Krehbiel and Rep. Long.

The meeting was adjourned at 10:17 a.m.

Next meeting will be Tuesday, January 18, 2000 at 9:00 a.m.