

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES.

The meeting was called to order by Chairman Carl D. Holmes at 9:07 a.m. on January 24, 2001 in Room 526-S of the Capitol.

All members were present except: Rep. Annie Kuether

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

Conferees appearing before the committee: Patrick Lawless, E-911 Task Force Member
Tom Sullivan, E-911 Task Force Member
Lisa Durand, E-911 Task Force Member
Keith Fadiss, E-911 Task Force Member
Jason White, Kansas Emergency Medical Services Assn.
Walter Way, Johnson County Sheriff's Department
Bob Lampke, Sedgwick County Emergency Services
Donald Seifert, City of Olathe
Michael Davis, Wyandotte County Emergency Management
Mike Murray, Sprint
John Parisi, Kansas Trial lawyers Association
Joe Schuele, AllTell
Tom Gleason, Independent Telecommunications Group
Bill Singer, Shawnee County Emergency Management

Others attending: See Attached List

Chairman Holmes called on the committee for bill introductions. Rep. Sloan requested the committee introduce three bills. The first bill would provide tax credits for the improvement of energy efficiency for residential and commercial customers, the second would propose changes for utility/municipal right-of-way, and the third would deal with proposed revisions in franchise fee levels and statutes. Rep. Sloan moved to introduce the proposed bills. Rep. Alldritt seconded the motion, motion carried.

HB 2034 - Enhanced emergency ("911") telephone service

Four members of the E-911 Task Force appeared in support of **HB 2034**.

First, Patrick Lawless, Mayor of Osage City and member of the Governing Body of the League of Kansas Municipalities addressed the committee in support of the bill (Attachment 1). Mr. Lawless stated that he believed there was only one controversy in the bill, that being the lack of definition of cost recovery. He also stated that the bill provides a common sense, workable approach to achieve the implementation of enhanced wireless 911 service.

Next, Thomas Sullivan, Barton County Administrator and representing the Kansas Association of Counties, expressed full support of **HB 2034** (Attachment 2). Mr. Sullivan said that, beyond passage of the bill, the remainder of the work to provide enhanced 911 wireless service was a matter of local decision-making.

Third, Lisa Durand, speaking on behalf of the Kansas State Fire Chiefs and the Kansas Emergency Management Association and Chief of the Johnson County Emergency Communications Center, asked for the committee's support of **HB 2034** (Attachment 3). Ms. Durand stated that implementation would give dispatchers another tool to help save lives, wireless caller location.

The final Task Force member, Overland Park Police Department Deputy Chief, Major R. Keith Faddis, appeared in support of **HB 2034** (Attachment 4). Major Faddis stated that, in order to provide the most efficient and effective service to wireless callers, additional funds are necessary to provide the appropriate equipment.

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Mr. Jason White, appearing on behalf of the Kansas Emergency Medical Services Association, spoke in support of **HB 2034** ([Attachment 5](#)). Mr. White stated that the technology is workable and that this bill will start the process to improve the Kansas 911 system.

Major Walter Way, Johnson County Sheriff's Office, appeared as a proponent of **HB 2034** ([Attachment 6](#)). Major Way explained that the Federal Communications Commission mandated wireless carriers to provide enhanced 911 services. Cost recovery by those carriers was not an entitlement. He stated that local governments need additional revenue to fund the equipment and services necessary to provide enhanced 911 service for wireless callers.

Bob Lampke, Director of Public Safety for Sedgwick County, testified in support of **HB 2034** ([Attachment 7](#)). Mr. Lampke said that with the rapid advances in wireless communications, it is possible that one day, wired phones could join the ranks of rotary phones as nostalgic museum pieces and that it only makes sense to adapt to changes as early as possible.

Donald Seifert, Policy Development Leader for the City of Olathe, urged the passage of **HB 2034** ([Attachment 8](#)). Mr. Seifert stated that the Olathe Police Department handled over 55,000 '911' calls last year and 45% of them came from wireless units.

Michael Davis, Director of Emergency Management for the Unified Government of Wyandotte County/Kansas City, testified in support of **HB 2034** ([Attachment 9](#)). Mr. Davis shared the story of a victim who had called 911 from her wireless phone, but emergency personnel were unable to locate her. He stated that wireless callers should financially support their growing impact on 911 system operations.

Michael Murray, Director of Government Affairs for Sprint, addressed the committee on behalf of a number of wireless carriers ([Attachment 10](#)). Mr. Murray presented the committee with proposed amendments addressing cost recovery negotiations, spending limitations on E911 funds, commitment to offer wireless E911 service, and the inclusion of a wireless E911 advisory board..

John Parisi, Vice President for Legislation for the Kansas Trial Lawyers Association, appeared in a neutral position regarding the general purpose of **HB 2034** ([Attachment 11](#)). However, Mr. Parisi did provide a proposed amendment to the bill regarding liability of the carriers in the provision of the 911 service.

Mr. Joe Schuele, Government Relations Manager for ALLTEL's Kansas and Nebraska operations, testified on **HB 2034** ([Attachment 12](#)). Mr. Schuele expressed a concern as to whether the bill was the best mechanism for achieving the goal of deployment of enhanced 911 wireless service. He expressed support for the proposed amendment regarding cost recovery.

Tom Gleason, Legislative and Regulatory counsel for the Independent Telecommunications Group, appeared in support of **HB 2034** ([Attachment 13](#)). Mr. Gleason represents many of the rural carriers and they believe there are areas of the bill that need to be addressed further. Mr. Gleason provided proposed amendments.

Bill Singer, Shawnee County Emergency Services Manager, spoke to the committee in support of **HB 2034** ([Attachment 14](#)). Mr. Singer provided statistics from the county as to the number of 911 calls received in 2000.

The committee also received written testimony from Michael Pepoon, Director of Government Relations for Sedgwick County ([Attachment 15](#)).

The conferees responded to questions from the committee.

The hearing on **HB 2034** will continue tomorrow.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON UTILITIES, Room 526-S Statehouse, at 9:10 a.m. on January 24, 2001.

Chairman Holmes announced that the committee would hold the hearing on **HB 2010** tomorrow and would then continue with questions for the conferees on **HB 2034**. Upon completion of the questioning, the committee will attempt to work **HB 2034**.

The meeting adjourned at 10:57 a.m.

Next meeting will be Thursday, January 25, 2001.