

MINUTES OF THE SENATE UTILITIES COMMITTEE

The meeting was called to order by Chairman Pat Apple at 1:30 p.m. on March 12, 2009, in Room 545-N of the Capitol.

All members were present.

Committee staff present:

Mike Corrigan, Office of the Revisor of Statutes
Melissa Doebelin, Office of the Revisor of Statutes
Cindy Lash, Kansas Legislative Research Department
Ann McMorris, Committee Assistant

Conferees appearing before the Committee:

Greg & Missy Smith, Overland Park
Erik Sartorius, Overland Park
Bob Keller, Johnson County Sheriff Office
Moji Fanumokun, League of Kansas Municipalities
Rob Olson, Representative
Dina Fisk, Verizon
Ron Gaches, Sprint
Mike Hutfles, Rural Independent Telephone

Others attending:

See attached list.

Chair opened the hearing on:

HB 2115 - Repealing K.S.A. 21-4211, criminal penalty for refusing access to a telephone line for emergency purposes.

Proponents

Mike Hutfles, Rural Independent Telephone Companies, explained that **HB 2115** repealed the current law regarding multi-party lines as the last multi-party line in Kansas was converted in the mid-90's so the statute is no longer needed. (Attachment 1)

Chair closed the hearing on **HB 2115**.

Chair opened the hearing on:

HB 2126 - Requiring telecommunications providers to provide call location information in emergency situations.

Melissa Doebelin, office of Revisor of Statutes, explained **HB 2126**. Committee requested more information on federal laws on court order requirement.

Proponents

Greg Smith, father of Kelsey Smith, explained their experience in trying to get information from Verizon when their daughter was reported missing. (Attachment 2)

Missy Smith, mother of Kelsey Smith, detailed all the efforts they made in attempting to locate their daughter and the lack of response when they contacted Verizon to request information on calls made by Kelsey on her cell phone. (Attachment 3)

Rob Olson, Kansas House of Representatives, who introduced **HB 2126**, noted that this is a law which needed to be changed in order to save lives. This gives law enforcement agencies another tool in their investigations. (Attachment 4)

Moji Fanimokun, staff attorney, League of Kansas Municipalities, testified LKM supports **HB 2126** and believes it balances the need for privacy with the important need for location disclosure by telecommunications companies in emergency situations. (Attachment 5)

CONTINUATION SHEET

Minutes of the Senate Utilities Committee at 1:30 p.m. on March 12, 2009, in Room 545-N of the Capitol.

Ron Gaches, Sprint, spoke on behalf of Sprint in favor of **HB 2126**. (Attachment 6)

Dina Fisk, Verizon, spoke in support of **HB 2126** on behalf of Verizon who believes that this legislation is important to the law enforcement community and provides a valuable resource in times of emergencies. (Attachment 7)

Erik Sartorius, City of Overland Park, presented testimony for City of Overland Park in support of **HB 2126**. (Attachment 8)

Considerable discussion concerning the language in **HB 2126**. General consensus there were areas in the bill that needed clarification and amendments should be introduced. Committee questioned how many states have this type of law and whether a resolution should be introduced urging all states to adopt this legislation.

Request was made for more information on how the 911 call regarding Kelsey Smith was handled by the Overland Park law enforcement agency. Mr. Sartorius agreed to provide this information.

Due to the lack of time, the Chair continued the hearing on **HB 2126** to the March 16, 2009 meeting of the Senate Utilities Committee.

The next meeting is scheduled for March 16, 2009.

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

Respectfully submitted,

Ann McMorris
Committee Assistant

Attachments - 8