



**911 Coordinating Council
Walter Way, Chair**

TESTIMONY TO THE SENATE UTILITIES COMMITTEE
ON SENATE BILL No. 384

Chairman Apple and Members of the Committee:

I am representing the 911 Coordinating Council created by the 911 Act of 2011 and I am providing testimony in support of SB 384 along with additional proposed clarification language.

During the process of implementing the provisions of the 911 Act, the 911 Coordinating Council identified several provisions needing clarification which would facilitate administration of the Act. Those items do not create any substantive changes to the Act nor to the amount of 911 fees collected and are addressed in the proposed changes contained in SB 384.

The first proposed change is to modify the definition of “Subscriber account” for the purpose of clarifying that the 911 fee would be imposed upon the maximum number of simultaneous outbound calling capabilities of a multi-line telephone system or equivalent service. This clarification was needed to provide guidance to the service providers collecting the 911 fee on 10 digit access numbers assigned to businesses and other organizations utilizing such a service, and would limit the 911 fee to the trunk lines or other outbound channels serving the multi-line telephone switch, rather than collecting that fee on potentially hundreds of 10 digit access numbers using that switch. Service providers have collected the former wireline 911 tax on business telephone service based upon up to 100 trunk lines at a location which provide outbound calling capacity , so the proposed modification to the definition of “Subscriber account” should not result in an appreciable change in the amount of 911 fees collected from a business or other organization using a multi-line or equivalent telephone system.

Along with the proposed modification to the definition of “Subscriber account” is the inclusion of a new definition of “Multi-line telephone system” because that term was introduced in the subscriber account definition revision and it would be useful to have a standard definition for service providers, PSAPs and the Council to use in administering the Act.

A second proposed change is to modify the length of the initial terms of the 911 Coordinating Council voting members appointed by the Governor in order to minimize the workload of processing twelve applications for appointment to the Council at the same time. This change should have no adverse impact to the Council.

A third proposed change is to provide an administrative mechanism for the distribution of prepaid wireless 911 fees to PSAPs when the collection of such fees exceeds \$2 million within a calendar year. The present law in KSA 12-5374(c) directs that moneys received in excess of \$2 million during a year would be distributed to PSAPs however there is no jurisdiction information reported to KDOR along with collected sales tax fees so the Local Collection Point Administrator would not have the information needed to distribute the excess fees to the appropriate PSAPs. The proposed language in SB 384 would authorize distribution of the prepaid wireless 911 fees exceeding \$2 million in a year to counties based upon their percentage of total state population. Considering that there are multiple PSAPs in some counties, or there may be no PSAPs in a county due to consolidation agreements, I would recommend the inclusion of the following language on page 7 at the end of subsection (c) on line 32: *“For each PSAP within a county, such moneys shall be distributed to each PSAP in an amount proportional to the PSAP’s population as a percentage share of the population of the county. If there is no PSAP within a county, then such moneys shall be distributed to the PSAP providing service to such county. Such moneys distributed to counties and PSAPs shall be used only for the uses authorized in K.S.A. 2011 Supp. 12-5375”*. This additional language would ensure that such moneys are distributed to PSAPs and that such moneys would be used by PSAPs for the purposes authorized under the 911 Act.

I would ask for your favorable consideration of this bill.

Walter Way, Chairman
911 Coordinating Council