



**911 Coordinating Council  
Walter Way, Chair**

TESTIMONY TO THE HOUSE ENERGY AND UTILITIES COMMITTEE  
ON SENATE BILL No. 384

Chairman Holmes 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.

During the process of implementing the provisions of the 911 Act, the 911 Coordinating Council identified several provisions needing modification which would facilitate administration of the Act. Those modifications do not create any substantive changes to the Act nor to the amount of 911 fees collected and are contained in the amended version of SB 384 that is before this committee.

The first modification concerns the definition of "Subscriber account" which is needed to clarify that the 911 fee should be imposed upon the maximum number of simultaneous outbound calling capabilities of a multi-line telephone system or equivalent service. This modification is 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 modification 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 modification 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 amendment in SB 384 would address this concern as follows: (1) authorize distribution of the prepaid wireless 911 fees exceeding \$2 million in a year to counties based upon their percentage of total state population; (2) for those counties with more than one PSAP, the county share would be divided among the PSAPs based upon the PSAP's share of the county population; (3) for a county with no PSAP, the county share would be distributed to the PSAP providing service to such county; and (4) specify that such prepaid wireless 911 fees shall be used by counties and PSAPs only for the uses authorized in K.S.A. 12-5375 of the 911 Act, which provides for the authorized uses for the 911 fees remitted to PSAPs. The last item was added to ensure that such moneys are not redirected by local governments to fund other than 911 services.

I would ask for your favorable consideration of this bill, and I stand for questions.

Walter Way, Chairman  
911 Coordinating Council