



Kansas 9-1-1 Coordinating Council

Monday, June 8, 2018

Agenda

- Call to Order, Roll Call (Chief Heitschmidt)
- Minutes for meeting April 16, 2018, (Chief Heitschmidt)
- LCPA (Local Collection Point Administrator) Report (Kathy Becker)
- Chairman's Report (Chief Heitschmidt)
- Administrator Report (Scott Ekberg)
- Liaison Report (Lori Alexander)
- Operations Committee Report (Michele Abbott, Chair)
- GIS Committee Report (Ken Nelson, Chair)
- Geospatial Call Routing (GCR) Report (Sherry Massey, Chair)
- Technical Committee Report (Phill Ryan, ITSS/Chair)
- Program Management Report (Randall White, PM)
- New Business
- Next Meeting, August 10, 2018, Topeka

Voting Members (17)	Non-Voting Members (9)	Support
Mike Albers, Govt IT	David Cowan, LKM	Michele Abbott, Operations
Representative John Alcala	Jerry Daniels, KAC	Lori Alexander, Liaison
Senator Rick Billinger	John Fox, LEC over 50k lines	Eileen Battles, GIS
Troy Briggs, Kansas Sheriff Associat'	Adam Geffert, MARC	Kathy Becker, NSI
<i>Robert Cooper, Deaf Hard Hearing</i>	Ken Nelson, GIO	Debbie Edwards, Cybersecurity
Senator Marci Francisco		Scott Ekberg, Administrator
Dick Heitschmidt, Chair, Law Enforc		Phill Ryan, ITSS
Representative Kyle Hoffman		Gayle Schwarzrock, NSI
Kathy Kuentler, PSAP Any Size		Randall White, PM
Michael Leiker, Govt IT		
Sherry Massey, PSAPs less 75k	<i>vacant Office of IT Services (OITS) →</i>	<i>Sara Spinks (pending appt.)</i>
Kerry McCue, Kansas EMS Board	<i>vacant Rural Independent' Telcos →</i>	<i>Rob McDonald (pending appt.)</i>
Robert McLemore, Fire Chief	Larry Dexter (R), VoIP Provider	Search committee
Josh Michaelis, PSAPs less 75k	Rusty Griffin (R), Large Wireless	Search committee
Melanie Mills-Bergers PSAPs over 75k		
Ellen Wernicke, PSAPs over 75k		
<i>vacant Adjutant General's Depart' →</i>		<i>Jonathan York (pending appt.)</i>



Kansas 9-1-1 Council Meeting Minutes

Monday, April 16, 2018

1 Call To Order

The Kansas 911 Coordinating Council ("Council") meeting was called to order by Chairman Dick Heitschmidt at 9:05 a.m.

2 Roll Call

Council Members in Attendance

Mike Albers, Rick Billinger, Troy Briggs, Robert Cooper, David Cowan, Jerry Daniels, Marci Francisco, Adam Geffert, Dick Heitschmidt, Kyle Hoffman, Kathy Kuentler, Michael Leiker, Sherry Massey, Kerry McCue, Robert McLemore, Josh Michaelis, Melanie Mills-Bergers, Ken Nelson, and Ellen Wernicke.

Council Members Absent

John Alcala, Larry Dexter, and John Fox.

Also, in Attendance

Michele Abbott, Lori Alexander, Eileen Battles, Kathleen Becker, Debbie Edwards, Scott Ekberg, Angela Murphy, Phill Ryan, Gayle Schwarzrock, and Randall White.

3 Approval of Minutes

Chairman Dick Heitschmidt presented the January 26, 2018 meeting minutes for approval. Chief Robert McLemore moved to approve the minutes; seconded by Josh Michaelis. No further discussion. All in favor. Motion carried.

4 Approval of Agenda

5 Presentations

5.1 LCPA Report

Financial Reports. Kathleen Becker presented financial reports for the first two (2) months of 2018.

LCPA Audit. Cummins, Coffman, and Schmidlein, CPA, will be doing the 2017 annual LCPA Audit this year for 2017. The goal is to have the audit completed by July.

5.2 Chairman Report

National Public Safety Telecommunicators Week. Last week marked the annual National Public Safety Telecommunicators Week to honor first responders and those involved in public safety.



Retirement. Chairman Heitschmidt announced to the Council that he is retiring as Chief of Police, Hutchinson, Kansas, October 1, 2018. There will be further discussion on this topic during the June 8, 2018, Council meeting.

ESInet In Reno County. Reno County went live last week on the nationwide AT&T ESInet™ (Emergency Services IP network). This was a historic moment, with Kansas being the first state in the union to do so.

Gov. Colyer's EO 2018-04. Governor Jeff Colyer, MD, recently signed Executive Order 2018-04 dealing with sexual harassment, discrimination, and retaliation. It is the recommendation of the Council's legal counsel at the Attorney General's Office that the Council not adopt its own policy, but instead rely upon the State's policy regarding sexual harassment, discrimination, and retaliation. Motion was made by Senator Marci Francisco to adopt the State's policy; seconded by Sherry Massey. No further discussion. All in favor. Motion passed.

911 Act SB 420. Senate Bill 420 was not brought up for discussion during this Session. Senator Francisco advised that because this is the second year of the 2-year sessions, and every representative is up for election, no Bills are carried over. The Bill will need to be reintroduced during the next Legislative session. The Council will work with Senator Olson, Chair of the Senate Utilities Committee, work on the Bill in preparation for the next Legislative session. Further discussion on this topic during the June 8, 2018, Council meeting.

Council Vacancies and Appointments. Status of Council appointments:

- Robert Cooper has been reappointed.
- Rob McDonald, will be replacing Jimmy Todd. His application is currently under review.
- Jonathan York, from the Adjutant General's Office, will be replacing Colonel (Ret.) Chris Stratmann. His paperwork has been submitted to the Governor's Office.
- Paperwork has been submitted to replace Jay Coverdale, Office of Information Technology Services (OITS).

NG911/FirstNet Interoperability Status. AT&T has hired Colonel (Ret.) Chris Stratmann to work with their FirstNet group.

5.3 NG911 Administrator Report

NG911 AT&T ESInet Status. Scott Ekberg presented numerous benefits of the national AT&T ESInet not previously mentioned. In support of this new initiative, an MOU Day is set for May 17, 2018, in Salina. The agreements will be put into templates which PSAPs can then take back with them to review with their legal counsel or governing body. No binding agreements will be made; it is only informational.

Other States Reaching Out to Kansas. Coffeyville PD sits right on the state line between Kansas and Oklahoma, with South Coffeyville in Oklahoma. Therefore, Coffeyville has a responsibility for taking 911 calls for that section of Oklahoma. That county in Oklahoma is basic 911. Nowata County has approached Coffeyville PD with an interest in having Coffeyville PD take 911 calls in the northern half of their county. This raises jurisdictional questions about the state line. Chief Robert McLemore shared how Ellen Wernicke, MARC region, works across state lines. Ellen advised the model is out there for what they are currently doing. Adam Geffert, MARC, will discuss further with Scott. Senator Francisco mentioned that MARC has set up a jurisdictional relationship for several efforts, including 911.

Hosted Call Handling Solution Status. As shown on the Status Map, there are 82 counties live on the system. Issues with Shawnee County diverse circuits should be resolved shortly and they will be ready to



move forward. The Text-To-911 map reflects all of the counties that are operational on the system currently, and those that will be coming online the same day they go live on the call handling system.

Statistics and Council Cost/Call. Scott reviewed the statistics for the 1st quarter of 2018.

5.4 Program Management Report

Randall presented the Program Management report. The program currently has two (2) jeopardy issues:

- **Headcount.** Not enough staff at the end of 2018. Phill Ryan and Randall White's contracts will expire at the end of the year. Additionally, the program has lost Jay Coverdale and Colonel (Ret.) Stratmann. Get-well solutions will be reviewed at next Council meeting, June 8, 2018.
- **Funding** beyond 2020. With the new features that are being added, such as ESInet, more funding is necessary. An increase in fee would resolve the shortfall in funding.

Randall reviewed program status of LCPA, DASC, Dickinson County, Infrastructure, Knowledge Center.

5.5 Technical Committee Report

Phill Ryan presented on the Technical Committee report.

- **Project Escalation:** DDS server difficulties with log-in. Airbus and AT&T simulated the situation in their lab and came up with code fixes. Standard security software was also released.
- Software upgrade was recently implemented with some feature fixes, as well as an increase in capacity for the CAD ports that go with each PSAP.
- AT&T ESInet™ came into the Yoder test lab in March and pre-tested everything before it was pushed over live for Reno County. Everything went smoothly.
- Phill advised there is a 10-digit number that goes into every 911 center. Telemarketers find these numbers even though they are not listed. With ESInet, those 10-digit numbers go away.
- There are companies working on enhancements to better locate individuals calling in to 911. Hoping to have a much better system for this by the end of the year with our new technology.
- AirBus sold their communications division to Motorola.

5.6 Operations Committee

Michele Abbott presented the Operations Committee. Feb 16 was 50th anniversary of the first 911 call.

Expenditure Report. Scott reviewed Expenditure Report for 2017; only a few PSAPs haven't reported. With what has been submitted, there is:

- \$18,467,580.54 reported as expenditures in 2017
- \$3,810,611.70 is pending follow-up information to ensure they fit within allowable expenses
- \$1,540.00 in unallowable expenses report.

Training Sub-Committee Report. Ellen Wernicke advised the training committee has not done a lot pending the legislative effort. The Committee will be working on creating a "voluntary certification program" for those agencies who want to meet the current training standards. Chairman Heitschmidt requested that Ellen prepare a report for the June 8, 2018, Council meeting.



Text-To-911 Sub-Committee Report. Josh Michaelis reviewed texting statistics. The next step is Real Time Texting (RTT). He is monitoring FCC developments, and inquiring about RTT status of cellular carriers, as well as language translation in the software updates. The committee has also been working with the Kansas Historical Society on a record retention schedule of text messages. Robert Cooper has been doing public education with the deaf and hard of hearing community across the state over the past few months.

5.7 GIS Committee Report

National Award and Recognition. Ken Nelson shared that DASC received an Esri Special Achievement award in GIS.

GIS Data Maintenance. Ken reviewed the 1st quarter report for 2018 - 100% compliance with Kansas NG911 GIS Data Governance Policy.

Orthoimagery. A majority of the state has been completed – ahead of what was originally planned. There are a few more areas that will be completed to finish up this year and then they will come back in 2019 to complete the state. Approximately six local jurisdictions participated in the buy-up program for either the 6” or 3” resolution.

Program Portal. Eileen Battles presented on portal updates: expenditure reporting, VESTA® Locate template, and EDGMS portal.

GIS User Group Report. Webinar presented every quarter that includes program, geospatial, and toolbox updates. The webinar is also posted for viewing after. Completed one in February with 60+ in attendance. Next webinar set in May 2018, and an in-person meeting in October 2018 at the KAM Conference.

GIS Data Training. GIS Data Steward and Data Maintainer Certification Classes led by Sherry Massey. Are scheduled through August, 2018, at locations throughout the state.

Geospatial Call Routing. Sherry discussed the **project escalation** regarding geospatial call routing. The pieces of the system necessary to get the GIS data into the ESInet are not yet available. Weekly meetings have been established to fast track development.

5.8 Liaison Report

Lori Alexander noted upcoming conferences that ensure we stay abreast of emerging NG911 standards, while allowing our core team to network with state local subject matter experts:

- NASNA and NENA, June, Nashville
- APCO International, August, Las Vegas
- Kansas Fall APCO, October, Salina.

6 New Business

2018 Budget. Scott advised the 2018 budget did not include the cost of ESInet. Scott asked that the contract budget for the AT&T line item be increased from \$5,000,000 to \$8,000,000 (to include the \$3,000,000 for ESInet). The cost of ESInet will only be invoiced for each PSAP as they are migrated. Chairman Heitschmidt inquired if funding is available for this increase and Scott confirmed it is. Senator Francisco motioned to increase the budget by \$2,000,000, making the total \$7,000,000, with the option to increase further as needed. Sherry Massey seconded the Motion. No further discussion. All in favor. Motion passed.

Next meeting is a web-conference on **June 8, 2018.**



7 Adjournment

Motion for adjournment by Representative Hoffman; seconded by Sherry Massey. No further discussion. All in favor. Motion passed. The meeting adjourned at about 11:24 a.m.

Submitted by:

Scott Ekberg
NG911 Administrator

SENATE BILL NO. _____

By Committee on Federal and State Affairs

AN ACT concerning the Kansas 911 act; relating to emergency services; concerning 911 fees, collection and distribution; amending K.S.A. 2017 Supp. 12-5363, 12-5364, 12-5365, 12-5366, 12-5367, 12-5368, 12-5369, 12-5370, 12-5371, 12-5372, 12-5373, 12-5374, 12-5375, 12-5376, 12-5377, 12-5378 and 12-5380 and repealing the existing sections; also repealing K.S.A. 2017 Supp. 12-5327, 12-5338 and 12-5361.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2017 Supp. 12-5363 is hereby amended to read as follows: 12-5363.

As used in the Kansas 911 act:

- (a) "Consumer" means a person who purchases prepaid wireless service in a retail transaction.
- (b) "Department" means the Kansas department of revenue.
- (c) "Enhanced 911 service" or "E-911 service" means an emergency telephone service that generally may provide, but is not limited to, selective routing, automatic number identification and automatic location identification features.
- (d) "Exchange telecommunications service" means the service that provides local telecommunications exchange access to a service user.
- (e) "GIS" means a geographic information system for capturing, storing, displaying, analyzing and managing data and associated attributes which are spatially referenced.
- (f) "GIS data" means the geometry and associated attributes packaged in a geodatabase that defines the roads, address points and boundaries within a PSAP's jurisdiction.
- ~~(e)~~ (g) "Governing body" means the board of county commissioners of a county or the governing body of a city.
- ~~(f)~~ (h) "Local collection point administrator" or "LCPA" means, on the effective date of

this act, the statewide association of cities established by K.S.A. 12-1610e, and amendments thereto, and the statewide association of counties established by K.S.A. 19-2690, and amendments thereto. After January 1, 2012, "local collection point administrator" means the person designated by the 911 coordinating council to serve as the local collection point administrator to collect and distribute 911 fees and 911 state grant fund moneys.

~~(g)~~ (i) "Multi-line telephone system" means a system comprised of common control units, telephones and control hardware and software providing local telephone service to multiple end-use customers that may include VoIP service and network and premises based systems such as centrex, private branch exchange and hybrid key telephone systems.

~~(h)~~ (j) "Next generation 911" means 911 service that conforms with national emergency number association (NENA) i3 standards and enables PSAPs to receive Enhanced 911 service calls and emergency calls from Internet Protocol (IP) based technologies and applications that may include text messaging, image, video and data information from callers.

~~(i)~~ (k) "Person" means any individual, firm, partnership, copartnership, joint venture, association, cooperative organization, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or fraternal organization, nonprofit organization, estate, trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy or any other legal entity.

~~(j)~~ (l) "Prepaid wireless service" means a wireless telecommunications service that allows a caller to dial 911 to access the 911 system, which service must be paid for in advance and is sold in predetermined units or dollars of which the number declines with use in a known

amount.

~~(k)~~ (m) "Place of primary use" has the meaning provided in the mobile telecommunications act as defined by 4 U.S.C. § 116 et seq., as in effect on the effective date of this act.

~~(h)~~ (n) "Provider" means any person providing exchange telecommunications service, wireless telecommunications service, VoIP service or other service capable of contacting a PSAP. A provider may also be a 911 system operator.

~~(m)~~ (o) "PSAP" means a public safety answering point operated by a city or county.

~~(n)~~ (p) "Retail transaction" means the purchase of prepaid wireless service from a seller for any purpose other than resale, not including the use, storage or consumption of such services.

~~(o)~~ (q) "Seller" means a person who sells prepaid wireless service to another person.

~~(p)~~ (r) "Service user" means any person who is provided exchange telecommunications service, wireless telecommunications service, VoIP service, prepaid wireless service or any other service capable of contacting a PSAP.

~~(q)~~ (s) "Subscriber account" means the 10-digit access number assigned to a service user by a provider for the purpose of billing a service user up to the maximum capacity of the simultaneous outbound calling capability of a multi-line telephone system or equivalent service.

~~(r)~~ (t) "Subscriber radio equipment" means mobile and portable radio equipment installed in vehicles or carried by persons for voice communication with a radio system.

~~(s)~~ (u) "VoIP service" means voice over internet protocol.

~~(t)~~ (v) "Wireless telecommunications service" means commercial mobile radio service as defined by 47 C.F.R. § 20.3 as in effect on the effective date of this act.

~~(u)~~ (w) "911 call" means any electronic request for emergency response, presented by means of wireline, wireless, VoIP or telecommunications device for the deaf (TDD) technology, text message or any other technology by which a service user initiates an immediate information interchange or conversation with a PSAP.

~~(v)~~ (x) "911 system operator" means any entity that accepts 911 calls from providers, processes those calls and presents those calls to the appropriate PSAP. A "911 system operator" may also be a provider.

Sec. 2. K.S.A. 2017 Supp. 12-5364 is hereby amended to read as follows: 12-5364. (a)

(1) There is hereby created the 911 coordinating council which shall monitor the delivery of 911 services, develop strategies for future enhancements to the 911 system and distribute available grant funds to PSAPs. In as much as possible, the council shall include individuals with technical expertise regarding 911 systems, internet technology and GIS technology.

(2) The 911 coordinating council shall consist of 13 voting members to be appointed by the governor: Two members representing information technology personnel from government units; one member representing the Kansas sheriff's association; one member representing the Kansas association of chiefs of police; one member representing a fire chief; one member recommended by the adjutant general; one member recommended by the Kansas emergency medical services board; one member recommended by the Kansas commission for the deaf and hard of hearing; two members representing PSAPs located in counties with less than 75,000 in population; two members representing PSAPs located in counties with greater than 75,000 in population; and one member representing PSAPs without regard to size. At least two of the members representing PSAPs shall be administrators of a PSAP or have extensive prior 911

experience in Kansas.

(3) Other voting members of the 911 coordinating council shall include: One member of the Kansas house of representatives as appointed by the speaker of the house; one member of the Kansas house of representatives as appointed by the minority leader of the house; one member of the Kansas senate as appointed by the senate president; and one member of the Kansas senate as appointed by the senate minority leader.

(4) The 911 coordinating council shall also include nonvoting members to be appointed by the governor: One member representing rural telecommunications companies recommended by the Kansas rural independent telephone companies; one member representing incumbent local exchange carriers with over 50,000 access lines; one member representing large wireless providers; one member representing VoIP providers; one member recommended by the league of Kansas municipalities; one member recommended by the Kansas association of counties; one member recommended by the Kansas geographic information systems policy board; one member recommended by the Kansas office of information technology services; and one member, a Kansas resident, recommended by the Mid-America regional council.

(b) (1) Except as provided in subsection (b)(2) and (b)(3), the terms of office for voting members of the 911 coordinating council shall commence on the effective date of this act and shall be subject to reappointment every three years. No voting member shall serve longer than two successive three-year terms. A voting member appointed as a replacement for another voting member may finish the term of the predecessor and may serve two additional successive three-year terms.

(2) The following members, whose terms began on the effective date of this act, shall

serve initial terms as follows:

(A) One member representing information technology personnel from government units, one member recommended by the adjutant general, one member representing PSAPs located in counties with less than 75,000 in population and one member representing PSAPs located in counties with ~~greater than~~ 75,000 or more in population shall serve a term of two years;

(B) one member representing information technology personnel from government units, one member recommended by the Kansas emergency medical services board, one member representing PSAPs located in counties with less than 75,000 in population and one member representing PSAPs without regard to size shall serve a term of three years; and

(C) one member representing a fire chief, one member recommended by the Kansas commission for the deaf and hard of hearing, one member representing the Kansas association of chiefs of police and one member representing PSAPs located in counties with ~~greater than~~ 75,000 or more in population shall serve a term of four years.

(3) The initial term for one member representing the Kansas sheriff's association shall begin on July 1, 2014, and be for a period of three years.

(4) The terms of members specified in this subsection shall expire on June 30 in the last year of such member's term.

(c) (1) The governor shall select the chair of the 911 coordinating council, who shall serve at the pleasure of the governor and have extensive prior 911 experience in Kansas.

(2) The chair shall serve as the coordinator of E-911 services and next generation 911 services in the state, implement statewide 911 planning, have the authority to sign all

certifications required under 47 C.F.R. part 400 and administer the 911 federal grant fund and 911 state maintenance fund. The chair shall serve subject to the direction of the council and ensure that policies adopted by the council are carried out. The chair shall serve as the liaison between the council and the LCPA. The chair shall preside over all meetings of the council and assist the council in effectuating the provisions of this act.

(d) The 911 coordinating council, by an affirmative vote of nine voting members, shall select the local collection point administrator, pursuant to K.S.A. 2017 Supp. 12-5367, and amendments thereto, to collect 911 fees and to distribute such fees to PSAPs and to distribute 911 state grant fund moneys as directed by the council. The council shall adopt rules and regulations for the terms of the contract with the LCPA. All contract terms and conditions shall satisfy all contract requirements as established by the secretary of administration. The council shall determine the compensation of the LCPA who shall provide the council with any staffing necessary in carrying out the business of the council or effectuating the provisions of this act. The moneys used to reimburse these expenses shall be paid from the 911 state grant fund, pursuant to subsection (i).

~~(e)~~ (1) The 911 coordinating council is hereby authorized to adopt rules and regulations necessary to effectuate the provisions of this act, including, but not limited to: (A) Creating a uniform reporting form designating how moneys, including 911 fees, have been spent by the PSAPs; ~~;~~ (B) requiring service providers to notify the council pursuant to subsection ~~(j)~~ (k); (C) ~~setting~~ establishing standards for coordinating and purchasing equipment; ~~;~~ (D) recommending standards for general operations training of PSAP personnel; (E) establishing training standards and programs related to the technology and operations of the NG911 hosted solution; (F)

establishing data standards, maintenance policies and data reporting requirements for GIS data;
and (G) assessing civil penalties, pursuant to subsection (m).

(2) The chair of the council shall work with the council ~~to develop rules and regulations—~~
~~necessary for the distribution of moneys in the 911 federal grant fund. The council shall work~~
~~with the chair to carry out the provisions of this act. to adopt~~ rules and regulations necessary ~~to~~
~~begin for the~~ administration of this act ~~shall be adopted by December 31, 2011, but the council~~
~~shall not adopt any rules and regulations or any other requirement that:~~ ~~(A) creates a mandatory~~
certification program of PSAP operations or PSAP emergency communications personnel; ~~or (B)~~
~~imposes any civil penalties for failure to adhere to recommended training standards.~~

(f) The 911 coordinating council may engage a contracting firm to review and update the
GIS data for a PSAP with GIS data that has not been updated in more than a year. The council
shall assess the governing body that oversees such PSAP for the full costs of updating the GIS
data for that PSAP.

~~(f)~~ (g) The council may, pursuant to rules and regulations, ~~raise or~~ lower the 911 fee
established pursuant to K.S.A. 2017 Supp. 12-5369, and amendments thereto, upon a finding
based on information submitted on the uniform reporting forms, that moneys generated by such
fee are in excess of ~~or below~~ the costs required to operate PSAPs in the state. ~~The council shall not~~
~~set the 911 fee above \$.60 \$.95.~~

~~(g)~~ (h) The council may appoint subcommittees as necessary to administer grants,
oversee collection and distribution of moneys by the LCPA, develop technology standards,

develop training recommendations and other issues as deemed necessary by the council.

Subcommittees, if appointed, shall include members of the council and other persons as needed.

~~(h)~~ (i) The council may reimburse independent contractors or state agencies for expenses incurred in carrying out the business of the council, including salaries, that are directly attributable to effectuating the provisions of this act. The moneys used to reimburse these expenses shall be paid from the 911 state grant fund, pursuant to subsection ~~(h)~~ (j).

~~(i)~~ (j) All expenses related to the council shall be paid from the 911 state grant fund. No more than 2.5% of the total receipts from providers and the department received by the LCPA shall be used to pay for such expenses. Members of the council and other persons appointed to subcommittees by the council may receive reimbursement for meals and travel expenses, but shall serve without other compensation with the exception of legislative members who shall receive compensation pursuant to K.S.A. 75-3212, and amendments thereto.

~~(j)~~ (k) Every provider shall submit contact information for the provider to the council ~~prior to January 1, 2012.~~ Any provider that has not previously provided wireless telecommunications service in this state shall submit contact information for the provider to the council within three months of first offering wireless telecommunications services in this state.

~~(k)~~ (l) (1) Each PSAP shall file an annual report with the council, ~~by March 1, 2012, and every by~~ March 1 ~~thereafter, a report~~ demonstrating how such PSAP has spent the moneys earned from the 911 fee during the preceding calendar year. The council shall designate the content and form of such report and any associated documentation that is required to finalize such report .

(2) If a PSAP fails to file and finalize an annual report, the council shall provide notice to the PSAP and the governing body of such PSAP of such failure. If such PSAP fails to file or finalize an annual report within 60 days of receiving such notice, 10% of each subsequent distribution of 911 fees to such PSAP pursuant to K.S.A. 12-5373, and amendments thereto, shall be withheld by the LCPA and only distributed to such PSAP once the report has been submitted.

~~(h)~~ (m) The council, upon a finding that a provider has violated any provision of this act, may impose a civil penalty. No civil penalty shall be imposed pursuant to this section except upon the written order of the council. Such order shall state the violation, the penalty to be imposed and the right of such person to appeal to a hearing before the council. Any such person may, within 15 days after service of the order, make a written request to the council for a hearing thereon. Hearings under this subsection shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

~~(m)~~ (n) Any action of the council pursuant to subsection ~~(h)~~ (m) is subject to review in accordance with the Kansas judicial review act.

~~(n)~~ (o) Any civil penalty recovered pursuant to this section shall be transferred to the LCPA for deposit in the 911 state grant fund.

~~(o) — As long as the provider is working in good faith to comply with the provisions of this act, no civil penalty shall be imposed prior to January 1, 2013.~~

(p) The 911 coordinating council shall make an annual report, to include a detailed description of all expenditures made from 911 fees received by the PSAPs, to the house committee on energy, utilities and telecommunications and the senate committee on utilities.

Sec. 3. K.S.A. 2017 Supp. 12-5365 is hereby amended to read as follows: 12-5365. (a)

There is hereby established in the state treasury the 911 federal grant fund.

(b) The chair of the 911 coordinating council shall serve as the administrator of the 911 federal grant fund and shall distribute grants in accordance with the recommendations of the 911 coordinating council. Subject to the conditions and in accordance with the requirements of this act and 47 C.F.R. part 400, the chair is authorized to perform such acts necessary for the effectuation of this act.

(c) Moneys received by the state from the federal government for the purposes of the fund shall be credited to the fund.

(d) Subject to the conditions and in accordance with the requirements of this act and 47 C.F.R. part 400, moneys credited to the fund shall be used only:

(1) To pay all expenses incurred in the administration of the fund; and

(2) to provide grants to eligible municipalities only for necessary and reasonable costs incurred or to be incurred by PSAPs for: (A) Implementation of enhanced 911 service and next generation 911 service, as defined in K.S.A. 2017 Supp. 12-5363, and amendments thereto; (B) purchase of equipment and upgrades and modification to equipment used solely to process the data elements of enhanced 911 service and next generation 911 service, as defined in K.S.A. 2017 Supp. 12-5363, and amendments thereto; and (C) maintenance and license fees for such equipment and training of personnel to operate such equipment, including costs of training PSAP personnel to provide effective service to all users of the emergency telephone system who have communications disabilities. Such costs shall not include expenditures to lease, construct, expand, acquire, remodel, renovate, repair, furnish or make improvements to buildings or similar facilities or for other capital outlay or equipment not expressly authorized by this act.

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(e) All payments and disbursements from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chair or by a person or persons designated by the chair.

~~(f) This section shall take effect on and after January 1, 2012.~~

Sec. 4. K.S.A. 2017 Supp. 12-5366 is hereby amended to read as follows: 12-5366. (a) There is hereby established in the state treasury the 911 state maintenance fund.

(b) The chair of the 911 coordinating council shall serve as the administrator of the 911 state maintenance fund and shall distribute grants in accordance with the recommendations of the 911 coordinating council. Subject to the conditions and in accordance with the requirements of this act and 47 C.F.R. part 400, the chair is authorized to perform such acts necessary for the effectuation of this act.

(c) Moneys from the following sources shall be credited to the fund:

(1) Amounts appropriated or otherwise made available by the legislature for the purposes of the fund;

(2) interest attributable to investment of moneys in the fund; and

(3) amounts received from any public or private entity for the purposes of the fund.

(d) Moneys credited to the fund shall be used only:

(1) To pay all expenses incurred in the administration of the fund; and

(2) to provide grants to eligible municipalities only for necessary and reasonable costs incurred or to be incurred by PSAPs for: (A) Implementation of enhanced 911 service and next generation 911 service, as defined in K.S.A. 2017 Supp. 12-5363, and amendments thereto; (B) purchase of equipment and upgrades and modification to equipment used solely to process the data elements of enhanced 911 service and next generation 911 service, as defined in K.S.A.

2017 Supp. 12-5363, and amendments thereto; and (C) maintenance and license fees for such equipment and training of personnel to operate such equipment, including costs of training PSAP personnel to provide effective service to all users of the emergency telephone system who have communications disabilities. Such costs shall not include expenditures to lease, construct, expand, acquire, remodel, renovate, repair, furnish or make improvements to buildings or similar facilities or for other capital outlay or equipment not expressly authorized by this act.

(e) On or before the 10th of each month, the director of accounts and reports shall transfer from the state general fund to the 911 state maintenance fund interest earnings based on:

(1) The average daily balance of moneys in the 911 state maintenance fund for the preceding month; and

(2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(f) All payments and disbursements from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chair or by a person or persons designated by the chair.

~~(g) This section shall take effect on and after January 1, 2012.~~

Sec. 5. K.S.A. 2017 Supp. 12-5367 is hereby amended to read as follows: 12-5367. The 911 coordinating council, by an affirmative vote of nine voting members, shall select the local collection point administrator. In selecting the LCPA, the council shall contract with the LCPA for services for no longer than two years, however, the council may, by an affirmative vote of nine voting members, extend such contract for up to two additional years. The 911 coordinating council shall receive the ~~advice and consent~~ approval of the legislative coordinating council in selecting an LCPA if the entity to be designated as the LCPA is different than the previous entity

designated as the LCPA. The 911 coordinating council shall annually review the designation of the LCPA and the contract with the LCPA for services. The LCPA shall be subject to the requirements of the Kansas open meetings act, the Kansas open records act and shall treat all moneys received as public funds pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and amendments thereto. Notwithstanding any other provision of law to the contrary, the LCPA shall not be considered a state agency.

Sec. 6. K.S.A. 2017 Supp. 12-5368 is hereby amended to read as follows: 12-5368. (a) Upon the ~~advice and consent~~ approval of the 911 coordinating council, the LCPA shall establish the 911 state fund and the 911 state grant fund which shall not be part of the state treasury. ~~On or after the effective date of this section, the secretary of administration shall certify all unobligated funds remaining in the wireless enhanced 911 grant fund as having originated as either federal grant moneys or 911 fee moneys.~~ All ~~such~~ moneys originating from 911 fees, and any interest accrued on such fees, shall be paid to the LCPA for deposit in the 911 state fund or 911 state grant fund. ~~All unobligated federal moneys, and any interest accrued on such moneys, shall be transferred to the 911 federal grant fund.~~

(b) (1) As further provided in paragraph (2), the LCPA shall withhold from the distribution to the PSAP pursuant to K.S.A. 2017 Supp. 12-5374, and amendments thereto, an amount from every 911 fee remitted pursuant to K.S.A. 2017 Supp. 12-5369, and amendments thereto, and shall deposit such amount in the 911 state grant fund to fund standardized functionality upgrades to the next generation 911 system.

(2) The amount of each 911 fee that is withheld from distribution pursuant to this section shall be:

(A) Through December 31, 2020, \$.08;

(B) from January 1, 2020 through December 31, 2021, \$.09; and

(C) from and after January 1, 2022, \$.10.

(3) In the event that the funds so withheld exceed 15% of the total moneys transferred to the LCPA and deposited in the 911 state fund over the prior three years, such funds in excess of that 15% total shall be used for PSAP grants based on demonstrated need pursuant to subsection (d).

~~(b)~~ (c) The council shall be responsible for ensuring that the 911 state grant fund and any interest earned on money credited to the fund is only expended for the following purposes:

(1) Projects involving the development and implementation of next generation 911 services; (2) costs associated with PSAP consolidation or cost-sharing projects; (3) expenses related to the 911 coordinating council; (4) costs of audits conducted pursuant to K.S.A. 2017 Supp. 12-5377, and amendments thereto; and (5) other costs pursuant to K.S.A. 2017 Supp. 12-5375, and amendments thereto.

~~(e)~~ (d) The council shall develop criteria for PSAPS for eligible purchases and for grant applicants and make the final determination as to the distribution of grant funds. Such criteria shall promote the procurement of equipment that meets open architecture and national technical standards. Distribution of grant funds shall not include expenditures to procure, maintain or upgrade subscriber radio equipment.

~~(d)~~ (e) The LCPA shall be authorized to maintain an action to collect any funds owed by any providers in the district court in the county of the registered office of such provider or, if such provider does not have a registered office in the state, such an action may be maintained in the county where such provider's principal office is located. If such provider has no principal office in the state, such an action may be maintained in the district court of any county in which such provider provides service.

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(e) ~~(e) This section shall take effect on and after January 1, 2012.~~

Sec. 7. K.S.A. 2017 Supp. 12-5369 is hereby amended to read as follows: 12-5369. (a) Through December 31, 2020, there is hereby imposed a 911 fee in the amount of ~~\$.53~~ \$.80 per month per subscriber account of any exchange telecommunications service, wireless telecommunications service, VoIP service, or other service capable of contacting a PSAP. Such fee shall not be imposed on prepaid wireless service. It shall be the duty of each exchange telecommunications service provider, wireless telecommunications service provider, VoIP service provider or other service provider to remit such fees to the LCPA as provided in K.S.A. 2017 Supp. 12-5370, and amendments thereto.

(b) (1) On and after January 1, 2021, the 911 fee imposed by this section shall be \$.85.

(2) On and after January 1, 2022, the 911 fee imposed by this section shall be \$.90.

~~(b) This section shall take effect on and after January 1, 2012.~~

Sec. 8. K.S.A. 2017 Supp. 12-5370 is hereby amended to read as follows: 12-5370. (a) Every billed service user shall be liable for the 911 fee until such fees have been paid to the exchange telecommunications service provider, wireless telecommunications service provider, VoIP service provider or other service provider.

(b) The duty to collect the fees imposed pursuant to this act shall commence January 1, 2012. Such fees shall be added to and may be stated separately in billings for the subscriber account. If stated separately in billings, the fees shall be labeled "911 fees."

(c) The provider shall have no obligation to take any legal action to enforce the collection of the fees imposed by this act. The provider shall provide annually to the LCPA a list of the amount of uncollected 911 fees along with the names and addresses of those service users which carry a balance that can be determined by the provider to be nonpayment of such fees.

(d) The fees imposed by this act shall be collected insofar as practicable at the same time as, and along with, the charges for local exchange, wireless, VoIP, or other service in accordance with regular billing practice of the provider.

(e) The 911 fees and the amounts required to be collected therefor are due monthly. The amount of such fees collected in one month by the provider shall be remitted to the LCPA not more than 15 days after the close of the calendar month. On or before the 15th day of each calendar month following, a return for the preceding month shall be filed with the LCPA. Such return shall be in such form and shall contain such information as required by the LCPA. The provider required to file the return shall deliver the return together with a remittance of the amount of fees payable to the LCPA. The provider shall maintain records of the amount of any such fees collected in accordance with this act for a period of three years from the time the fees are collected.

(f) The provisions of this section shall not be construed to apply to prepaid wireless service.

~~(g) This section shall take effect on and after January 1, 2012.~~

Sec. 9. K.S.A. 2017 Supp. 12-5371 is hereby amended to read as follows: 12-5371. (a) (1) Through December 31, 2020, there is hereby imposed a prepaid wireless 911 fee of ~~1.06%~~ 1.6% per retail transaction.

(2) On and after January 1, 2021, the prepaid wireless fee imposed by this section shall be 1.7%.

(3) On and after January 1, 2022, the prepaid wireless fee imposed by this section shall be 1.8%. ~~on and after the effective date of an adjusted amount per retail transaction that is established under subsection (f), such adjusted amount.~~

(b) The prepaid wireless 911 fee shall be collected by the seller from the consumer with respect to each retail transaction occurring in this state. The amount of the prepaid wireless 911 fee shall be either separately stated on an invoice, receipt or other similar document that is provided to the consumer by the seller, or otherwise disclosed to the consumer.

(c) For purposes of subsection (b), a retail transaction that is effected in person by a consumer in a business location of the seller shall be treated as occurring in this state if that business location is in this state, and any other retail transaction shall be treated as occurring in this state if the retail transaction is treated as occurring in this state for the purposes of ~~subsection (e)(3) of~~ K.S.A. 79-3673(c)(3), and amendments thereto.

(d) The prepaid wireless 911 fee is the liability of the consumer and not of the seller nor of any provider, except that the seller shall be liable to remit all prepaid wireless 911 fees that the seller collects from consumers pursuant to this section, and amendments thereto, including all such fees that the seller is deemed to collect where the amount of the charge has not been separately stated in an invoice, receipt or other similar document provided to the consumer by the seller.

(e) The amount of the prepaid wireless 911 fee that is collected by a seller from a consumer, if such amount is separately stated on an invoice, receipt or other similar document provided to the consumer by the seller, shall not be included in the base for measuring any tax, fee, surcharge or other charge that is imposed by this state, any political subdivision of this state or any intergovernmental agency.

(f) The prepaid wireless 911 fee shall be proportionately reduced, ~~as applicable,~~ upon any ~~change~~ reduction to the fee imposed by ~~subsection (a) of~~ K.S.A. 2017 Supp. 12-5369(a), and amendments thereto, pursuant to the council's authority to reduce the fee under K.S.A. 2017 Supp.

12-5364(g), and amendments thereto. The adjusted amount shall be ~~determined by~~ the product of dividing the numeric amount of the new fee ~~imposed by subsection of~~ adjusted pursuant to K.S.A. 2017 Supp. ~~12-5369~~ 12-5364(g), and amendments thereto, by ~~\$50~~ 50. Such ~~increase or~~ reduction shall be effective on the effective date of the ~~change to~~ reduction of the fee imposed by ~~subsection (a) of~~ K.S.A. 2017 Supp. 12-5369(a), and amendments thereto, or, if later, the first day of the calendar quarter to occur at least 60 days after the enactment ~~to the change to~~ of the reduction of the fee imposed by ~~subsection (a) of~~ K.S.A. 2017 Supp. 12-5369(a), and amendments thereto. The department shall provide not less than 60 days' notice of such ~~increase or~~ decrease on the department's website.

(g) When prepaid wireless service is sold with one or more other products or services for a single, non-itemized price, then the percentage specified in subsection (a) shall apply to the entire non-itemized price unless the seller elects to apply such percentage to: (1) If the amount of the prepaid wireless service is disclosed to the consumer as a dollar amount, such dollar amount; or (2) if the seller can identify the portion of the price that is attributable to the prepaid wireless service by reasonable and verifiable standards from its books and records that are kept in the regular course of business for other purposes, including, but not limited to, non-tax purposes, such portion.

~~(h) This section shall take effect on and after January 1, 2012.~~

Sec. 10. K.S.A. 2017 Supp. 12-5372 is hereby amended to read as follows: 12-5372. (a) Prepaid wireless 911 fees collected by sellers shall be remitted to the department by electronic filing that is consistent with the provisions of article 36 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto. The department shall establish registration and payment

procedures for the collection of the prepaid wireless 911 fee.

(b) To minimize additional costs to the department, the department may conduct audits of sellers in conjunction with sales and use tax audits. The department is authorized to provide the LCPA with information obtained in such audits if such information indicates that a seller may not be complying with the provisions of this section and K.S.A. 2017 Supp. 12-5371, and amendments thereto. The LCPA may request the department to initiate collection or audit procedures on individual sellers if collection efforts by the LCPA are unsuccessful.

(c) The department shall establish procedures by which a seller may document that a sale is not a retail sale, which procedures shall substantially coincide with procedures for documenting sale for resale transactions for article 36 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto.

(d) The department shall transfer all remitted prepaid wireless 911 fees to the LCPA within 30 days of receipt for distribution as provided in K.S.A. 2017 Supp. 12-5374, and amendments thereto.

~~(e) The department may retain up to \$70,000 of remitted funds in fiscal year 2012 only for use in paying for programming and other one-time costs for establishing a system for collecting the prepaid wireless 911 fee.~~

~~(f) This section shall take effect on and after January 1, 2012.~~

Sec. 11. K.S.A. 2017 Supp. 12-5373 is hereby amended to read as follows: 12-5373. ~~(a)~~ The prepaid wireless 911 fee imposed in this act shall be the only 911 funding obligation imposed with respect to prepaid wireless service in this state. No tax, fee, surcharge or other charge shall be imposed by this state, any political subdivision of this state or any intergovernmental agency for 911 funding purposes upon any prepaid wireless service provider, seller or consumer with

respect to the sale, purchase, use or provision of prepaid wireless service.

~~(b) This section shall take effect on and after January 1, 2012.~~

Sec. 12. K.S.A. 2017 Supp. 12-5374 is hereby amended to read as follows: 12-5374. (a) Except for the amounts withheld by the LCPA pursuant to K.S.A. 2017 Supp. 12-5368(b), and amendments thereto, and any amounts withheld pursuant to K.S.A. 2017 Supp. 12-5364(k)(2), and amendments thereto, not later than 30 days after the receipt of moneys from providers pursuant to K.S.A. 2017 Supp. 12-5370 and 12-5371, and amendments thereto, and the department pursuant to K.S.A. 2017 Supp. 12-5372, and amendments thereto, the LCPA shall distribute such moneys to PSAPs based upon the following distribution method: In a county with a population over 80,000, 82% of the money collected from service users whose place of primary use, as provided by the providers, is within the county shall be distributed to the PSAPs within the county based on place of primary use information; in a county with a population between 65,000 and 79,999, 85% of the money collected from service users whose place of primary use, as provided by the providers, is within the county shall be distributed to the PSAPs within the county based on place of primary use information; in a county with a population between 55,000 and 64,999, 88% of the money collected from service users whose place of primary use, as provided by the providers, is within the county shall be distributed to the PSAPs within the county based on place of primary use information; in a county with a population between 45,000 and 54,999, 91% of the money collected from service users whose place of primary use, as provided by the providers, is within the county shall be distributed to the PSAPs within the county based on place of primary use information; in a county with a population between 35,000 and 44,999, 94% of the money collected from service users whose place of primary use, as provided by the providers, is

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within the county shall be distributed to the PSAPs within the county based on place of primary use information; in a county with a population between 25,000 and 34,999, 97% of the money collected from service users whose place of primary use, as provided by the providers, is within the county shall be distributed to the PSAPs within the county based on place of primary use information; and in a county with a population of less than 25,000, 100% of the money collected from service users whose place of primary use, as provided by the providers, is within the county shall be distributed to the PSAPs within the county based on place of primary use information. There shall be a minimum county distribution of ~~\$50,000~~ \$60,000 and no county shall receive less than ~~\$50,000~~ \$60,000 of direct distribution moneys. If there is more than one PSAP in a county then the direct distribution allocated to that county by population shall be deducted from the minimum county distribution and the difference shall be proportionately divided between the PSAPs in the county. All moneys remaining after distribution, moneys withheld pursuant to K.S.A. 2017 Supp. 12-5368(b), and amendments thereto, and any moneys which cannot be attributed to a specific PSAP shall be transferred to the 911 state grant fund.

(b) All fees remitted to the LCPA shall be deposited in the 911 state fund and for the purposes of this act be treated as if they are public funds, pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and amendments thereto.

(c) All moneys in the 911 state fund that have been collected from the prepaid wireless 911 fee shall be deposited in the 911 state grant fund unless ~~\$2~~ \$3 million of such moneys have been deposited in any given year then all remaining moneys shall be distributed to the counties in an amount proportional to each county's population as a percentage share of the population of the state. 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 only shall be used for the uses authorized in K.S.A. 2017 Supp. 12-5375, and amendments thereto.

(d) The LCPA shall keep accurate accounts of all receipts and disbursements of moneys from the 911 fees.

(e) Information provided by providers to the local collection point administrator or to the 911 coordinating council pursuant to this act will be treated as proprietary records which will be withheld from the public upon request of the party submitting such records.

(f) The provisions of subsection (e) shall expire on July 1, 2021, unless the legislature acts to reenact such provision. The provisions of subsection (e) shall be reviewed by the legislature prior to July 1, 2021.

Sec. 13. K.S.A. 2017 Supp. 12-5375 is hereby amended to read as follows: 12-5375. (a) The proceeds of the 911 fees imposed pursuant to this act, and any interest earned on revenue derived from such fee, shall be used only for necessary and reasonable costs incurred or to be incurred by PSAPs for: (1) Implementation of 911 services; (2) purchase of 911 equipment and upgrades; (3) maintenance and license fees for 911 equipment; (4) training of personnel, not to include salaries; (5) monthly recurring charges billed by service suppliers; (6) installation, service establishment and nonrecurring start-up charges billed by the service supplier; (7) charges for capital improvements and equipment or other physical enhancements to the 911 system; (8) ~~reimbursement of documented expenses for PSAP employees while exclusively engaged in PSAP related training, not to exceed an annual total of 24 hours per employee;~~ or (8)-(9) the original acquisition and installation of road signs designed to aid in the delivery of emergency service.

Such costs shall not include expenditures to lease, construct, expand, acquire, remodel, renovate, repair, furnish or make improvements to buildings or similar facilities. Such costs shall also not include expenditures to purchase, procure, maintain or upgrade subscriber radio equipment.

(b) The 911 coordinating council shall, pursuant to rules and regulations, establish a process for a PSAP, at the discretion of the PSAP, to seek pre-approval of an expenditure. The council shall respond in writing within 30 days whether the requested expenditure is approved or disapproved. If the expenditure is disapproved, the written notification shall state the reason for the disapproval and such PSAP may, within 15 days after service of the notification, make a written request to the council for a hearing to be conducted in accordance with the provisions of the Kansas administrative procedure act.

~~(a)~~ (c) If the 911 coordinating council, based upon information obtained from the PSAP reports or an audit of the PSAPs, determines that any PSAP has used any 911 fees for any purpose other than those authorized in this act, the governing body for such PSAP shall repay all such funds used for any unauthorized purposes to the 911 fee fund of such PSAP. The 911 coordinating council may require such PSAP to pay, plus the lesser of \$500 or 10%, of such misused funds, to the LCPA for deposit in the 911 state grant fund. No such repayment of 911 fees shall be imposed pursuant to this section except upon the written order of the council. Such order shall state the unauthorized purposes for which the funds were used, the amount of funds to be repaid and the right of such PSAP to appeal to a hearing before the council. Any such PSAP may, within 15 days after service of the order, make a written request to the council for a hearing thereon. Hearings under this subsection shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

(d) Any final action of the council pursuant to subsection (b) or (c) is subject to review in accordance with the Kansas judicial review act.

~~(d) — As long as the PSAP is working in good faith to use the 911 fees for expenditures authorized by this act, no repayment of 911 fees shall be required prior to January 1, 2013.~~

~~(e) — This section shall take effect on and after January 1, 2012.~~

Sec. 14. K.S.A. 2017 Supp. 12-5376 is hereby amended to read as follows: 12-5376. ~~(a) —~~ Except as provided by the Kansas tort claims act, and except for failure to use ordinary care, or for intentional acts, the LCPA and each provider, and their employees and agents, and each seller, and their employees and agents, shall not be liable for the payment of damages resulting directly or indirectly from the total or partial failure of any transmission to an emergency communication service or for damages resulting from the performance of installing, maintaining or providing 911 service.

~~(b) — This section shall take effect on and after January 1, 2012.~~

Sec. 15. K.S.A. 2017 Supp. 12-5377 is hereby amended to read as follows: 12-5377. (a) The receipts and disbursements of the LCPA shall be audited yearly by a licensed municipal accountant or certified public accountant.

(b) The LCPA may require an audit of any provider's books and records concerning the collection and remittance of fees pursuant to this act. The cost of any such audit shall be paid from the 911 state grant fund.

(c) On or before December 31, ~~2013~~ 2018, and at least once every ~~three~~ five years thereafter, the division of post audit shall conduct an audit of the 911 system to determine: (1) Whether the moneys received by PSAPs pursuant to this act are being used appropriately; (2) whether the amount of moneys collected pursuant to this act is adequate; and (3) the status of 911

service implementation. The auditor to conduct such audit shall be specified in accordance with K.S.A. 46-1122, and amendments thereto. The post auditor shall compute the reasonably anticipated cost of providing audits pursuant to this subsection, subject to review and approval by the contract audit committee established by K.S.A. 46-1120, and amendments thereto. Upon such approval, the 911 state grant fund shall reimburse the division of post audit for the amount approved by the contract audit committee. The audit report shall be submitted to the 911 coordinating council, the LCPA, the house committee on utilities and telecommunications and the senate committee on utilities.

(d) The legislature shall review this act at the regular ~~2014~~2019 legislative session and at the regular legislative session every five years thereafter.

~~(e) This section shall take effect on and after January 1, 2012.~~

Sec. 16. K.S.A. 2017 Supp. 12-5378 is hereby amended to read as follows: 12-5378. ~~(a)~~ Nothing in this act shall be construed to limit the ability of a provider from recovering directly from the provider's customers its costs associated with designing, developing, deploying and maintaining 911 service and its cost of collection and administration of the fees imposed by this act, whether such costs are itemized on the customer's bill as a surcharge or by any other lawful method.

~~(b) This section shall take effect on and after January 1, 2012.~~

Sec. 17. K.S.A. 2017 Supp. 12-5380 is hereby amended to read as follows: 12-5380. The governing body of each city and county shall provide or contract for the 24-hour receipt of ~~wireless-emergency~~911 calls for all ~~wireless~~ service areas within the jurisdiction of the city or county.

Sec. 18. K.S.A. 2017 Supp. 12-5327, 12-5338, 12-5361, 12-5363, 12-5364, 12-5365,

12-5366, 12-5367, 12-5368, 12-5369, 12-5370, 12-5371, 12-5372, 12-5373, 12-5374, 12-5375, 12-5376, 12-5377, 12-5378 and 12-5380 are hereby repealed.

Sec. 19. This act shall take effect and be in force from and after [October 1, 2019 and](#) its publication in the statute book.

SENATE BILL NO. _____

By Committee on Federal and State Affairs

AN ACT concerning the Kansas 911 act; relating to emergency services; concerning 911 fees, collection and distribution; amending K.S.A. 2017 Supp. 12-5363, 12-5364, 12-5365, 12-5366, 12-5367, 12-5368, 12-5369, 12-5370, 12-5371, 12-5372, 12-5373, 12-5374, 12-5375, 12-5376, 12-5377, 12-5378 and 12-5380 and repealing the existing sections; also repealing K.S.A. 2017 Supp. 12-5327, 12-5338 and 12-5361.

Be it enacted by the Legislature of the State of Kansas:

Section 1. K.S.A. 2017 Supp. 12-5363 is hereby amended to read as follows: 12-5363.

As used in the Kansas 911 act:

- (a) "Consumer" means a person who purchases prepaid wireless service in a retail transaction.
- (b) "Department" means the Kansas department of revenue.
- (c) "Enhanced 911 service" or "E-911 service" means an emergency telephone service that generally may provide, but is not limited to, selective routing, automatic number identification and automatic location identification features.
- (d) "Exchange telecommunications service" means the service that provides local telecommunications exchange access to a service user.
- (e) "GIS" means a geographic information system for capturing, storing, displaying, analyzing and managing data and associated attributes which are spatially referenced.
- (f) "GIS data" means the geometry and associated attributes packaged in a geodatabase that defines the roads, address points and boundaries within a PSAP's jurisdiction.
- (g) "Governing body" means the board of county commissioners of a county or the governing body of a city.
- (h) "Local collection point administrator" or "LCPA" means, on the effective date of

this act, the statewide association of cities established by K.S.A. 12-1610e, and amendments thereto, and the statewide association of counties established by K.S.A. 19-2690, and amendments thereto. After January 1, 2012, "local collection point administrator" means the person designated by the 911 coordinating council to serve as the local collection point administrator to collect and distribute 911 fees and 911 state grant fund moneys.

(i) "Multi-line telephone system" means a system comprised of common control units, telephones and control hardware and software providing local telephone service to multiple end-use customers that may include VoIP service and network and premises based systems such as centrex, private branch exchange and hybrid key telephone systems.

(j) "Next generation 911" means 911 service that conforms with national emergency number association (NENA) i3 standards and enables PSAPs to receive Enhanced 911 service calls and emergency calls from Internet Protocol (IP) based technologies and applications that may include text messaging, image, video and data information from callers.

(k) "Person" means any individual, firm, partnership, copartnership, joint venture, association, cooperative organization, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or fraternal organization, nonprofit organization, estate, trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy or any other legal entity.

(l) "Prepaid wireless service" means a wireless telecommunications service that allows a caller to dial 911 to access the 911 system, which service must be paid for in advance and is sold in predetermined units or dollars of which the number declines with use in a known

amount.

(m) "Place of primary use" has the meaning provided in the mobile telecommunications act as defined by 4 U.S.C. § 116 et seq., as in effect on the effective date of this act.

(n) "Provider" means any person providing exchange telecommunications service, wireless telecommunications service, VoIP service or other service capable of contacting a PSAP. A provider may also be a 911 system operator.

(o) "PSAP" means a public safety answering point operated by a city or county.

(p) "Retail transaction" means the purchase of prepaid wireless service from a seller for any purpose other than resale, not including the use, storage or consumption of such services.

(q) "Seller" means a person who sells prepaid wireless service to another person.

(r) "Service user" means any person who is provided exchange telecommunications service, wireless telecommunications service, VoIP service, prepaid wireless service or any other service capable of contacting a PSAP.

(s) "Subscriber account" means the 10-digit access number assigned to a service user by a provider for the purpose of billing a service user up to the maximum capacity of the simultaneous outbound calling capability of a multi-line telephone system or equivalent service.

(t) "Subscriber radio equipment" means mobile and portable radio equipment installed in vehicles or carried by persons for voice communication with a radio system.

(u) "VoIP service" means voice over internet protocol.

(v) "Wireless telecommunications service" means commercial mobile radio service as defined by 47 C.F.R. § 20.3 as in effect on the effective date of this act.

(w) "911 call" means any electronic request for emergency response, presented by means of wireline, wireless, VoIP or telecommunications device for the deaf (TDD) technology, text message or any other technology by which a service user initiates an immediate information interchange or conversation with a PSAP.

(x) "911 system operator" means any entity that accepts 911 calls from providers, processes those calls and presents those calls to the appropriate PSAP. A "911 system operator" may also be a provider.

Sec. 2. K.S.A. 2017 Supp. 12-5364 is hereby amended to read as follows: 12-5364. (a)
(1) There is hereby created the 911 coordinating council which shall monitor the delivery of 911 services, develop strategies for future enhancements to the 911 system and distribute available grant funds to PSAPs. In as much as possible, the council shall include individuals with technical expertise regarding 911 systems, internet technology and GIS technology.

(2) The 911 coordinating council shall consist of 13 voting members to be appointed by the governor: Two members representing information technology personnel from government units; one member representing the Kansas sheriff's association; one member representing the Kansas association of chiefs of police; one member representing a fire chief; one member recommended by the adjutant general; one member recommended by the Kansas emergency medical services board; one member recommended by the Kansas commission for the deaf and hard of hearing; two members representing PSAPs located in counties with less than 75,000 in population; two members representing PSAPs located in counties with greater than 75,000 in population; and one member representing PSAPs without regard to size. At least two of the members representing PSAPs shall be administrators of a PSAP or have extensive prior 911

experience in Kansas.

(3) Other voting members of the 911 coordinating council shall include: One member of the Kansas house of representatives as appointed by the speaker of the house; one member of the Kansas house of representatives as appointed by the minority leader of the house; one member of the Kansas senate as appointed by the senate president; and one member of the Kansas senate as appointed by the senate minority leader.

(4) The 911 coordinating council shall also include nonvoting members to be appointed by the governor: One member representing rural telecommunications companies recommended by the Kansas rural independent telephone companies; one member representing incumbent local exchange carriers with over 50,000 access lines; one member representing large wireless providers; one member representing VoIP providers; one member recommended by the league of Kansas municipalities; one member recommended by the Kansas association of counties; one member recommended by the Kansas geographic information systems policy board; one member recommended by the Kansas office of information technology services; and one member, a Kansas resident, recommended by the Mid-America regional council.

(b) (1) Except as provided in subsection (b)(2) and (b)(3), the terms of office for voting members of the 911 coordinating council shall commence on the effective date of this act and shall be subject to reappointment every three years. No voting member shall serve longer than two successive three-year terms. A voting member appointed as a replacement for another voting member may finish the term of the predecessor and may serve two additional successive three-year terms.

(2) The following members, whose terms began on the effective date of this act, shall

serve initial terms as follows:

(A) One member representing information technology personnel from government units, one member recommended by the adjutant general, one member representing PSAPs located in counties with less than 75,000 in population and one member representing PSAPs located in counties with 75,000 [or more](#) in population shall serve a term of two years;

(B) one member representing information technology personnel from government units, one member recommended by the Kansas emergency medical services board, one member representing PSAPs located in counties with less than 75,000 in population and one member representing PSAPs without regard to size shall serve a term of three years; and

(C) one member representing a fire chief, one member recommended by the Kansas commission for the deaf and hard of hearing, one member representing the Kansas association of chiefs of police and one member representing PSAPs located in counties with 75,000 [or more](#) in population shall serve a term of four years.

(3) The initial term for one member representing the Kansas sheriff's association shall begin on July 1, 2014, and be for a period of three years.

(4) The terms of members specified in this subsection shall expire on June 30 in the last year of such member's term.

(c) (1) The governor shall select the chair of the 911 coordinating council, who shall serve at the pleasure of the governor and have extensive prior 911 experience in Kansas.

(2) The chair shall serve as the coordinator of E-911 services and next generation 911 services in the state, implement statewide 911 planning, have the authority to sign all

certifications required under 47 C.F.R. part 400 and administer the 911 federal grant fund and 911 state maintenance fund. The chair shall serve subject to the direction of the council and ensure that policies adopted by the council are carried out. The chair shall serve as the liaison between the council and the LCPA. The chair shall preside over all meetings of the council and assist the council in effectuating the provisions of this act.

(d) The 911 coordinating council, by an affirmative vote of nine voting members, shall select the local collection point administrator, pursuant to K.S.A. 2017 Supp. 12-5367, and amendments thereto, to collect 911 fees and to distribute such fees to PSAPs and to distribute 911 state grant fund moneys as directed by the council. The council shall adopt rules and regulations for the terms of the contract with the LCPA. All contract terms and conditions shall satisfy all contract requirements as established by the secretary of administration. The council shall determine the compensation of the LCPA who shall provide the council with any staffing necessary in carrying out the business of the council or effectuating the provisions of this act. The moneys used to reimburse these expenses shall be paid from the 911 state grant fund, pursuant to subsection (i).

(1) The 911 coordinating council is hereby authorized to adopt rules and regulations necessary to effectuate the provisions of this act, including, but not limited to: (A) Creating a uniform reporting form designating how moneys, including 911 fees, have been spent by the PSAPs; (B) requiring service providers to notify the council pursuant to subsection (k); (C) establishing standards for coordinating and purchasing equipment; (D) recommending standards for general operations training of PSAP personnel; (E) establishing training standards and programs related to the technology and operations of the NG911 hosted solution; (F)

establishing data standards, maintenance policies and data reporting requirements for GIS data;
and (G) assessing civil penalties, pursuant to subsection (m).

(2) The chair of the council shall work with the council to adopt rules and regulations necessary for the administration of this act, but the council shall not adopt any rules and regulations or any other requirement that creates a mandatory certification program of PSAP operations or PSAP emergency communications personnel.

(f) The 911 coordinating council may engage a contracting firm to review and update the GIS data for a PSAP with GIS data that has not been updated in more than a year. The council shall assess the governing body that oversees such PSAP for the full costs of updating the GIS data for that PSAP.

(g) The council may, pursuant to rules and regulations, lower the 911 fee established pursuant to K.S.A. 2017 Supp. 12-5369, and amendments thereto, upon a finding based on information submitted on the uniform reporting forms, that moneys generated by such fee are in excess of the costs required to operate PSAPs in the state.

(h) The council may appoint subcommittees as necessary to administer grants, oversee collection and distribution of moneys by the LCPA, develop technology standards, develop training recommendations and other issues as deemed necessary by the council. Subcommittees, if appointed, shall include members of the council and other persons as needed.

(i) The council may reimburse independent contractors or state agencies for expenses incurred in carrying out the business of the council, including salaries, that are directly attributable to effectuating the provisions of this act. The moneys used to reimburse these expenses shall be paid from the 911 state grant fund, pursuant to subsection ~~(h)~~ (j).

(j) All expenses related to the council shall be paid from the 911 state grant fund. No more than 2.5% of the total receipts from providers and the department received by the LCPA shall be used to pay for such expenses. Members of the council and other persons appointed to subcommittees by the council may receive reimbursement for meals and travel expenses, but shall serve without other compensation with the exception of legislative members who shall receive compensation pursuant to K.S.A. 75-3212, and amendments thereto.

(k) Every provider shall submit contact information for the provider to the council. Any provider that has not previously provided wireless telecommunications service in this state shall submit contact information for the provider to the council within three months of first offering wireless telecommunications services in this state.

(l) (1) Each PSAP shall file an annual report with the council by March 1 demonstrating how such PSAP has spent the moneys earned from the 911 fee during the preceding calendar year. The council shall designate the content and form of such report and any associated documentation that is required to finalize such report.

(2) If a PSAP fails to file and finalize an annual report, the council shall provide notice to the PSAP and the governing body of such PSAP of such failure. If such PSAP fails to file or finalize an annual report within 60 days of receiving such notice, 10% of each subsequent distribution of 911 fees to such PSAP pursuant to K.S.A. 12-5373, and amendments thereto, shall be withheld by the LCPA and only distributed to such PSAP once the report has been submitted.

(m) The council, upon a finding that a provider has violated any provision of this act, may impose a civil penalty. No civil penalty shall be imposed pursuant to this section except upon the written order of the council. Such order shall state the violation, the penalty to be

imposed and the right of such person to appeal to a hearing before the council. Any such person may, within 15 days after service of the order, make a written request to the council for a hearing thereon. Hearings under this subsection shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

(n) Any action of the council pursuant to subsection (m) is subject to review in accordance with the Kansas judicial review act.

(o) Any civil penalty recovered pursuant to this section shall be transferred to the LCPA for deposit in the 911 state grant fund.

(p) The 911 coordinating council shall make an annual report, to include a detailed description of all expenditures made from 911 fees received by the PSAPs, to the house committee on energy, utilities and telecommunications and the senate committee on utilities.

Sec. 3. K.S.A. 2017 Supp. 12-5365 is hereby amended to read as follows: 12-5365. (a) There is hereby established in the state treasury the 911 federal grant fund.

(b) The chair of the 911 coordinating council shall serve as the administrator of the 911 federal grant fund and shall distribute grants in accordance with the recommendations of the 911 coordinating council. Subject to the conditions and in accordance with the requirements of this act and 47 C.F.R. part 400, the chair is authorized to perform such acts necessary for the effectuation of this act.

(c) Moneys received by the state from the federal government for the purposes of the fund shall be credited to the fund.

(d) Subject to the conditions and in accordance with the requirements of this act and 47 C.F.R. part 400, moneys credited to the fund shall be used only:

(1) To pay all expenses incurred in the administration of the fund; and

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(2) to provide grants to eligible municipalities only for necessary and reasonable costs incurred or to be incurred by PSAPs for: (A) Implementation of enhanced 911 service and next generation 911 service, as defined in K.S.A. 2017 Supp. 12-5363, and amendments thereto; (B) purchase of equipment and upgrades and modification to equipment used solely to process the data elements of enhanced 911 service and next generation 911 service, as defined in K.S.A. 2017 Supp. 12-5363, and amendments thereto; and (C) maintenance and license fees for such equipment and training of personnel to operate such equipment, including costs of training PSAP personnel to provide effective service to all users of the emergency telephone system who have communications disabilities. Such costs shall not include expenditures to lease, construct, expand, acquire, remodel, renovate, repair, furnish or make improvements to buildings or similar facilities or for other capital outlay or equipment not expressly authorized by this act.

(e) All payments and disbursements from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chair or by a person or persons designated by the chair.

Sec. 4. K.S.A. 2017 Supp. 12-5366 is hereby amended to read as follows: 12-5366. (a) There is hereby established in the state treasury the 911 state maintenance fund.

(b) The chair of the 911 coordinating council shall serve as the administrator of the 911 state maintenance fund and shall distribute grants in accordance with the recommendations of the 911 coordinating council. Subject to the conditions and in accordance with the requirements of this act and 47 C.F.R. part 400, the chair is authorized to perform such acts necessary for the effectuation of this act.

(c) Moneys from the following sources shall be credited to the fund:

(1) Amounts appropriated or otherwise made available by the legislature for the purposes of the fund;

(2) interest attributable to investment of moneys in the fund; and

(3) amounts received from any public or private entity for the purposes of the fund.

(d) Moneys credited to the fund shall be used only:

(1) To pay all expenses incurred in the administration of the fund; and

(2) to provide grants to eligible municipalities only for necessary and reasonable costs incurred or to be incurred by PSAPs for: (A) Implementation of enhanced 911 service and next generation 911 service, as defined in K.S.A. 2017 Supp. 12-5363, and amendments thereto; (B) purchase of equipment and upgrades and modification to equipment used solely to process the data elements of enhanced 911 service and next generation 911 service, as defined in K.S.A. 2017 Supp. 12-5363, and amendments thereto; and (C) maintenance and license fees for such equipment and training of personnel to operate such equipment, including costs of training PSAP personnel to provide effective service to all users of the emergency telephone system who have communications disabilities. Such costs shall not include expenditures to lease, construct, expand, acquire, remodel, renovate, repair, furnish or make improvements to buildings or similar facilities or for other capital outlay or equipment not expressly authorized by this act.

(e) On or before the 10th of each month, the director of accounts and reports shall transfer from the state general fund to the 911 state maintenance fund interest earnings based on:

(1) The average daily balance of moneys in the 911 state maintenance fund for the preceding month; and

(2) the net earnings rate of the pooled money investment portfolio for the preceding month.

(f) All payments and disbursements from the fund shall be made in accordance with appropriation acts upon warrants of the director of accounts and reports issued pursuant to vouchers approved by the chair or by a person or persons designated by the chair.

Sec. 5. K.S.A. 2017 Supp. 12-5367 is hereby amended to read as follows: 12-5367. The 911 coordinating council, by an affirmative vote of nine voting members, shall select the local collection point administrator. In selecting the LCPA, the council shall contract with the LCPA for services for no longer than two years, however, the council may, by an affirmative vote of nine voting members, extend such contract for up to two additional years. The 911 coordinating council shall receive the [approval](#) of the legislative coordinating council in selecting an LCPA if the entity to be designated as the LCPA is different than the previous entity designated as the LCPA. The 911 coordinating council shall annually review the designation of the LCPA and the contract with the LCPA for services. The LCPA shall be subject to the requirements of the Kansas open meetings act, the Kansas open records act and shall treat all moneys received as public funds pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and amendments thereto. Notwithstanding any other provision of law to the contrary, the LCPA shall not be considered a state agency.

Sec. 6. K.S.A. 2017 Supp. 12-5368 is hereby amended to read as follows: 12-5368. (a) Upon the [approval](#) of the 911 coordinating council, the LCPA shall establish the 911 state fund and the 911 state grant fund which shall not be part of the state treasury. All moneys originating from 911 fees, and any interest accrued on such fees, shall be paid to the LCPA for deposit in the

911 state fund or 911 state grant fund.

(b) (1) As further provided in paragraph (2), the LCPA shall withhold from the distribution to the PSAP pursuant to K.S.A. 2017 Supp. 12-5374, and amendments thereto, an amount from every 911 fee remitted pursuant to K.S.A. 2017 Supp. 12-5369, and amendments thereto, and shall deposit such amount in the 911 state grant fund to fund standardized functionality upgrades to the next generation 911 system.

(2) The amount of each 911 fee that is withheld from distribution pursuant to this section shall be:

(A) Through December 31, 2020, \$.08;

(B) from January 1, 2020 through December 31, 2021, \$.09; and

(C) from and after January 1, 2022, \$.10.

(3) In the event that the funds so withheld exceed 15% of the total moneys transferred to the LCPA and deposited in the 911 state fund over the prior three years, such funds in excess of that 15% total shall be used for PSAP grants based on demonstrated need pursuant to subsection (d).

(c) The council shall be responsible for ensuring that the 911 state grant fund and any interest earned on money credited to the fund is only expended for the following purposes:

(1) Projects involving the development and implementation of next generation 911 services; (2) costs associated with PSAP consolidation or cost-sharing projects; (3) expenses related to the 911 coordinating council; (4) costs of audits conducted pursuant to K.S.A. 2017 Supp. 12-5377, and amendments thereto; and (5) other costs pursuant to K.S.A. 2017 Supp. 12-5375, and amendments thereto.

(d) The council shall develop criteria for PSAPS for eligible purchases and for grant

applicants and make the final determination as to the distribution of grant funds. Such criteria shall promote the procurement of equipment that meets open architecture and national technical standards. Distribution of grant funds shall not include expenditures to procure, maintain or upgrade subscriber radio equipment.

(e) The LCPA shall be authorized to maintain an action to collect any funds owed by any providers in the district court in the county of the registered office of such provider or, if such provider does not have a registered office in the state, such an action may be maintained in the county where such provider's principal office is located. If such provider has no principal office in the state, such an action may be maintained in the district court of any county in which such provider provides service.

Sec. 7. K.S.A. 2017 Supp. 12-5369 is hereby amended to read as follows: 12-5369. (a) Through December 31, 2020, there is hereby imposed a 911 fee in the amount of \$.80 per month per subscriber account of any exchange telecommunications service, wireless telecommunications service, VoIP service, or other service capable of contacting a PSAP. Such fee shall not be imposed on prepaid wireless service. It shall be the duty of each exchange telecommunications service provider, wireless telecommunications service provider, VoIP service provider or other service provider to remit such fees to the LCPA as provided in K.S.A. 2017 Supp. 12-5370, and amendments thereto.

(b) (1) On and after January 1, 2021, the 911 fee imposed by this section shall be \$.85.

(2) On and after January 1, 2022, the 911 fee imposed by this section shall be \$.90.

Sec. 8. K.S.A. 2017 Supp. 12-5370 is hereby amended to read as follows: 12-5370. (a) Every billed service user shall be liable for the 911 fee until such fees have been paid to the exchange telecommunications service provider, wireless telecommunications service provider,

VoIP service provider or other service provider.

(b) The duty to collect the fees imposed pursuant to this act shall commence January 1, 2012. Such fees shall be added to and may be stated separately in billings for the subscriber account. If stated separately in billings, the fees shall be labeled "911 fees."

(c) The provider shall have no obligation to take any legal action to enforce the collection of the fees imposed by this act. The provider shall provide annually to the LCPA a list of the amount of uncollected 911 fees along with the names and addresses of those service users which carry a balance that can be determined by the provider to be nonpayment of such fees.

(d) The fees imposed by this act shall be collected insofar as practicable at the same time as, and along with, the charges for local exchange, wireless, VoIP, or other service in accordance with regular billing practice of the provider.

(e) The 911 fees and the amounts required to be collected therefor are due monthly. The amount of such fees collected in one month by the provider shall be remitted to the LCPA not more than 15 days after the close of the calendar month. On or before the 15th day of each calendar month following, a return for the preceding month shall be filed with the LCPA. Such return shall be in such form and shall contain such information as required by the LCPA. The provider required to file the return shall deliver the return together with a remittance of the amount of fees payable to the LCPA. The provider shall maintain records of the amount of any such fees collected in accordance with this act for a period of three years from the time the fees are collected.

(f) The provisions of this section shall not be construed to apply to prepaid wireless service.

Sec. 9. K.S.A. 2017 Supp. 12-5371 is hereby amended to read as follows: 12-5371. (a)

(1) Through December 31, 2020, there is hereby imposed a prepaid wireless 911 fee of 1.6% per retail transaction.

(2) On and after January 1, 2021, the prepaid wireless fee imposed by this section shall be 1.7%.

(3) On and after January 1, 2022, the prepaid wireless fee imposed by this section shall be 1.8%.

(b) The prepaid wireless 911 fee shall be collected by the seller from the consumer with respect to each retail transaction occurring in this state. The amount of the prepaid wireless 911 fee shall be either separately stated on an invoice, receipt or other similar document that is provided to the consumer by the seller, or otherwise disclosed to the consumer.

(c) For purposes of subsection (b), a retail transaction that is effected in person by a consumer in a business location of the seller shall be treated as occurring in this state if that business location is in this state, and any other retail transaction shall be treated as occurring in this state if the retail transaction is treated as occurring in this state for the purposes of K.S.A. 79-3673(c)(3), and amendments thereto.

(d) The prepaid wireless 911 fee is the liability of the consumer and not of the seller nor of any provider, except that the seller shall be liable to remit all prepaid wireless 911 fees that the seller collects from consumers pursuant to this section, and amendments thereto, including all such fees that the seller is deemed to collect where the amount of the charge has not been separately stated in an invoice, receipt or other similar document provided to the consumer by the seller.

(e) The amount of the prepaid wireless 911 fee that is collected by a seller from a consumer, if such amount is separately stated on an invoice, receipt or other similar document

provided to the consumer by the seller, shall not be included in the base for measuring any tax, fee, surcharge or other charge that is imposed by this state, any political subdivision of this state or any intergovernmental agency.

(f) The prepaid wireless 911 fee shall be proportionately reduced, upon any reduction to the fee imposed by K.S.A. 2017 Supp. 12-5369(a), and amendments thereto, pursuant to the council's authority to reduce the fee under K.S.A. 2017 Supp. 12-5364(g), and amendments thereto. The adjusted amount shall be the product of dividing the numeric amount of the new fee adjusted pursuant to K.S.A. 2017 Supp. 12-5364(g), and amendments thereto, by 50. Such reduction shall be effective on the effective date of the reduction of the fee imposed by K.S.A. 2017 Supp. 12-5369(a), and amendments thereto, or, if later, the first day of the calendar quarter to occur at least 60 days after the enactment of the reduction of the fee imposed by K.S.A. 2017 Supp. 12-5369(a), and amendments thereto. The department shall provide not less than 60 days' notice of such decrease on the department's website.

(g) When prepaid wireless service is sold with one or more other products or services for a single, non-itemized price, then the percentage specified in subsection (a) shall apply to the entire non-itemized price unless the seller elects to apply such percentage to: (1) If the amount of the prepaid wireless service is disclosed to the consumer as a dollar amount, such dollar amount; or (2) if the seller can identify the portion of the price that is attributable to the prepaid wireless service by reasonable and verifiable standards from its books and records that are kept in the regular course of business for other purposes, including, but not limited to, non-tax purposes, such portion.

Sec. 10. K.S.A. 2017 Supp. 12-5372 is hereby amended to read as follows: 12-5372. (a) Prepaid wireless 911 fees collected by sellers shall be remitted to the department by electronic

filing that is consistent with the provisions of article 36 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto. The department shall establish registration and payment procedures for the collection of the prepaid wireless 911 fee.

(b) To minimize additional costs to the department, the department may conduct audits of sellers in conjunction with sales and use tax audits. The department is authorized to provide the LCPA with information obtained in such audits if such information indicates that a seller may not be complying with the provisions of this section and K.S.A. 2017 Supp. 12-5371, and amendments thereto. The LCPA may request the department to initiate collection or audit procedures on individual sellers if collection efforts by the LCPA are unsuccessful.

(c) The department shall establish procedures by which a seller may document that a sale is not a retail sale, which procedures shall substantially coincide with procedures for documenting sale for resale transactions for article 36 of chapter 79 of the Kansas Statutes Annotated, and amendments thereto.

(d) The department shall transfer all remitted prepaid wireless 911 fees to the LCPA within 30 days of receipt for distribution as provided in K.S.A. 2017 Supp. 12-5374, and amendments thereto.

Sec. 11. K.S.A. 2017 Supp. 12-5373 is hereby amended to read as follows: 12-5373. The prepaid wireless 911 fee imposed in this act shall be the only 911 funding obligation imposed with respect to prepaid wireless service in this state. No tax, fee, surcharge or other charge shall be imposed by this state, any political subdivision of this state or any intergovernmental agency for 911 funding purposes upon any prepaid wireless service provider, seller or consumer with respect to the sale, purchase, use or provision of prepaid wireless service.

Sec. 12. K.S.A. 2017 Supp. 12-5374 is hereby amended to read as follows: 12-5374. (a) Except for the amounts withheld by the LCPA pursuant to K.S.A. 2017 Supp. 12-5368(b), and amendments thereto, and any amounts withheld pursuant to K.S.A. 2017 Supp. 12-5364(k)(2), and amendments thereto, not later than 30 days after the receipt of moneys from providers pursuant to K.S.A. 2017 Supp. 12-5370 and 12-5371, and amendments thereto, and the department pursuant to K.S.A. 2017 Supp. 12-5372, and amendments thereto, the LCPA shall distribute such moneys to PSAPs based upon the following distribution method: In a county with a population over 80,000, 82% of the money collected from service users whose place of primary use, as provided by the providers, is within the county shall be distributed to the PSAPs within the county based on place of primary use information; in a county with a population between 65,000 and 79,999, 85% of the money collected from service users whose place of primary use, as provided by the providers, is within the county shall be distributed to the PSAPs within the county based on place of primary use information; in a county with a population between 55,000 and 64,999, 88% of the money collected from service users whose place of primary use, as provided by the providers, is within the county shall be distributed to the PSAPs within the county based on place of primary use information; in a county with a population between 45,000 and 54,999, 91% of the money collected from service users whose place of primary use, as provided by the providers, is within the county shall be distributed to the PSAPs within the county based on place of primary use information; in a county with a population between 35,000 and 44,999, 94% of the money collected from service users whose place of primary use, as provided by the providers, is within the county shall be distributed to the PSAPs within the county based on place of primary use information; in a county with a population between 25,000 and 34,999, 97% of the money collected from service users whose place of primary use, as provided by the providers, is within

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the county shall be distributed to the PSAPs within the county based on place of primary use information; and in a county with a population of less than 25,000, 100% of the money collected from service users whose place of primary use, as provided by the providers, is within the county shall be distributed to the PSAPs within the county based on place of primary use information. There shall be a minimum county distribution of \$60,000 and no county shall receive less than \$60,000 of direct distribution moneys. If there is more than one PSAP in a county then the direct distribution allocated to that county by population shall be deducted from the minimum county distribution and the difference shall be proportionately divided between the PSAPs in the county. All moneys remaining after distribution, moneys withheld pursuant to K.S.A. 2017 Supp. 12-5368(b), and amendments thereto, and any moneys which cannot be attributed to a specific PSAP shall be transferred to the 911 state grant fund.

(b) All fees remitted to the LCPA shall be deposited in the 911 state fund and for the purposes of this act be treated as if they are public funds, pursuant to article 14 of chapter 9 of the Kansas Statutes Annotated, and amendments thereto.

(c) All moneys in the 911 state fund that have been collected from the prepaid wireless 911 fee shall be deposited in the 911 state grant fund unless \$3 million of such moneys have been deposited in any given year then all remaining moneys shall be distributed to the counties in an amount proportional to each county's population as a percentage share of the population of the state. 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 only shall be used for the uses authorized in K.S.A. 2017 Supp. 12-5375, and amendments thereto.

(d) The LCPA shall keep accurate accounts of all receipts and disbursements of moneys from the 911 fees.

(e) Information provided by providers to the local collection point administrator or to the 911 coordinating council pursuant to this act will be treated as proprietary records which will be withheld from the public upon request of the party submitting such records.

(f) The provisions of subsection (e) shall expire on July 1, 2021, unless the legislature acts to reenact such provision. The provisions of subsection (e) shall be reviewed by the legislature prior to July 1, 2021.

Sec. 13. K.S.A. 2017 Supp. 12-5375 is hereby amended to read as follows: 12-5375. (a) The proceeds of the 911 fees imposed pursuant to this act, and any interest earned on revenue derived from such fee, shall be used only for necessary and reasonable costs incurred or to be incurred by PSAPs for: (1) Implementation of 911 services; (2) purchase of 911 equipment and upgrades; (3) maintenance and license fees for 911 equipment; (4) training of personnel, not to include salaries; (5) monthly recurring charges billed by service suppliers; (6) installation, service establishment and nonrecurring start-up charges billed by the service supplier; (7) charges for capital improvements and equipment or other physical enhancements to the 911 system; (8) or the original acquisition and installation of road signs designed to aid in the delivery of emergency service.

Such costs shall not include expenditures to lease, construct, expand, acquire, remodel, renovate, repair, furnish or make improvements to buildings or similar facilities. Such costs shall also not include expenditures to purchase, procure, maintain or upgrade subscriber radio equipment.

(b) The 911 coordinating council shall, pursuant to rules and regulations, establish a process for a PSAP, at the discretion of the PSAP, to seek pre-approval of an expenditure. The council shall respond in writing within 30 days whether the requested expenditure is approved or disapproved. If the expenditure is disapproved, the written notification shall state the reason for the disapproval and such PSAP may, within 15 days after service of the notification, make a written request to the council for a hearing to be conducted in accordance with the provisions of the Kansas administrative procedure act.

(c) If the 911 coordinating council, based upon information obtained from the PSAP reports or an audit of the PSAPs, determines that any PSAP has used any 911 fees for any purpose other than those authorized in this act, the governing body for such PSAP shall repay all such funds used for any unauthorized purposes to the 911 fee fund of such PSAP. The 911 coordinating council may require such PSAP to pay, the lesser of \$500 or 10%, of such misused funds, to the LCPA for deposit in the 911 state grant fund. No such repayment of 911 fees shall be imposed pursuant to this section except upon the written order of the council. Such order shall state the unauthorized purposes for which the funds were used, the amount of funds to be repaid and the right of such PSAP to appeal to a hearing before the council. Any such PSAP may, within 15 days after service of the order, make a written request to the council for a hearing thereon. Hearings under this subsection shall be conducted in accordance with the provisions of the Kansas administrative procedure act.

(d) Any final action of the council pursuant to subsection (b) or (c) is subject to review in accordance with the Kansas judicial review act.

Sec. 14. K.S.A. 2017 Supp. 12-5376 is hereby amended to read as follows: 12-5376. Except as provided by the Kansas tort claims act, and except for failure to use ordinary care, or for intentional acts, the LCPA and each provider, and their employees and agents, and each seller, and their employees and agents, shall not be liable for the payment of damages resulting directly or indirectly from the total or partial failure of any transmission to an emergency communication service or for damages resulting from the performance of installing, maintaining or providing 911 service.

Sec. 15. K.S.A. 2017 Supp. 12-5377 is hereby amended to read as follows: 12-5377. (a) The receipts and disbursements of the LCPA shall be audited yearly by a licensed municipal accountant or certified public accountant.

(b) The LCPA may require an audit of any provider's books and records concerning the collection and remittance of fees pursuant to this act. The cost of any such audit shall be paid from the 911 state grant fund.

(c) On or before December 31, 2018, and at least once every five years thereafter, the division of post audit shall conduct an audit of the 911 system to determine: (1) Whether the moneys received by PSAPs pursuant to this act are being used appropriately; (2) whether the amount of moneys collected pursuant to this act is adequate; and (3) the status of 911 service implementation. The auditor to conduct such audit shall be specified in accordance with K.S.A. 46-1122, and amendments thereto. The post auditor shall compute the reasonably anticipated cost of providing audits pursuant to this subsection, subject to review and approval by the contract

audit committee established by K.S.A. 46-1120, and amendments thereto. Upon such approval, the 911 state grant fund shall reimburse the division of post audit for the amount approved by the contract audit committee. The audit report shall be submitted to the 911 coordinating council, the LCPA, the house committee on utilities and telecommunications and the senate committee on utilities.

(d) The legislature shall review this act at the regular [2019](#) legislative session and at the regular legislative session every five years thereafter.

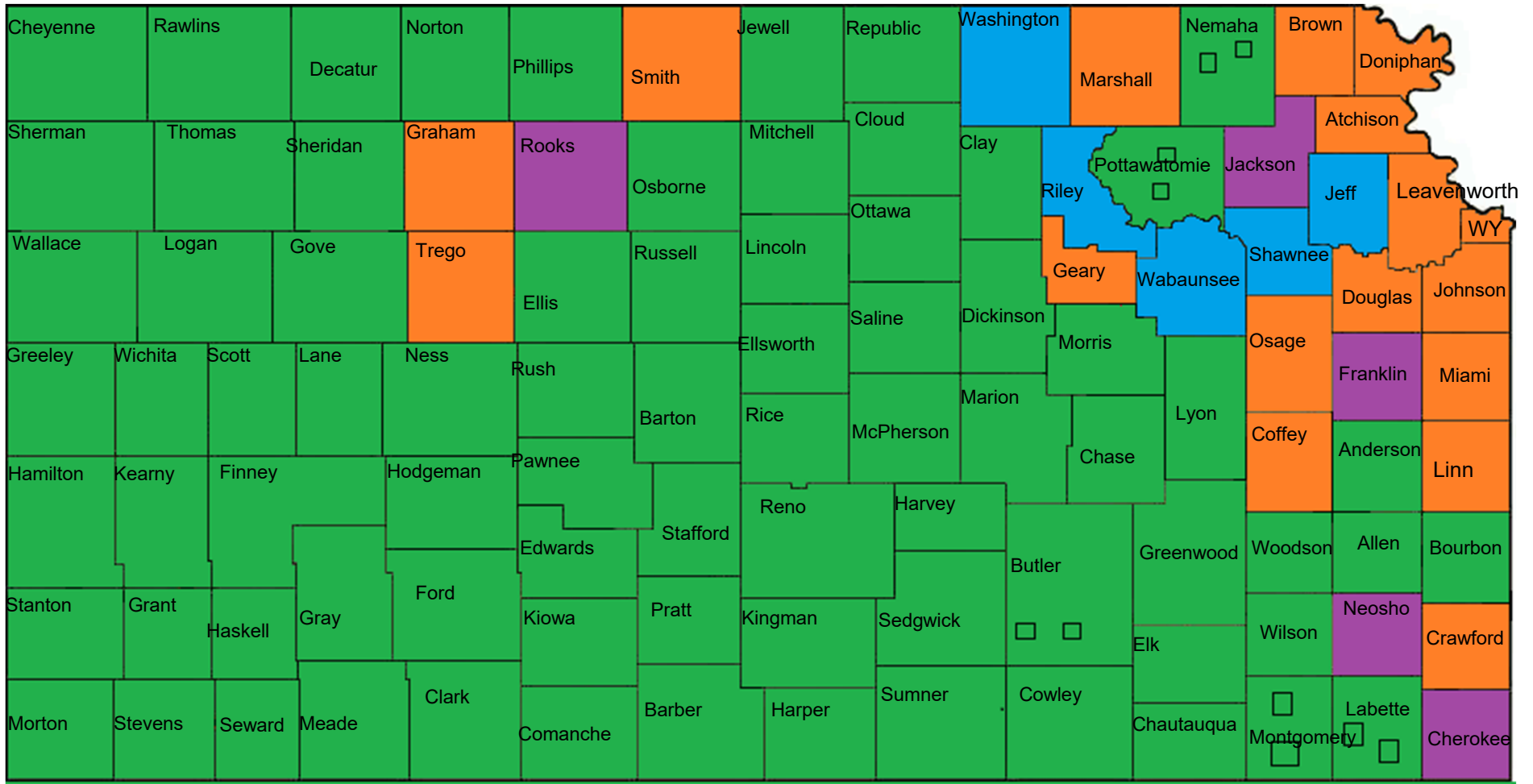
Sec. 16. K.S.A. 2017 Supp. 12-5378 is hereby amended to read as follows: 12-5378. ~~(a)~~ Nothing in this act shall be construed to limit the ability of a provider from recovering directly from the provider's customers its costs associated with designing, developing, deploying and maintaining 911 service and its cost of collection and administration of the fees imposed by this act, whether such costs are itemized on the customer's bill as a surcharge or by any other lawful method.






Sec. 17. K.S.A. 2017 Supp. 12-5380 is hereby amended to read as follows: 12-5380. The governing body of each city and county shall provide or contract for the 24-hour receipt of [911](#) calls for all service areas within the jurisdiction of the city or county.

Sec. 18. K.S.A. 2017 Supp. 12-5327, 12-5338, 12-5361, 12-5363, 12-5364, 12-5365, 12-5366, 12-5367, 12-5368, 12-5369, 12-5370, 12-5371, 12-5372, 12-5373, 12-5374, 12-5375, 12-5376, 12-5377, 12-5378 and 12-5380 are hereby repealed.

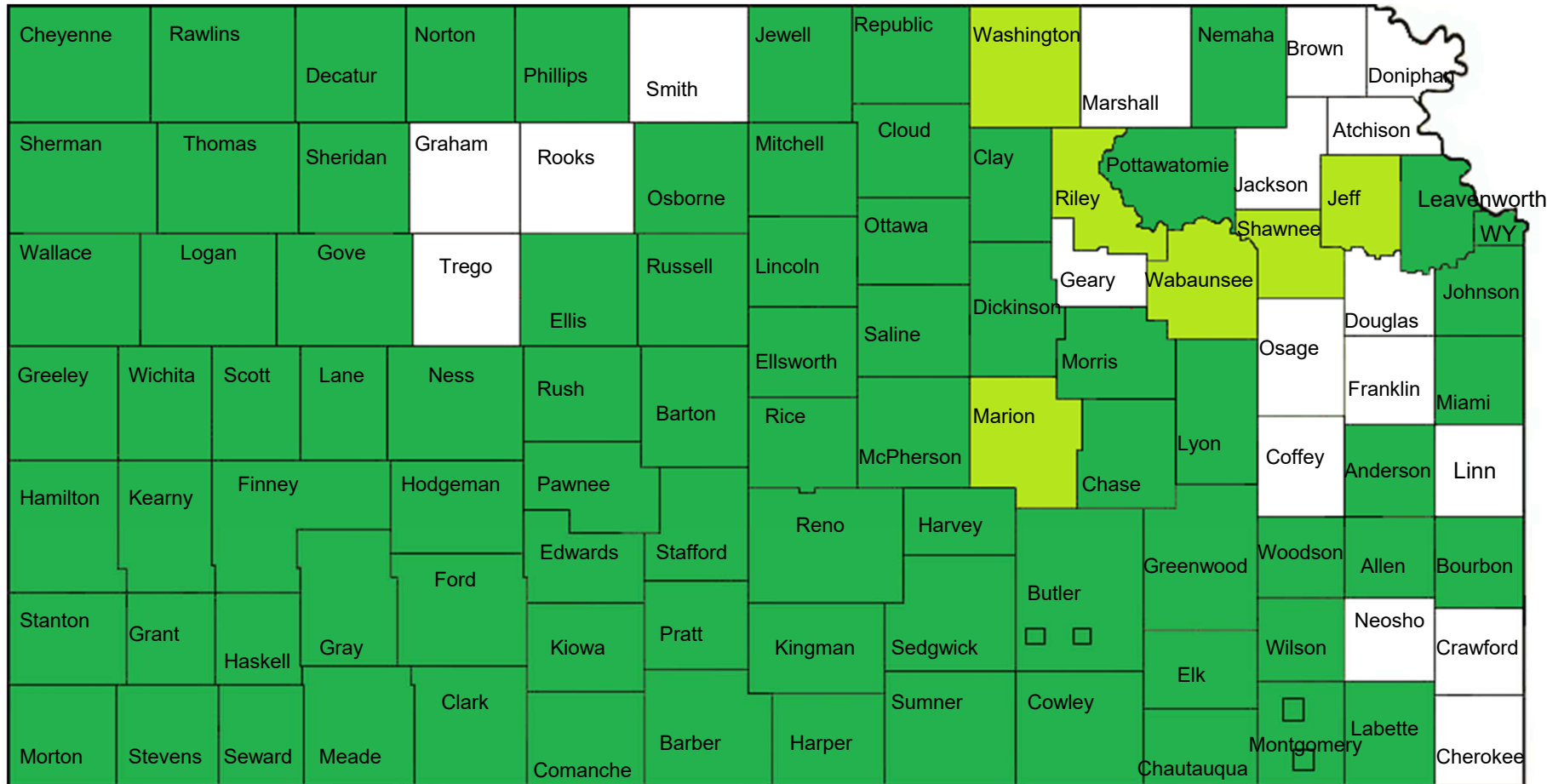
Sec. 19. This act shall take effect and be in force from and after [October 1, 2019](#) and its publication in the statute book.


NG911 Status Map – 4/23/2018




-  = Live on System  = In Queue  = Interest Indicated – No SOR
-  = Other System Utilized  = No Indication of Intent

Text-to-911 Status Map – 4/13/2018

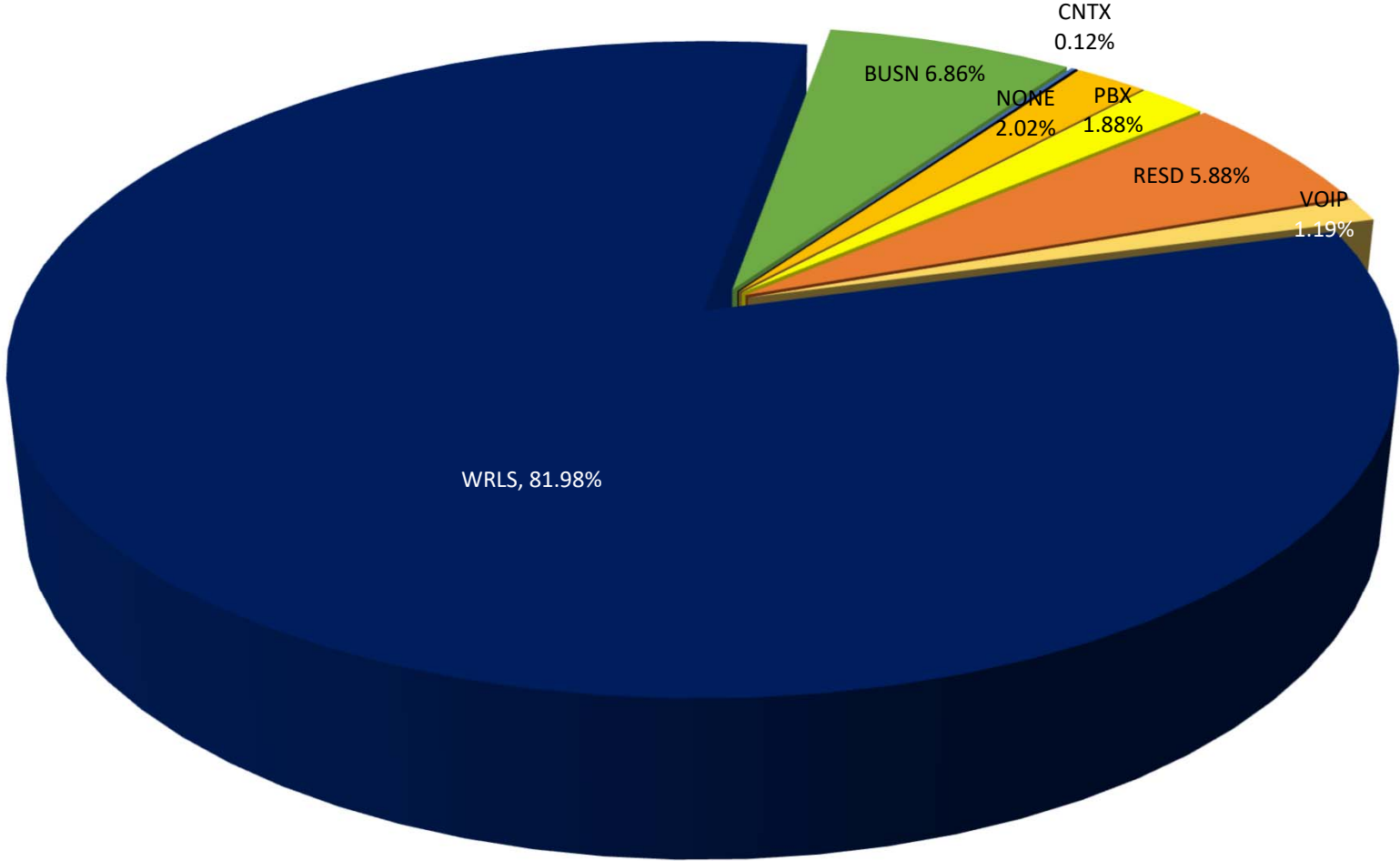


 = Text-to-911 Available

 = Text-to-911 Coming Soon

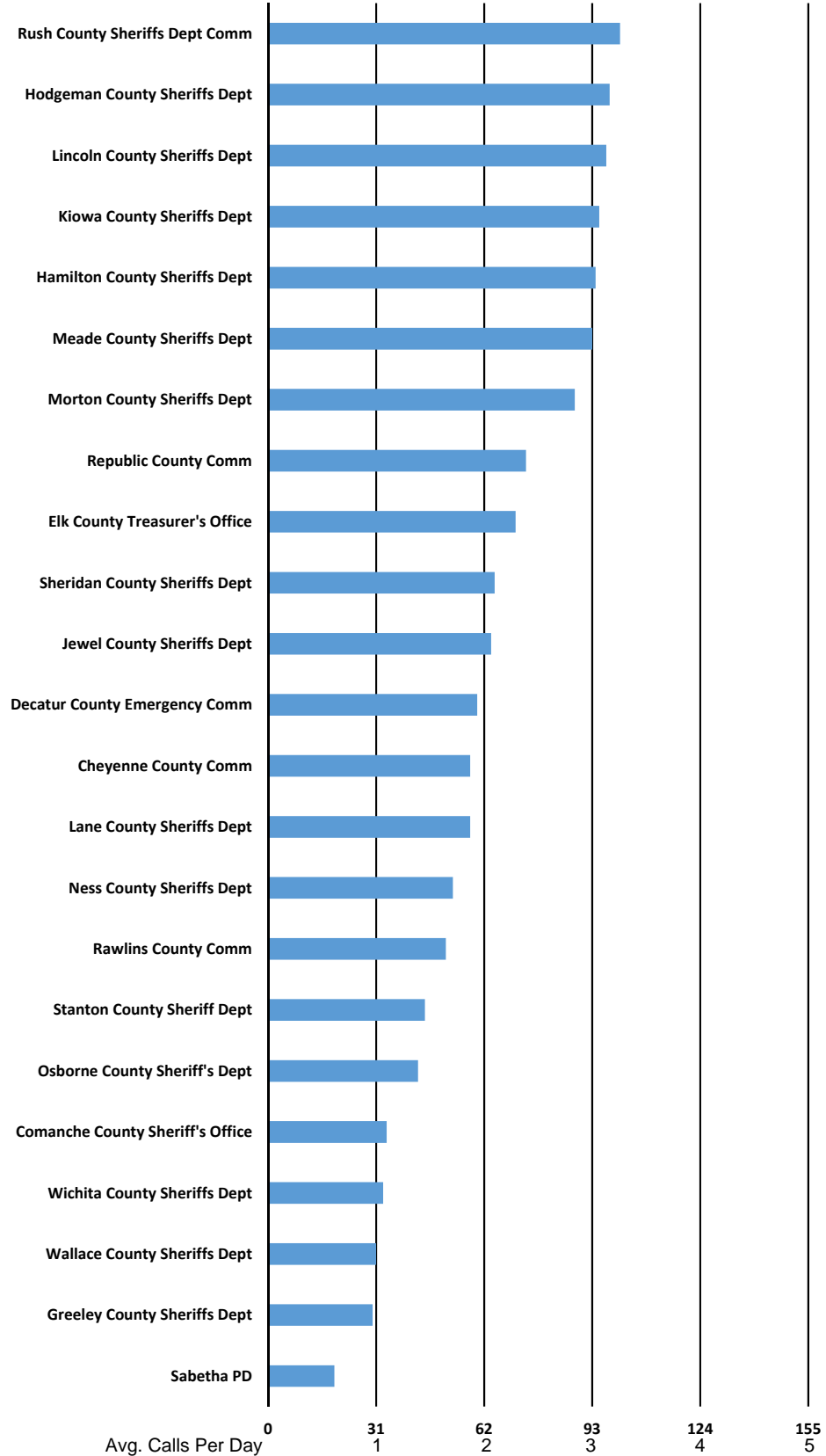
911 CALLS BY CLASS OF SERVICE -May, 2018

75,755 Total Calls Received

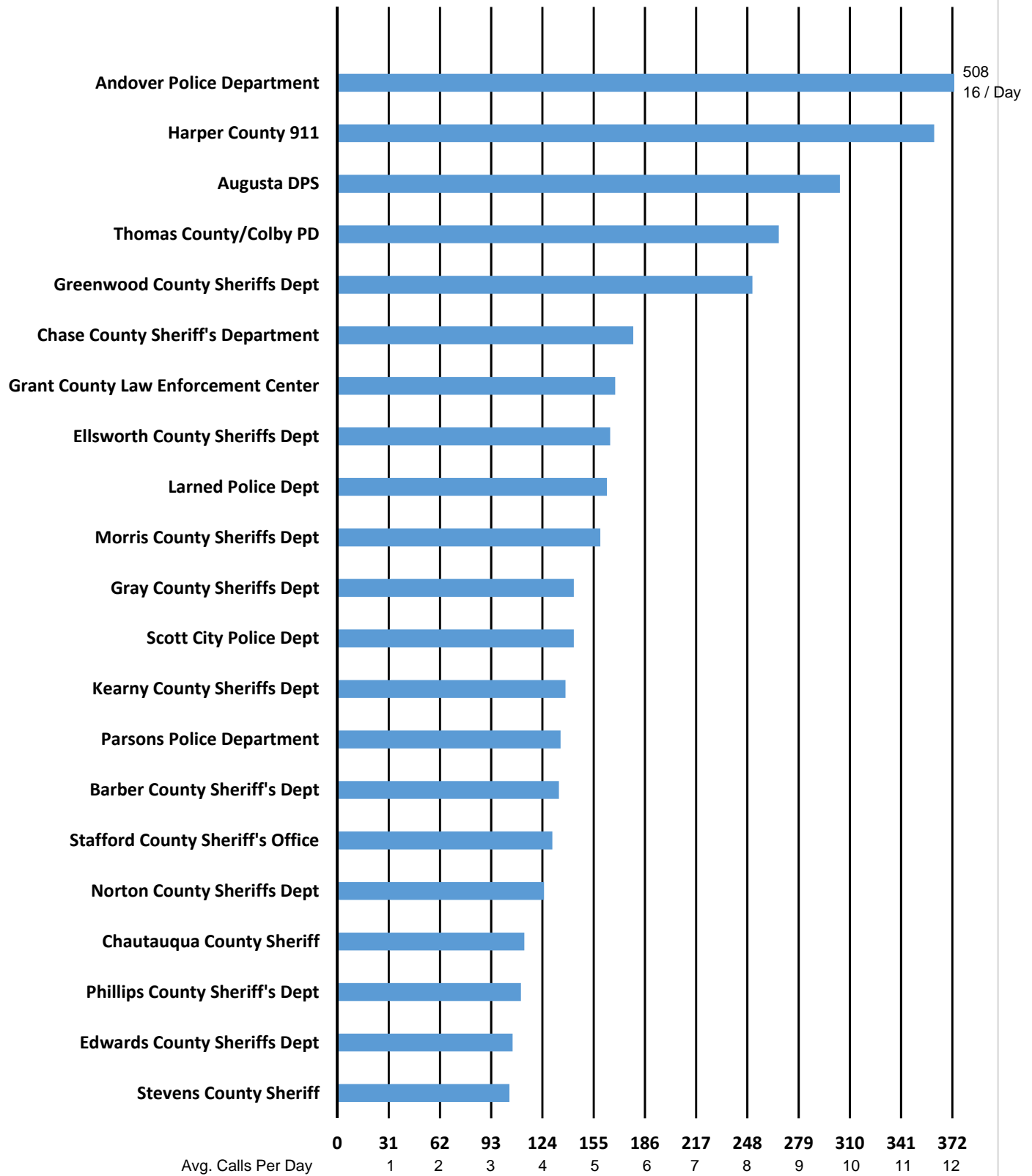


BUSN CNTX COIN NONE OTHER PBX RESD TLMA VOIP WRLS

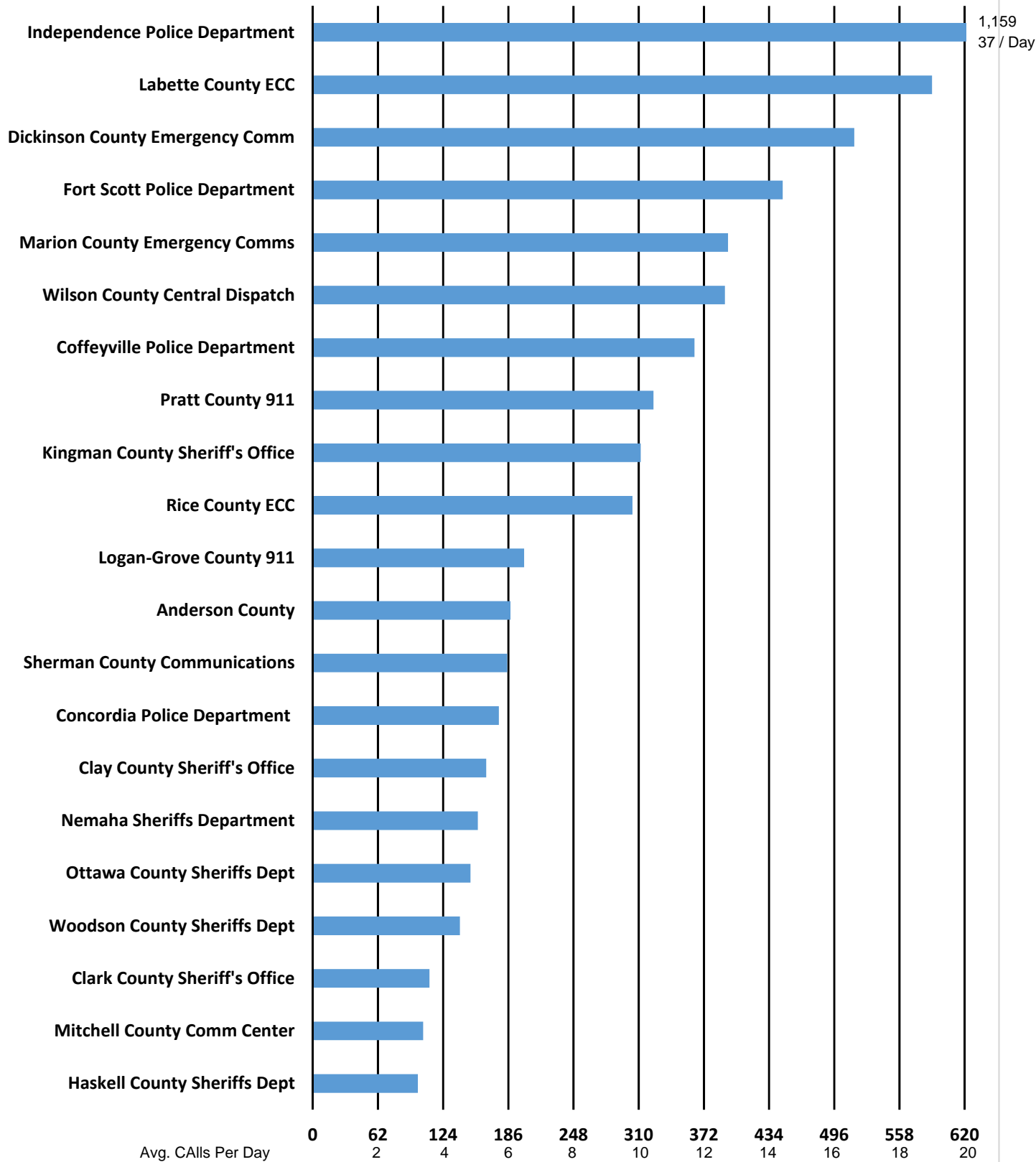
911 Call Volumes May, 2018



911 Call Volumes May, 2018

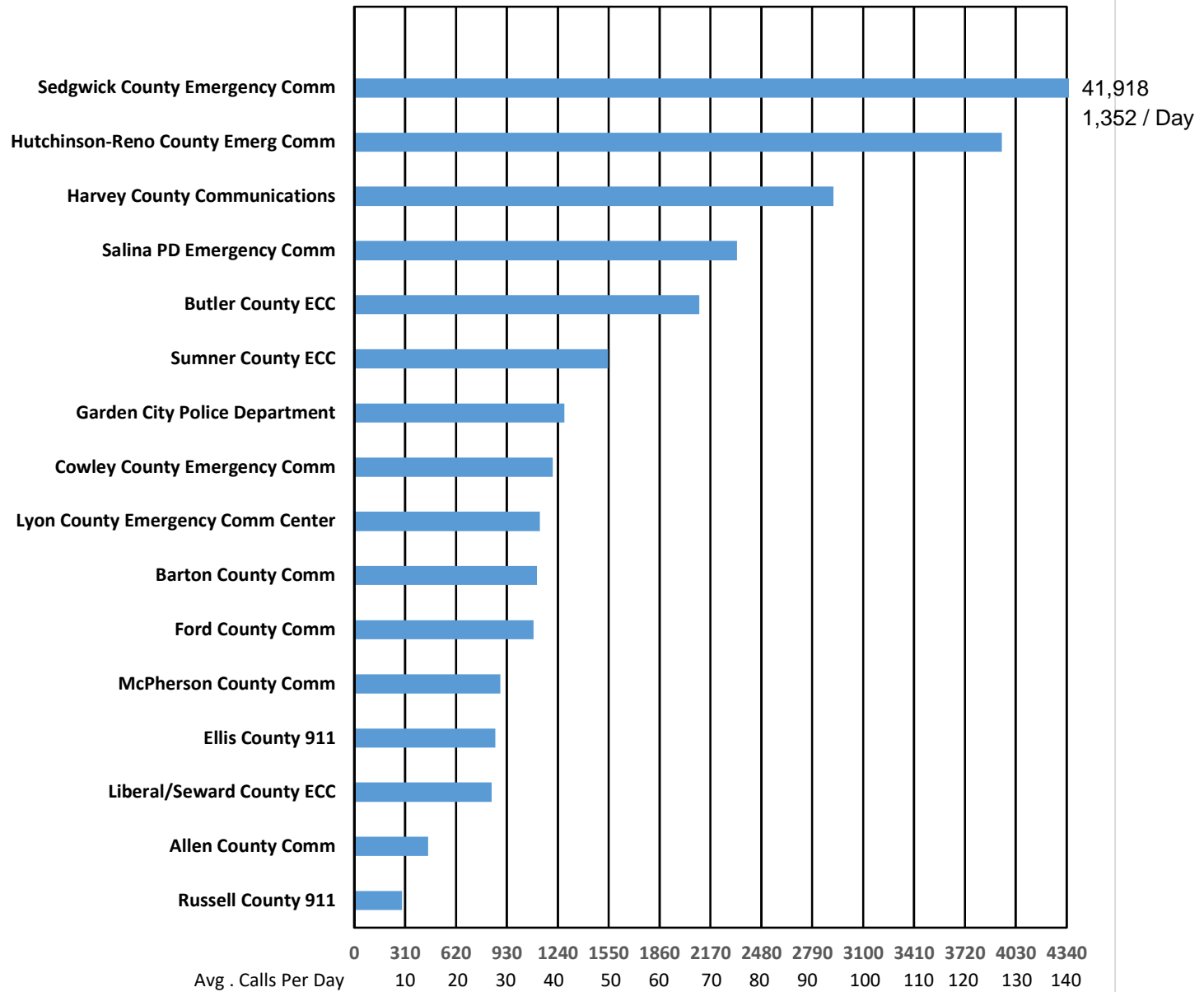


911 Call Volumes May, 2018

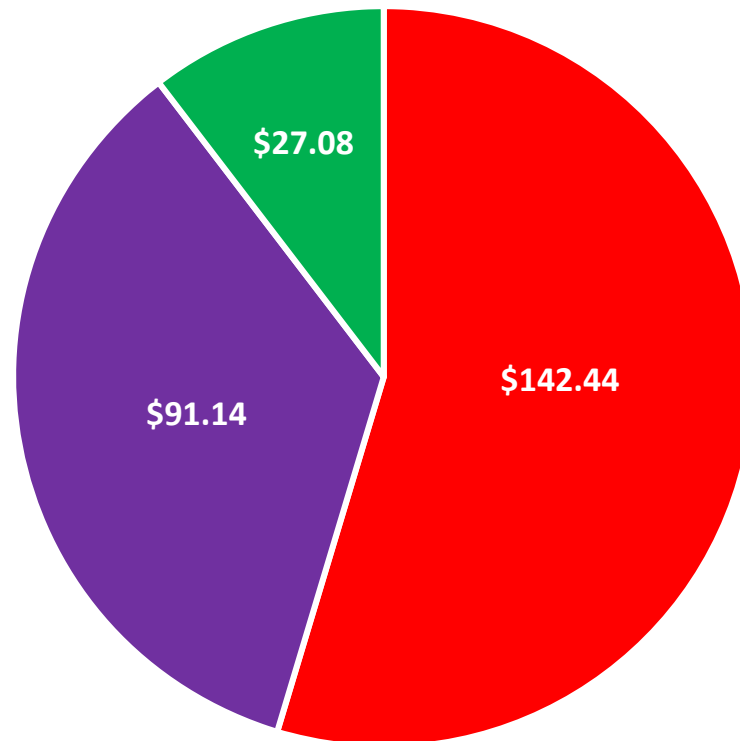


PSAPS 3+ Seats

911 Call Volumes - May 2018



Estimated Avg. Cost Per Call By Number of Seats

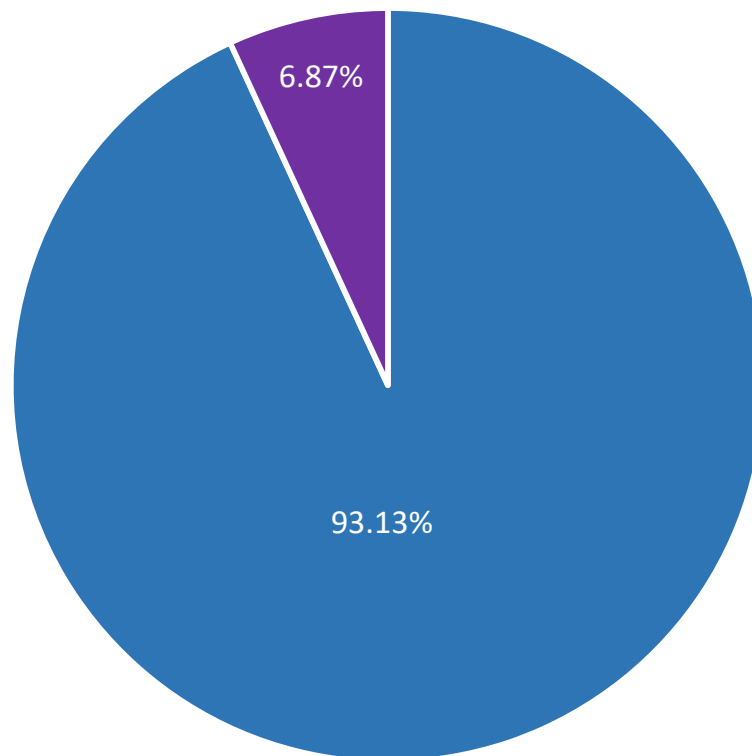


1 Seat

2 Seats

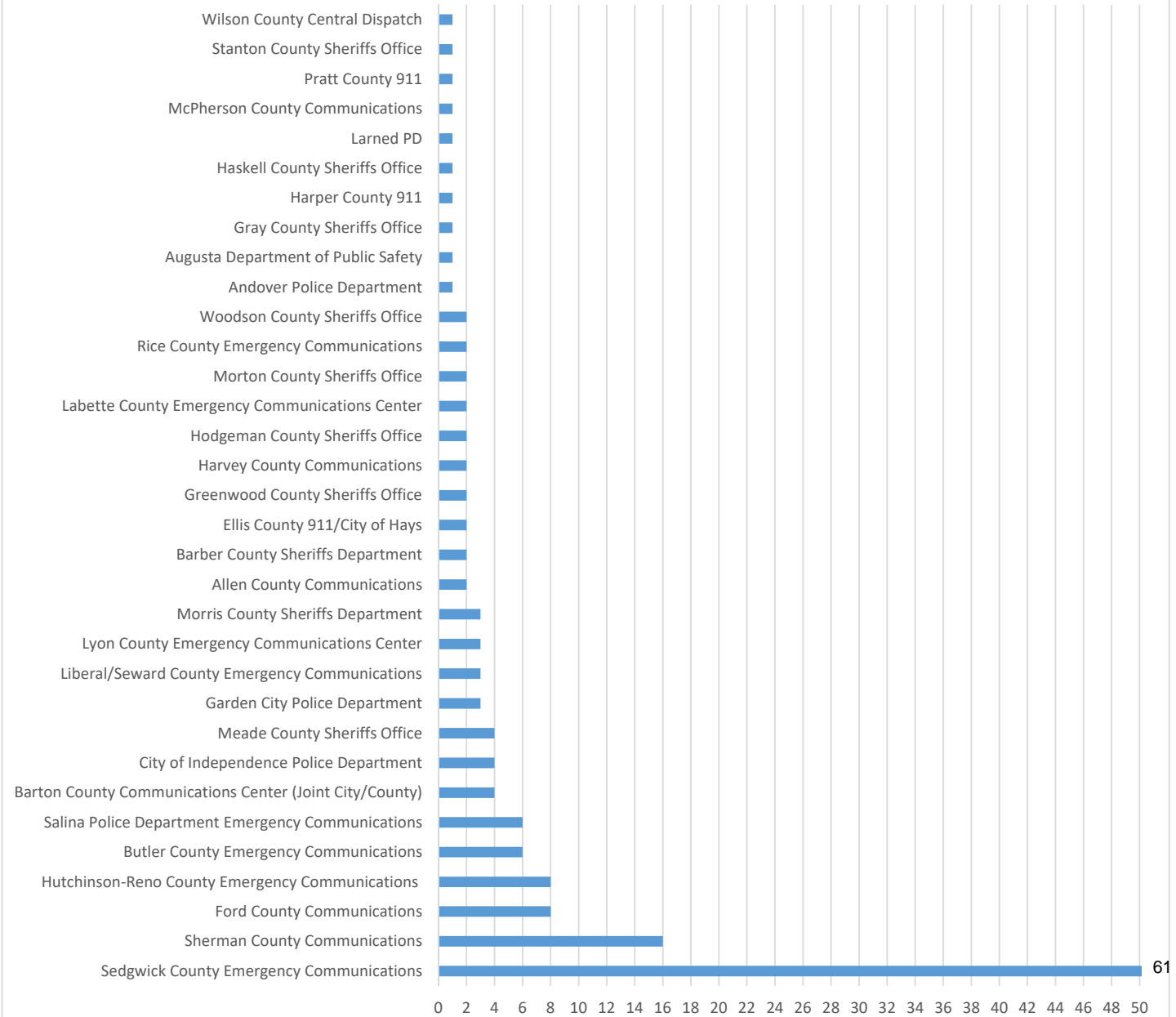
3+ Seats

NSI 911 Calls as Percent of Total



■ 911 Calls ■ NSI 911 Calls

TEXT-TO-911 SESSIONS - MAY, 2018





Kansas 911 Coordinating Council Policy and Procedure for Expenditure Reporting Review

Date Originated	October 17, 2013
Last Revised	May 7, 2014
Prepared by	Scott A. Ekberg, NG911 Administrator
Prepared for	Dick Heitschmidt, Coordinating Council Chairman



Document Change Log

Date	Author	Change	Reason
05/15/18	Ekberg	Original release.	



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2	Policy on Return of Workstations	4
2.1	Timing.....	Error! Bookmark not defined.
2.2	Procedure for Returning Workstation	Error! Bookmark not defined.
2.3	Cost of Returning Workstation	Error! Bookmark not defined.



1 Introduction

The Kansas 911 Act (the Act) requires that each Public Safety Answering Point (PSAP) receiving 911 fee funds submit an annual report of the expenditure of such funds to the Kansas 911 Coordinating Council (Council). The Act tasks the Council with reviewing those reports and determining that all expenditures of 911 fee funds are in compliance with the allowable uses set forth by the Act. The purpose of this document is to set forth the policy and procedure for this review and determination of allowability.

2 Policy on Expenditure Reporting

2.1 Requirement

K.S.A. 12-5364 (b)(2)(k), provides that:

“Each PSAP shall file with the council, by March 1, 2012, and every March 1 thereafter, a report demonstrating how such PSAP has spent the moneys earned from the 911 fee during the preceding calendar year. The council shall designate the content and form of such report.”

2.2 Content and Form of the Expenditure Report

The content and form of the expenditure report is subject to change, however, at the current time the form of the report is an online reporting tool available to the PSAPs at <https://portal.kansas911.org>. The current content of the form captures the following data elements:

- Revenue and Balance information
 - Pre 911 Act Landline fund balance (Total balance of any accounts containing 911 landline fee funds collected prior to January 1, 2012, that have been kept segregated from other funds)
 - Pre 911 Act Wireless fund balance (Total balance of any accounts containing 911 wireless fee funds collected prior to January 1, 2012, that have been kept segregated from other funds)
 - Current year 911 funds received (Total funds distributed to the PSAP by the LCPA during the reporting year)
 - Interest earned on the Post 911 Act funds during the reporting year
 - Other income or reimbursements made to the Post 911 Act fund during the reporting year
 - Post 911 Act fund balance (Balance of the account containing 911 funds collected after January 1, 2012 as of the end of the reporting year)
- Expenditures
 - Date of each expenditure
 - Reporting year
 - Amount of each expenditure
 - Type of expenditure in four broad categories (Recurring/Contractual, Equipment, Training, Other)



- Vendor Name
- PSAP reporting the expenditure
- Classification of the funds used for the expenditure (Pre 911 Act, Post 911 Act)
- Allowable use category for the expenditure (Statutory allowable uses)
 - Implementation of 911 services
 - Purchase of 911 equipment and upgrades
 - Maintenance and license fees for 911 equipment
 - Training of personnel
 - Monthly recurring charges billed by service suppliers
 - Installation, service establishment and nonrecurring start-up charges billed by the service supplier
 - Charges for capital improvements and equipment or other physical enhancements to the 911 system
 - The original acquisition and installation of road signs designed to aid in the delivery of emergency service
- Description of the expenditure
- Comments relating to the expenditure
- General Fund Expenditures
 - A form for submitting general fund expenditures for 911 purposes, such as 911 salaries and benefits, is also provided on the online tool. Submission of this data is totally voluntary and is not required.

2.3 Requirement for Review of Expenditures

K.S.A. 12-5364 (b)(2)(p) requires the Council to submit an annual report to the legislature including a detailed report of expenditures of all 911 funds expended throughout the state. Additionally, K.S.A. 12-5375 (b) provides that:

“If the 911 coordinating council, based upon information obtained from the PSAP reports or an audit of the PSAPs, determines that any PSAP has used any 911 fees for any purpose other than those authorized in this act, such PSAP shall repay all such funds used for any unauthorized purposes plus 10% to the LCPA for deposit in the 911 state grant fund. No such repayment of 911 fees shall be imposed pursuant to this section except upon the written order of the council. Such order shall state the unauthorized purposes for which the funds were used, the amount of funds to be repayed and the right of such PSAP to appeal to a hearing before the council. Any such PSAP may, within 15 days after service of the order, make a written request to the council for a hearing thereon. Hearings under this subsection shall be conducted in accordance with the provisions of the Kansas administrative procedure act.”

To comply with these statutory duties, the Council must review the expenditure reports and determine that every expenditure complies with the statutory allowable use provisions.



2.4 Policy on Expenditure Review

The Council published the following philosophy on the allowable use of 911 funds in 2012.

“Generally, it is considered permissible to use 911 funds to buy electronic equipment, software, GIS technical support and data, technical support services, software and hardware maintenance, training, and telecommunications services that are directly related to a PSAP receiving, processing and transmitting a 911 call. The legislature has prohibited the use of 911 funds for buildings, chairs, tables, building renovation and repairs, and for mobile and portable radios which would include pagers.

Use of 911 funds for the purchase of dispatch console equipment designed specifically for use in a PSAP for 911 and radio operations should be acceptable as are logging recorders, emergency generators, Uninterruptible Power Supply systems, Computer Aided Dispatch systems, and radio base stations used by a PSAP to support its operations. Use of 911 funds for training that is directly related to the performance of 911 and dispatching duties in a PSAP is acceptable. If the training is part of a conference package presented by APCO or NENA that is related to “911 services”, generally, use of 911 funds to pay for registration fees and costs of attendance (meals, mileage and room) would be appropriate. If the training is clearly for non-PSAP related operations such as firearms certification, emergency vehicle operation or general supervisory training not related to PSAP operations, it will be considered an inappropriate use.”

In accordance with this philosophy, it is the policy of the Council that all expenditures will be viewed in the light of the expenditures relation to the **receiving, processing and transmitting of a 911 call**. In general, the use of 911 funds must have a direct relationship to the performance of 911 and emergency communications functions performed by PSAP personnel who receive, process and transmit 911 calls to emergency responders.

This policy may result in an expenditure being allowable for one PSAP and not for another. As an example, storm siren maintenance for a PSAP that utilizes the siren to notify fire responders of a 911 call reporting a fire, would be allowable, while that same maintenance for a PSAP that utilizes the siren only as a public notification system would not. Notifying the public of emergency situations has no relation to the receiving, processing and transmitting of a 911 call. Notifying responders of an active incident reported via 911 does.

2.5 Policy Regarding Pre-Approval of Intended Expenditures

PSAPs are encouraged to seek pre-approval of any intended expenditures that they think may or may not be allowable prior to expending the funds. Pre-approval requests may be submitted through the expenditure reporting online tool (Pre-Approval tab). The Council also publishes a frequently asked questions document on the Council website (<https://kansas911.org>) that provides answers to previously asked allowability questions.



3 Procedures Relating to Expenditure Reporting

3.1 Procedure for Expenditure Reporting

The following procedure will be utilized for expenditure reporting

1. PSAPs will identify the person(s) responsible for expenditure reporting for the PSAP.
2. That/Those person(s) will create an account on the Council web portal at <https://portal.kansas911.org>, selecting the “Will you be submitting expenditure reports (PSAPs only)?” checkbox to identify themselves as expenditure reporters.
3. Expenditure reporters for each PSAP will report all expenditures of 911 fee monies on the portal providing all requested information. Clear information pertaining to the description and comments that articulate the relation of the expenditure to the receiving, processing and transmitting of a 911 call.
4. Expenditures may be reported daily, weekly, monthly or annually at the convenience of the PSAP.
5. If expenditures are reported annually, monthly bills on a single account, to a single service provider (i.e., Nex-Tech phone bills for 911 end office trunk charges on account xxxx) may be aggregated into a single expenditure entry. An example of this entry is depicted in Figure 1 below.

The screenshot displays the 'Kansas 911 Coordinating Council Web Portal' interface. The top navigation bar includes links such as Home, User Management, Docs, User Profile, Security Audit, Travel Expenses, Upload GIS Data, Admin, DDS, Map, T2911, Change Order, and GIS Data Request. Below the navigation bar, there are tabs for Revenue and Balance, Expenditures, ISSUES, Annual Submission, GENERAL Expenditures, and Pre-Approval. The 'GENERAL Expenditures' tab is active, showing a form for creating an expenditure entry. The form includes fields for Date (12/31/2018), Year (2018), Amount (2400.00), and a Filter button. The Type field is set to Recurring Costs/Contracts. The Vendor is Nex-Tech, and the For PSAP is Morton County Sheriff's Office. The Fund is Post 911 Act Funds, and the Allowable Use is Monthly recurring charges billed by s. The Description is Aggregated monthly charges for 911 end office trunks for delivery of 911 calls. The Comments are Aggregated total of montly bills on account #1234. There are also dropdown menus for Type, Use, Fund Used, PSAP, and Year, all set to All or 2018. A Save button is at the bottom left, and an Export button is at the bottom right.

Figure 1 - Aggregated Entry Example



6. At the end of each year, and prior to March 1st of each year, the PSAP expenditure reporter will enter the revenue data on the revenue tab on the expenditure reporting tool.
7. Once all expenditures and revenue entries have been completed, the expenditure reporter will submit the annual expenditure report by selecting their PSAP and checking the box stating that the report is complete and then saving that data on the "Annual Submission" tab of the portal tool.

3.2 Procedure for Review of Expenditures

The following procedure will be utilized for review of annual expenditure reports

1. A committee of



Kansas 911 Coordinating Council Charter of PSI Subcommittee

Originated April 15, 2018
Last Revised May 7, 2018

Prepared for Executive Committee
Prepared by Michele Abbott



1 Introduction

Kansas established the 911 Coordinating Council ("Council") by statute in 2011. Since then, Kansas now provides 9-1-1 statewide using a hosted call handling service that is connected to the national AT&T ESInet™ (Emergency Services IP Network). Consequently, Kansas now uses the next-generation 9-1-1 (NG911) architecture.

In August, 2017, then Governor of Kansas, Sam Brownback announced his decision to opt-in under AT&T's FirstNet wireless broadband network for first responders created by the First Responder Network Authority. Dick Heitschmidt, Chairman of the Council, and Chief of Police Hutchinson, Kansas, commented, "There's a whole host of things that are going to happen once this system gets built out." That buildout has started in Kansas. The AT&T point of contact for Kansas, Col. (Ret.) Chris Stratmann, FirstNet Client Solutions. Chris is supported by an extensive team of AT&T specialists responsible for the aggressive availability of FirstNet services.

Because NG911 and FirstNet are the fabric of public safety, the Council establishes this charter to address and co-develop with the Kansas Statewide Interoperability Executive Committee (SIEC) the interoperability considerations that integrate these two fundamental components.

2 Purpose

The Kansas 911 Coordinating Council ("Council") is tasked with and committed to enhancing public safety for Kansans. In that regard, the Executive Committee of the Council asked the Operations Committee to address the interoperability concerns of our statewide Next Generation 9-1-1 (NG911) with the emerging FirstNet. This charter of the Public Safety Interoperability (PSI) Subcommittee is the first step in accomplishing the overarching goal of enhanced and optimum public safety for Kansans.

3 Authority

The Council has empowered the PSI Subcommittee with the authority to:

1. Consider legislative and regulatory efforts to improve emergency communications
2. Develop appropriate policies, procedures, protocols, guidelines for PSI
3. Study seamless interoperability and innovation for public safety communications
4. Weave PSI into the annual 3-year NG911 Strategic Plan, Work Plan and associated Budget
5. Evaluate current and future PSI issues of NG911-FirstNet
6. Investigate innovative approaches to mobile app interoperability and PSI databases
7. Stay vigilant of the FirstNet deployment
8. Harness the full potential 5G wireless networks
9. Establish forums to discuss emerging components of public safety
 - a. Operational aspects such as standard operating procedure, training
 - b. Technical aspects such as equipment, incident management, cybersecurity
10. Establish relevant PSI Communication Plan(s)
 - a. Federal: ensure compliance to standards without redundancy of effort
 - b. State: create awareness among public safety stakeholders
 - c. Local: educate jurisdictions such as PSAPs
11. Ensure interoperability training is adequate and satisfactory for PSAPs
 - a. Initial and on-going classroom and webinars training using Knowledge Center

- b. Field simulation exercises for OJT training and cross-training
- 12. Capture supportive funding through Federal grants

4 Organization

Since interoperability is predominantly an operational issue, the Executive Committee annually designates the Council Operations Chair to lead the PSI Subcommittee. The PSI Subcommittee Chair shall designate the Vice-chair. Core membership includes:

NG911	FirstNet	SIEC
Michele Abbott, Chair	Chris Stratmann, AT&T	
Scott Ekberg, Administrator		
Lori Alexander, Liaison		
Sherry Massey, PSAP SME		
Josh Michaelis, PSAP Director		
Ellen Wernicke, Training SME		
Phill Ryan, ITSS		
Randall White, PM		

5 Decision Making

- Each member of the PSI Subcommittee has one vote to cast.
- If the voting member is unable to attend, the alternate voting member will cast the vote for the voting member.
- Simple majority rules. All decisions and recommendations approved by a simple majority will be considered a decision or recommendation of the committee. As much as possible, the majority opinion will be reflected.
- A two-thirds majority vote is required for charter amendments.
- Quorum will be met when 5 out of the 9 voting members (or their designated alternates) are present. If a sufficient quorum is not achieved, votes will be tabled.

6 Communication Plan

Both web-conference and face-to-face meetings shall be held at various locations convenient for the majority of the PSI Subcommittee.

- Monthly Workgroup Meeting
- Quarterly Collaboration Meeting with SIEC and FirstNet
- Annual Workshop co-sponsored with NG911, FirstNet and SIEC
- Annual Brainstorm and Strategic Planning
- On-going mentoring to replace members rotating off

7 Project Plan

WBS	Major Milestone / Deliverables	Owner	Start	Due
1	Charter	Michele	05/01/18	05/11/18
2	Exploratory phase (national, commercial...)	Scott Lori		
3	Define / develop best-practice policy, standards	Josh		
4	NG911 technology impact assessment	Phill		
5	NG911 operations impact assessment	Michele		
6	NG911 program impact assessment	Randall		
7	Kansas PSI Project Plan	Randall		
8	Kansas PSI Training Plan	Ellen		
9	Kansas PSI Communication Plan	Lori		
10	Kansas PSI Technology Integration Plan	Phill		
11	other			

8 Annual Budget

The cost of supporting SPI workgroups is born by existing Council expense.

WBS	Activity	Remark	Estimated Cost
1	Direct Costs	Consultants (ITSS, PM) associated w/ NG911 contract	\$10,000.00
2	Indirect Costs	Administrator, Liaison associated w/ NG911	\$10,000.00
3	Travel and Living	Collaboration NASNA, NENA, NG911	\$6,000.00
4	Other		

9 Appendix



Kansas 911 Coordinating Council
GIS Committee Update
June 8, 2018

[2018 MidAmerica GIS Consortium's Outstanding Contribution in GIS Coordination award](#)

[CY2018 Q1 Maintenance Submission Status](#)

- 99 jurisdictions submitted updates that passed QA
- 6 jurisdictions verified no changes within the calendar quarter
- 100% compliance with *Kansas NG911 GIS Data Governance Policy*

[CY2018 Q2 Maintenance Submission Status \(data submissions due June 30, 2018\)](#)

- 41 jurisdictions submitted updates that passed QA
- 1 jurisdiction verified no changes within the calendar quarter

[Orthoimagery Update](#)

- Statewide acquisition complete:
 - 1' resolution, Leaf-off, Color & Color Infrared (CIR), 86,190 square miles
- All local buy-up acquisition complete (1,831 sq miles), delivery in progress:
 - Osage County, cities within the county, 6" resolution, 88 sq miles
 - Rice County, cities within the county, 6" resolution, 10 sq miles
 - Barton County, cities within the county, 3" resolution, 79 sq miles
 - Douglas/Shawnee/Jefferson partnership, 6" resolution, 1,589 sq miles
 - Lyon County, cities within the county, 3" resolution, 54 sq miles
 - Atchison County, cities within the county, 6" resolution, 11 sq miles
- Next steps:
 - Internal review & processing by vendor (Surdex)
 - Customer review via web-based QA tool (SurCheck)
 - NG911 GIS Committee
 - Local government
 - Delivery of statewide 1' and local buy-up products to DASC
 - Imagery replacement at PSAPs (aka NAS box recycling)

[NG911 Program Portal:](#)

- ELT Review Map
- Enhancements to Expenditures module, including expenditure pre-approval
- Maintenance & hosting of program portal

[NG911 GIS User Group](#)

- May 24, 2018 – webinar, 35+ attendees
- Webinars held on a quarterly basis
- In person meeting held in conjunction with the Kansas Association of Mappers (KAM) conference, October 16-19, 2018, Manhattan, KS

General Update Items

- NG911 GIS Toolbox & Data Model - version 2.1.4 of toolbox released on April 16, 2018
- GIS Imagery Network Attached Storage (NAS) devices – 88 shipped
- Call Handling Solution map templates (Vesta Locate) – 78 templates published & maintained

2018 NG911 GIS Training Schedule

- April 16, 2018, NG911 GIS Data Steward Certification Class, Spring APCO Conference - Mulvane, KS
- May 15, 2018, NG911 GIS Data Steward & GIS Data Maintainer Certification Class, Wichita, KS
- June 5, 2018, NG911 GIS Data Steward & GIS Data Maintainer Certification Class, Hays, KS
- August 21, 2018 NG911 GIS Data Steward & GIS Data Maintainer Certification Class, Topeka, KS

Geospatial Call Routing

- Sherry Massey

RFP for NG911 Program Management Services

Last revised May 3, 2018

1. SPECIFICATION

1.1 Introduction

This RFP is for the procurement of continued program management services to implement and manage activities of the Kansas 911 Coordinating Council (“Council”) including the statewide Next Generation 911 (NG911) system.

The Council, in its desire to assist Public Safety Answering Points (PSAPs) transition from legacy 911 to NG911 call handling and services, has procured a statewide NG911 compliant call handling system. To date, eighty-four (84) PSAPs have elected to implement the statewide system. The next step in the migration is moving the call handling system onto AT&T’s nationwide Emergency Services Internet Protocol Network (ESInet). In support of this strategy, the Council is issuing this RFP for continued NG911 Program Management Services.

The Kansas 911 Coordinating Council (“Council”), has implemented the infrastructure necessary to facilitate statewide Next Generation 9-1-1 (“NG911”) services. The project activities and stages are shown in Figure 1 and Table 1. Other RFP’s will be issued in connection with these stages to accomplish our goal of providing a statewide NG911 system. Bidder shall be familiar with all aspects of NG911 transition.



Figure 1 - Steps toward NG911 Implementation

Figure 1 is a guideline to reflect the anticipated gating steps involved to complete an initial statewide NG911 implementation. Dependencies, such as funding cycles, number of PSAPs, parallel PSAP or entity projects, CPE readiness, facility preparedness will impact timelines. As a result, each phase of the overall project will require a unique view of the specific dependencies and deliverables. The overall NG911 Implementation Schedule is defined below. Each phase is briefly explained below in Table 1.

Table 1 - NG911 General Stages of Migration

Phase	Activity	Duration	Remarks
1	<i>NG911 Pilot</i>	<i>9 months</i>	<i>Already completed</i>
2	<i>Design / Development / Procurement</i>	<i>month 0-15</i>	<i>Already Completed</i>
3	<i>Call Handling Network Construction</i>	<i>year 1-4</i>	<i>Mostly completed, few late adopter PSAPs scheduled to come on in later years.</i>
4	<i>Limited Deployment</i>	<i>year 1</i>	<i>August through December, 2015 – 11 PSAPs on the system</i>
5	<i>Full Scale Deployment</i>	<i>year 2-4</i>	<i>2016 through December 2018, 90 Centers on system, including 2 backup centers and 1 T&E Lab</i>
6	Late Adopter Deployments	Year 5 and beyond	Late adopter PSAPs will continue to come onto the system in years 5 and beyond.
7	Operations and Maintenance	Day-2 Support	Call Handling System
8	<i>ESInet Pilot</i>	<i>Year 4</i>	<i>First PSAP in the nation piloted on nationwide ESInet</i>
9	Migration of all system PSAPs to ESInet	Year 4-5	PSAPs migrated to ESInet
10	Transformation from MSAG to Geo-MSAG	Year 4 -5	Completed in concert with ESInet migration
11	Implementation of Geospatial Call Routing on ESInet	Year 4 – 5	This is a complete recreation of 911 call routing technology
12	Implementation of follow on i3 services	Year 5 and beyond	Picture messaging, video messaging, telematics, enhanced location information, etc.
13	Operations and Maintenance	Day-2 Support	Continuing for all aspects of project

In addition to the above projects, the Program Manager is responsible for many administrative duties and projects. Examples of these responsibilities are outlined in Table 2 below. These are examples only and are not intended to be an exhaustive list.

Table 2 - Administrative Responsibilities

Program Area	Task
Hosted System Administration	Review, track and monitor MOA's and invoices to PSAPs for call handling
	Facilitate annual planning workshop with AT&T, other vendor partners, and Council members
Program Administration	Facilitate Executive Briefings, Status Meetings, Strategic Planning, and Brainstorming sessions
	Assist with contract management for all contracts
	Participate in Accounts Payable Process
	Assist with Council Meeting Preparation and Logistics
	Document and track Meetings, Action Items, Policies and Procedures
	General Administration (procedure updates, resource forecasting, Council membership maintenance, 911 Act/AR modifications, legal opinions, standards review, etc.)
	LCPA and LPA Audit - Support and Documentation

	Provides Monthly Reports, Including But Not Limited to Cost and Schedule Control Summary, Program Status, Business Plan/Cost Recovery
	State and National Outreach, Including But Not Limited to Briefings, Demonstrations, Workshops, Public Relations Presentations,
	Preparing Agendas for Council Meetings, Including Committee Meetings, and Facilitating Same

1.2 Late Adopter Deployments

The majority of PSAP implementations of the statewide call handling system will be complete by the end of 2018. However, some late adopting PSAPs will continue to implement the statewide call handling system over the next few years. The implementations up to this time have been managed by an AT&T project management team. This team will dissolve at the end of 2018. Late adopting PSAPs will create a management challenge with the large number of elements involved in migrating a PSAP to the system. The Program Manager is responsible for ensuring that all timelines, goals and objectives for migrating these late adopters onto the system are met.

1.3 Operations and Maintenance of Call Handling System

Processes and procedures for operation and maintenance of the call handling system have been developed and are in place. The Program Manager is responsible for ensuring that these processes and procedures are evaluated and updated as necessary to ensure that operations, maintenance and incident management are as efficient and effective as possible.

1.4 ESInet Migration

The migration of the PSAPS on the statewide call handling system to AT&T nationwide ESInet is managed by an AT&T Project Manager. The Project Manager is responsible for:

1. Planning activities prior to migration
2. Testing activities prior to migration to ensure seamless transition
3. Routing policy development and testing prior to go-live.
4. Go-live on ESInet for each PSAP, including testing

The Program Manager is responsible for oversight of the project, ensuring that timelines, goals and objectives of the project are met.

1.5 Transformation from MSAG to Geo-MSAG

Legacy 911 call routing is based on a Master Street Address Guide (MSAG), which is a tabular dataset that defines the valid addresses within a PSAP jurisdiction. The MSAG is updated by individual PSAPs and over time has become corrupt in many jurisdictions. For geospatial call routing to function appropriately, a clean Geo-MSAG is created based on current and accurate GIS

data. The transformation from MSAG to Geo-MSAG is completed by the GIS Committee of the Council, West Safety Services, and AT&T.

The program manager is responsible for oversight of the transformation project, ensuring that the Geo-MSAG for each PSAP jurisdiction is complete prior to migration of the jurisdiction to the ESInet.

1.6 Implementation of Geo-Spatial Call Routing

Implementation of geo-spatial call routing is a total revision of the 911 network call routing structure. Management of this implementation will be provided by an AT&T project manager.

The Program Manager will be responsible for oversight of the implementation, ensuring that timelines, goals and objectives of the project are met.

1.7 Implementation of Follow-On i3 Services

Implementation of follow-on i3 services such as enhanced location information, real time text, picture messaging, video messaging, etc, will occur as standards develop and the services are approved for use on the call handling system. The Program Manager will be responsible for oversight of these implementations, assuring that timelines, goals and objectives are met.

1.8 Operations and Maintenance Post ESInet Migration

The Program Manager will be responsible for ensuring that processes and procedures for operation and maintenance of the call handling system are expanded and updated as additional i3 services are added to the system.

2 STATEMENT OF WORK

As the NG911 Program Manager, Contractor shall prepare and assist in managing the holistic Program Plan for State NG911 project(s). The Program Manager shall develop and coordinate all activities in concert with and collaboration with the:

- 9-1-1 Coordinating Council
- NG911 Administrator
- 9-1-1 Liaison
- Responsible State organizations such as Office of Information Technology Services (OITS) and GIS Department
- Providers
- Customers

The Program Management services shall include but not be limited to management of the following projects already in progress.

- Next Generation 9-1-1 Hosted Services and ESInet Event ID: EVT3196

As described in subsequent sections, Bidder shall furnish a single resource necessary to develop and execute a detailed program plan that supports NG911 implementation on a statewide basis. This includes all supporting work plans, processes and procedures necessary to support the

successful migration from the existing NG911 call handling system platform to the AT&T nationwide ESInet through all phases of development:

Due to the unique nature of transition of our statewide call handling system to ESInet, the program management services are atypical as delineated in subsequent sections. Bidder shall have extensive experience with 911 project or program management. Bidder shall have extensive knowledge of the contracts, projects, policies, procedures, goals and objectives of the Council.

Bidder's Proposal Response To This Requirement(s) goes here:

(select one) Fully Compliant, Partially Compliant, Non-Compliant

Describe here your general experience with each of the tasks above.

•

2.1 Applicable Documents

Bidder shall be familiar with the documents below and incorporate appropriate aspects into the Master Program Plan:

- NENA i3 Architecture Specification, latest version at time of contract award
- NENA NG911 Transition Plan Considerations Information Document, NENA 77-501, latest version at time of contract award
- NENA NG911 Transition Policy Implementation Handbook
- Introduction to NG911 Databases
- ESInet Design Guidelines, in progress
- NG911 System Operations, in progress
- NG911 Transition Options and Plans, in progress
- NG911 System Management Guidelines
- Counties of Kansas www.kansascounties.org/DocumentView.aspx?DID=596
- Kansas PSAP list <http://www.kansas911.org/DocumentCenter/View/30>

Bidder shall regularly visit our State of Kansas 911 Coordinating Council website www.kansas911.org to obtain new and updated material for NG911 such as the Kansas NG911 Strategic plan, NG911 Pilot Project and Reports and other supporting information.

Bidder's Proposal Response To This Requirement(s) goes here:

(select one) Fully Compliant, Partially Compliant, Non-Compliant

Discuss here your familiarity and involvement with NENA standards and specifications and NG911 policies, plans and procedures.

•

2.2 Late Adopter Deployments

While a majority of the Kansas PSAPs have already been brought live onto the statewide call handling solution, there are a number who have not. It is anticipated that many of these remaining PSAPs (approximately 10 total) will elect to utilize the statewide system as their vehicle for NG911 migration. These PSAPs will trickle onto the system over the next few years.

Currently, the migration of PSAPs onto the system is managed by a project management team from AT&T. With the completion of the majority of the implementations, this team will be dissolved, leaving a single project manager in its place. Assisting the project manager with coordinating the implementations for late adopters will fall to the Program Manager.

Bidder's Proposal Response To This Requirement(s) goes here:

(select one) Fully Compliant, Partially Compliant, Non-Compliant

Discuss here your familiarity and understanding of the steps and processes necessary to implement the migration of late adopters onto the call handling system.

-

2.3 Project Administration

During the course of the program, the Bidder shall provide general project administration. Examples of these administrative duties are depicted in Table 2 above. The list is intended to provide examples of the types of responsibilities expected and not as an exclusive listing. Deliverables for these duties include, but are not limited to:

- Work Breakdown Structure (WBS) and Responsibility Assignment Matrix (RAM).** The systematic organization of projects and sub-projects that comprise the Program, and the principal resources supporting them.
- Status Tracking and Priorities.** Monitor program cost, schedule, resources and tasks to measure planned-actual performance and variance by week, month, year.
- Work Product Identification (WPI).** Master list of key deliverables and milestones.
- Document Control.** Managing deliverable program documentation (date, ownership, revision level) including Letters of Acceptance.
- After Action Review (AAR).** Root Cause Analysis (RCA), Lessons Learned and Corrective Action Planning (CAP) after major events / activities.
- Program and Project Reviews.** Weekly, bi-weekly, quarterly reviews with providers, stakeholders, committees, executive management team during each phase of migration.
- Program Communication Plan.** This program communication plan considers internal and external providers, stakeholders and executives. It complements the NG911 Strategic Communication Plan administered by the 911 Liaison.

- h. **Escalation and Jeopardy Process.** The early identification and alert of concerns and issues that can, or will, adversely affect performance during the engagement.
- i. **Program Closeout.** At the conclusion of the program, Bidder shall furnish an inventory of all documentation developed during the performance of the contract. Program documentation may be hard copy, electronic or combination of both. All program documentation shall be delivered to the 911 Council Chair.

Bidder's Proposal Response To This Requirement(s) goes here:

(select one) Fully Compliant, Partially Compliant, Non-Compliant

Describe here in detail your experience with and proposal for Project Administration including project tools. Identify any perceived conflicts or concerns with these responsibilities:

-

3 Billing Requirements for Services Rendered.

As the NG911 Program Manager, Contractor shall prepare monthly or bi-weekly invoices for the services provided. The invoice will include a weekly breakdown of hours provided with a general report of the type of service provided and the project associated with the reported time. Travel & Expenses will be included with a separate line item on the invoice and itemized documentation of each trip, including receipts.

Invoices will be sent to the NG911 Administrator for submission to the Council's accounts payable process for payment.

Bidder's Proposal Response To This Requirement(s) goes here:

(select one) Fully Compliant, Partially Compliant, Non-Compliant

Describe here any exception to the above billing requirements:

-

4 Cost Sheet

Bidder Name: _____

Bidders are instructed to submit this cost sheet per RFP Section **X.X**. Pricing for this contract will be based on Time and Materials (reimbursement of actual expenditures). Please provide labor pricing in the table below for resource assigned, overhead costs and travel/per diem per trip, used to arrive at a Total Estimated Project Cost.

Section	Resource Title or Role	Rate (\$)	LOE (man-hours)	Estimated Total Cost (\$)
Program Management Services	=	\$	=	\$
Overhead Costs	Based on a percentage of labor	%		\$
Travel (to include travel costs and per diem)	Number of Travelers =	\$ /Trip	Number of Trips =	\$
Total Estimated Cost				\$

Assumptions and Conditions:

1.

4.1 Provide labor rate values for subsequent contract renewal periods, if exercised:

Contract Year	Section	Resource Title or Role	Rate (\$)
Year #2 (Renewal #1)	Program Manager Services		
Year #3 (Renewal #2)	Program Manager Services		

1. SPECIFICATION

Bidder shall have the following qualifications:

- Must have at least seven (7) years of 9-1-1 experience and knowledge of 9-1-1 technology
- Must have at least three (3) years of experience and knowledge of PSAPs in Kansas
- Must possess a strong background and knowledge of
 - 911 equipment, software networks and other 911 capabilities and components of each PSAP in Kansas
 - Motorola (formerly Airbus DS) call handling systems
 - Familiarity with neighboring states NG911 systems and operations
- Strong familiarity with NENA standards and specifications
- Must have familiarity with Kansas 9-1-1 Council in order to understand the strategy, goals and objectives of the Council as the contractor works with other stakeholders
- Must be familiar with our NG911 Cost Recovery Plan
- Must have familiarity with other states NG911 systems and organizations

Bidder Information and Qualifications (as also requested in 2.4 and 2.5 of the RFP)
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- | |
|---|
| <ul style="list-style-type: none">• |
|---|

2.1. Introduction and Background

This RFP is for the procurement of customer technical support among our Public Safety Answering Points (PSAPs) and/or state staff undertaking a multi-year initiative to design and implement a statewide Next Generation 911 (NG911) system for the 117 PSAPs in the 105 counties of Kansas.

While the current voice-centric 9-1-1 (“911”) system adequately provides 911 services to the citizens of Kansas, it will soon be obsolete. The current 911 system uses analog technology established decades ago to deliver voice and location data to PSAPs. National telecommunications infrastructure has undergone much advancement, changing the technology available to the public today – and the way the public communicates. Public expectations are that emergency communications is keeping pace with the technological advancements; however, that is often not the case. This initiative addresses the replacement of the current analog system to digital communications. Technological advancements directly impact the ability of public safety systems to receive various types of data from the public, including text and video.

The Council, in its desire to assist Public Safety Answering Points (PSAPs) transition from legacy 911 to NG911 call handling and services, has procured a statewide NG911 compliant call

handling system. To date, eighty-four (84) PSAPs have elected to implement the statewide system. The next step in the migration is moving the call handling system onto AT&T's nationwide Emergency Services Internet Protocol Network (ESInet). In support of this strategy, the Council is issuing this RFP for continued NG911 Implementation Support Specialist (ITSS) Services.

The Kansas 911 Coordinating Council ("Council"), has implemented the infrastructure necessary to facilitate statewide Next Generation 9-1-1 ("NG911") services. The project activities and stages are shown in Figure 1 and Table 1. Other RFP's will be issued in connection with these stages to accomplish our goal of providing a statewide NG911 system. Bidder shall be familiar with all aspects of NG911 transition.



Figure 1 - Steps toward NG911 Implementation

Figure 1 is a guideline to reflect the anticipated gating steps involved to complete an initial statewide NG911 implementation. Dependencies, such as funding cycles, number of PSAPs, parallel PSAP or entity projects, CPE readiness, facility preparedness will impact timelines. As a result, each phase of the overall project will require a unique view of the specific dependencies and deliverables. The overall NG911 Implementation Schedule is defined below. Each phase is briefly explained below in Table 1.

Table 1 - NG911 General Stages of Migration

Phase	Activity	Duration	Remarks
1	<i>NG911 Pilot</i>	<i>9 months</i>	<i>Already completed</i>
2	<i>Design / Development / Procurement</i>	<i>month 0-15</i>	<i>Already Completed</i>
3	<i>Call Handling Network Construction</i>	<i>year 1-4</i>	<i>Mostly completed, few late adopter PSAPs scheduled to come on in later years.</i>
4	<i>Limited Deployment</i>	<i>year 1</i>	<i>August through December, 2015 – 11 PSAPs on the system</i>
5	<i>Full Scale Deployment</i>	<i>year 2-4</i>	<i>2016 through December 2018, 90 Centers on system, including 2 backup centers and 1 T&E Lab</i>
6	Late Adopter Deployments	Year 5 and beyond	Late adopter PSAPs will continue to come onto the system in years 5 and beyond.
7	Operations and Maintenance	Day-2 Support	Call Handling System
8	<i>ESInet Pilot</i>	<i>Year 4</i>	<i>First PSAP in the nation piloted on nationwide ESInet</i>
9	Migration of all system PSAPs to ESInet	Year 4-5	PSAPs migrated to ESInet
10	Transformation from MSAG to Geo-MSAG	Year 4 -5	Completed in concert with ESInet migration

11	Implementation of Geospatial Call Routing on ESInet	Year 4 – 5	This is a complete recreation of 911 call routing technology
12	Implementation of follow on i3 services	Year 5 and beyond	Picture messaging, video messaging, telematics, enhanced location information, etc.
13	Operations and Maintenance	Day-2 Support	Continuing for all aspects of project

2.2. Late Adopter Deployments

The majority of PSAP implementations of the statewide call handling system will be complete by the end of 2018. However, some late adopting PSAPs will continue to implement the statewide call handling system over the next few years. The ITSS will be responsible for supporting the PSAPs with technical advice and guidance and coordination of necessary activities to facilitate the implementation.

2.3. Operations and Maintenance of Call Handling System

Processes and procedures for operation and maintenance of the call handling system have been developed and are in place. The ITSS is responsible for understanding and assisting in implementation of the incident management aspect of the operations and maintenance plan.

2.4. ESInet Migration

The migration of the PSAPS on the statewide call handling system to AT&T nationwide ESInet is managed by an AT&T Project Manager. The ITSS is responsible for providing guidance and coordination of:

1. Planning activities prior to migration
2. Testing activities prior to migration to ensure seamless transition
3. Routing policy development and testing prior to go-live.
4. Go-live on ESInet for each PSAP, including testing

2.5. Transformation from MSAG to Geo-MSAG

Legacy 911 call routing is based on a Master Street Address Guide (MSAG), which is a tabular dataset that defines the valid addresses within a PSAP jurisdiction. The MSAG is updated by individual PSAPs and over time has become corrupt in many jurisdictions. For geospatial call routing to function appropriately, a clean Geo-MSAG is created based on current and accurate GIS data. The transformation from MSAG to Geo-MSAG is completed by the GIS Committee of the Council, West Safety Services, and AT&T.

The ITSS is responsible for assisting the GIS Committee and PSAPs in the completion of the transformation project, ensuring that the Geo-MSAG for each PSAP jurisdiction is complete prior to migration of the jurisdiction to the ESInet.

2.6. Implementation of Geo-Spatial Call Routing

Implementation of geo-spatial call routing is a total revision of the 911 network call routing structure. Management of this implementation will be provided by an AT&T project manager. The ITSS will be responsible for coordination of the implementation with AT&T, the GIS Committee, Telephone Service Providers, and PSAPs.

2.7. Implementation of Follow-On i3 Services

Implementation of follow-on i3 services such as enhanced location information, real time text, picture messaging, video messaging, etc, will occur as standards develop and the services are approved for use (AFU) on the call handling system. The ITSS will be responsible for maintaining visibility on the progression of these services through the standards and AFU process and the implementation of these services on the statewide system.

2.8. Operations and Maintenance Post ESInet Migration

The ITSS will be responsible for understanding and assisting in implementation of the incident management aspect of the operations and maintenance plan.

2. Statement of Work

2.1. Implementation Technical Support Services

During implementation, ITSS shall provide the following typical services:

- Assist with the dissemination of Council information as required by the Administrator
- Provide timely and supportive communications, guidance and broad technical support to PSAPs in behalf of the NG911 Administrator
- Provide PSAPs with on-going planning and transition activities
- Assist with providing direct technical guidance to PSAPs and communicate PSAP needs and requests to Administrator
- Be available to PSAPs for technical questions
- Visit PSAPs as required after installation with the maintenance, governance, planning, evaluation of system operational performance
- Liaison with AT&T for PSAP issues and concerns
- Assist with the evaluation of Change Order Requests (CORs)
- Attend state APCO meetings for the purpose of networking with PSAP personnel, presenting NG911-related information in classroom settings
- Assist with outreach as i3 services are introduced
- Assist with NG911 governance planning and compliance
- Assist with the development of the Kansas NG911 business and financial plans as i3 components are introduced into our system
- Recommend enhancements and evolving needs and improvements
- Assist the Council with the planning of NG911 system enhancements

- Assist the Administrator with Neighboring States Collation by researching their roadmaps and analyzing how those roadmaps integrate with our NG911 roadmap.

Bidder's Proposal Response To This Requirement(s) goes here:

Fully Compliant, Partially Compliant, Non-compliant (select one)

Describe your familiarity with the above services:

-

Please provide 3 references relevant to these activities:

-

2.9. Implementation Technical Support Activities

The ITSS shall develop and coordinate all technical support activities in concert with and collaboration with the:

- Kansas 9-1-1 Coordinating Council
- NG911 Administrator
- NG911 Liaison
- Customers such as PSAPs and local jurisdictions
- Various NG911 Providers such as AT&T, GIS data remediation vendors and similar
- Telephone Service Providers
- Contract Consultants such as the NG911 Program Manager, MCP and similar
- Adjoining states NG roadmap and compatibility with our design.

As described in subsequent sections, Bidder shall furnish a single resource necessary to develop and execute a detailed ITSP that supports the NG911 service of the State. This includes all supporting technical work plans, processes and procedures necessary to support the successful migration from the existing E911 system environment to the NG911 environment through all phases:

1. Strategic and Tactical Planning
2. Design and Development
3. Installation, Integration, Test and Turn-up
4. O&M Handoff (Day-2 Support)
5. Evolution to full i3 architecture

Due to the unique nature of transition from our legacy E9-1-1 environment to NG911, the ITSS services are atypical as delineated in subsequent sections. Bidder shall have extensive experience with all facets and phases of this transition. Bidder shall have extensive knowledge of the

contracts, projects, policies, procedures, goals and objectives of the Council. Bidder shall address activities here.

Bidder's Proposal Response To This Requirement(s) goes here:

Fully Compliant, Partially Compliant, Non-compliant (select one)

Describe here your proposal for a NG911 Implementation Technical Support Plan:

-

The Kansas NG911 infrastructure is provided as a service from AT&T. The infrastructure includes the following components:

- Core Network
- PSAP Network
- LTE Wireless Network
- Network Monitor and Maintenance
- Hosted Call Handling Equipment (Motorola, formerly Airbus DS Communications)
- Geospatial Call Routing
- Emerging i3 services

Bidder's Proposal Response To This Requirement(s) goes here:

Fully Compliant, Partially Compliant, Non-compliant (select one)

Describe here your general experience or knowledge of the following NG911 components:

- Core Network
- PSAP Network
- LTE Wireless Network
- Network Monitor and Maintenance
- Hosted Call Handling Equipment (Airbus DS, formerly Cassidian Communications)
- Geospatial Call Routing

2.10. Objectives

During this engagement, Bidder shall furnish the Council with various technical resources required to support the Council to facilitate the transition to a statewide NG911 service.

The overall objectives for this contract are:

- a. **Standardization.** ITSS shall support the development of our NG911 Strategic Plan that ensures our NG911 approach is consistent with National Emergency Numbers Association (NENA) best practices.
- b. **Rapid Deployment.** Whenever possible, ITSS shall develop a Technical Support Plan (TSP) that promotes and facilitates early acceptance and rapid implementation of NG911.
- c. **Affordability.** Bidder program plan shall include consideration of Total Cost of Ownership (TCO) during NG911 development, transition and on-going operations.
- d. **PSAP Consensus.** Bidder shall work closely with the NG911 Liaison to build consensus among PSAP's by promoting cooperation and inspiring collaboration throughout the transition.
- e. **Accountability.** Bidder shall work with the various contractors to ensure that contract deliverables are technically accurate, timely and in accordance with the design and delivery work plan.
- f. **Compatibility.** Bidder shall ensure that the delivered solution is fully consistent and compatible with applicable NENA existing and emerging standards and the Council Strategic Plan.
- g. **O&M.** Bidder shall facilitate the transition to an Operations and Maintenance (O&M) Day-2 support environment of the NG911 system.
- h. **Cost Control & Containment.** Bidder shall work with the NG911 Administrator and Program Manager to continually refine and improve the Kansas NG911 Business Plan and Cost Recovery Model.

Bidder's Proposal Response To This Requirement(s) goes here:

Fully Compliant, Partially Compliant, Non-compliant (select one)

Discuss here your general capabilities and experience with the above objectives:

•

2.11. Applicable Documents

ITSS shall be familiar with the documents below and incorporate appropriate aspects into the Technical Support Plan (TSP):

- Kansas NG911 Strategic Plan (current release on Kansas 9-1-1 website)
- NENA i3 Architecture Specification, latest version at time of contract award
- NENA NG9-1-1 Transition Plan Considerations Information Document, NENA 77-501, latest version at time of contract award
- NENA NG9-1-1 Transition Policy Implementation Handbook
- NENA Emergency Services IP Network Design for NG9-1-1
- Counties of Kansas www.kansascounties.org/DocumentView.aspx?DID=596
- [Kansas PSAP list http://www.kansas911.org/DocumentCenter/View/30](http://www.kansas911.org/DocumentCenter/View/30)

Bidder shall regularly visit our State of Kansas 911 Coordinating Council website www.kansas911.org to obtain new and updated material such as the Kansas NG911 Strategic Plan, Governance Plan, as well as various reports and other supporting information.

Bidder's Proposal Response To This Requirement(s) goes here:

Fully Compliant, Partially Compliant, Non-compliant (select one)

Discuss here your familiarity and involvement with NENA standards and specifications:

-

2.12. Planning Support

The ITSS shall assist the Council with planning activities support. Examples of these activities include, but are not limited to, Strategic Planning, Roadmap Planning, Financial Planning, and Implementation planning.

Bidder's Proposal Response To This Requirement(s) goes here:

Fully Compliant, Partially Compliant, Non-compliant (select one)

Discuss here your familiarity and involvement with E911 or NG911 related planning and typical focus areas:

-

2.13. Implementation Support

The ITSS shall assist with the development and execution of our Program Implementation Plan during the transition from legacy 9-1-1 to NG 911. Typical implementation support includes, but is not limited to:

- Establishing and maintaining PSAP Local Contacts
- Supporting GIS Coordinator for geospatial routing readiness
- Developing PSAP Positions Description
- Preparing PSAP Bill of Material (Service Order Requests)
- Working with AT&T, Local Exchange Carriers (LECs) and other Telephone Service Providers as required
- Review of MSAG / ALI databases
- Recommendation of adjunct PSAP administrative phone systems
- Understanding PSAP radio consoles
- Understanding PSAP CAD system
- Understanding PSAP mapping system(s)
- Understanding PSAP logging recorder
- Understanding PSAP ACD
- Analysis and report of the adjoining states NG roadmap and compatibility with our design.

ITSS shall participate in various program reviews and workshops. Participation will be a combination of face-to-face meetings, conference calls, and web conferences at various locations and times.

ITSS shall regularly visit our State of Kansas 911 Coordinating Council website www.kansas911.org and Program Portal to obtain new and updated material for NG911 such as the Kansas NG911 Strategic plan, Governance Plan, Change Management Plan, Implementation Project Plan and Security Plan.

Bidder's Proposal Response To This Requirement(s) goes here:

Fully Compliant, Partially Compliant, Non-compliant (select one)

Describe here your experience with NG911-related implementation:

-

2.14. Change Management

The ITSS shall be familiar with the importance and concept of change management and control. While the focus will be technical aspects of change management, ITSS is expected to participate in and contribute to non-technical areas associated with NG911-related systems. This includes,

but is certainly not limited to, supporting the various Change Control Boards (CCBs) and the Change Advisory Board (CAB) of the Council.

Bidder's Proposal Response To This Requirement(s) goes here:

Fully Compliant, Partially Compliant, Non-compliant (select one)

Describe here your experience with and proposal for Change Management for NG911:

-

2.15. O&M Planning

The ITSS will be responsible for understanding and assisting in implementation of the incident management aspect of the operations and maintenance plan.

Bidder's Proposal Response To This Requirement(s) goes here:

Fully Compliant, Partially Compliant, Non-compliant (select one)

Describe here your experience with and proposal for O&M support of NG911 systems:

-

2.16. Cost Recovery

ITSS shall support the development and refinement of the Kansas NG911 Cost Recovery Model. ITSS shall demonstrate and maintain complete neutrality among vendors providing services in order to represent the best interest of the NG911 Council first and foremost. Bidder shall develop and/or demonstrate methods to control project costs using successful vendor technical and management techniques.

Bidder's Proposal Response To This Requirement(s) goes here:

Fully Compliant, Partially Compliant, Non-compliant (select one)

Describe here in detail your experience with Cost Recovery Modeling:

-

3. Billing Requirements for Services Rendered.

The ITSS shall prepare monthly or bi-weekly invoices for the services provided. The invoice will include a weekly breakdown of hours provided with a general report of the type of service provided and the project associated with the reported time. Travel & Expenses will be included with a separate line item on the invoice and itemized documentation of each trip, including receipts.

Invoices will be sent to the NG911 Administrator for submission to the Council's accounts payable process for payment.

Bidder's Proposal Response To This Requirement(s) goes here:

Fully Compliant, Partially Compliant, Non-compliant (select one)

Describe here your compliance with billing and invoicing:

-

Cost Proposal

4. COST SHEET

Bidder Name: _____

Bidders are instructed to submit this cost sheet per RFP Section **X.X**. Pricing for this contract will be based on Time and Materials (reimbursement of actual expenditures). Please provide labor pricing in the table below for resource assigned, overhead costs and travel/per diem per trip, used to arrive at a Total Estimated Project Cost.

Section	Resource Title or Role	Rate (\$)	LOE (man-hours)	Estimated Total Cost (\$)
Program Management Services	=	\$	=	\$
Overhead Costs	Based on a percentage of labor	%		\$
Travel (to include travel costs and per diem)	Number of Travelers =	\$ /Trip	Number of Trips =	\$
Total Estimated Cost				\$

Assumptions and Conditions:

1.

4.1 Provide labor rate values for subsequent contract renewal periods, if exercised:

Contract Year	Section	Resource Title or Role	Rate (\$)
Year #2 (Renewal #1)	Technical Support Services		
Year #3 (Renewal #2)	Technical Support Services		



NG911 Program Management Status

Prepared by Randall White, Program Manager
 Prepared for NG911 Coordinating Council
 Date **June 1, 2018**

Status and Accomplishments	Next Steps
<ul style="list-style-type: none"> Program JEOPARDY: insufficient personnel staffing after Dec 31, 2018 (2 analyses / studies) for ESInet migration Program JEOPARDY: insufficient funds for OpEx (and CapEx) beyond 2020 (business case) 	<ul style="list-style-type: none"> Retain contractors; add staff; leverage Council members 911 Act fee increase
1.5 Local Collection Point Administrator (LCPA) On schedule, On budget (<i>see LCPA report for details</i>) <ul style="list-style-type: none"> Annual LCPA process improvement workshop, May 11, Support PSPA Expenditure reporting process/procedure 	Kathy Becker , Non-profit Solutions Inc. (NSI) Contract PoP: Jan 1, 2017 thru Dec 31, 2018 with 2-yr option <ul style="list-style-type: none"> LCPA Financial Audit 2017 due July, 2018 Establishing Professional Employer Org (PEO)
2.1 DASC Support On schedule, under budget (<i>see LCPA report for details</i>) <ul style="list-style-type: none"> GIS data maintenance/training; portal toolset great! Surdex imagery acquisition 56% complete 	Ken Nelson , GIO (Ken/Eileen have details) Purchase Order expires 2019 <ul style="list-style-type: none"> Supporting ESInet migration Surdex imagery to complete 2019
2.6 Dickinson County Support On schedule, On budget (<i>see LCPA report for details</i>) <ul style="list-style-type: none"> Geo-MSAG GIS data alignment GIS data management, maintenance, training 	Sherry Massey , GIS Director and Specialist (Sherry has details) Contract PoP: Jan 1, 2017 thru Dec 31, 2019 <ul style="list-style-type: none"> Leading ESInet MSAG and geospatial call routing NTIA NG911 Federal Grant application (pending)
3.1 Program Management On schedule, On budget (<i>see LCPA report for details</i>) <ul style="list-style-type: none"> Transition from Implementation to Operations Phase Annual AT&T ESInet™ transition planning, May 1 	Randall White Consulting LLC Contract expires Dec 31, 2018 <ul style="list-style-type: none"> Implement ESInet, Hosted Solution, FirstNet Interop Integrating provider roadmaps for Master Roadmap
3.4 Infrastructure – Call Handling delays Schedule slip 2 months, On budget (<i>see LCPA report for details</i>) <ul style="list-style-type: none"> 83 PSAPs (87%) on hosted solution plus Yoder Test Facility Infrastructure contract extended (pending AT&T signature) 	AT&T : Motorola-Airbus DS; WEST-ECaTS (Scott has details) Contract PoP: Feb 5, 2015 to Dec 31, 2018 with 6-year option <ul style="list-style-type: none"> ESCALATION DDS server conflict Motorola patch R7.2 ESCALATION ESInet migration on hold until GIS Director
3.5 Implement' Tech. Support Specialist On schedule, On budget (<i>see LCPA report for details</i>) <ul style="list-style-type: none"> PSAP consults, tech support, resolution, training Incident Management Plans revised/updated 	Phillip Ryan , Pryan LLC (Phill has details) Contract expires Dec 31, 2018 <ul style="list-style-type: none"> Leading DDS server conflict Motorola software patch Mobile Call Location Accuracy Subcommittee
4.3 Kansas 911 Knowledge Center On schedule, On budget (<i>see LCPA report for details</i>) <ul style="list-style-type: none"> Fully operational 	FirstNet Learning Inc. (Lori Alexander has details) Contract PoP: Sep 15, 2016 to Dec 31, 2019 with 5-year option <ul style="list-style-type: none"> Expanding use and application(s)

NOTE: Projects that are complete and contracts that are closed are no longer shown in this PM Status Report.