



## **Council Meeting, April 14, 2023**

Web Conference

**Call to Order, Chair**

**Roll Call, Gayle**

### **Consent Agenda Items**

- Meeting Minutes, January 20, 2023
- Financial Reports
- Council Member Handbook
- Staff and Committee Reports

### **Agenda Items**

- Chairman Report
- Administrator Report
- Training & Communications Coordinator Report
- Liaison South Report
- Next Meeting Date Announcement – June 9, 2023
- Adjournment motion



# Kansas NG9-1-1 Coordinating Council Meeting Minutes Draft

## Friday, January 20, 2023 – Web Conference

### 1 Call To Order

The Kansas 911 Coordinating Council ("Council") general meeting was called to order at 9:01 a.m. by Dick Heitschmidt, Chairman of the Kansas 911 Coordinating Council. Chairman Heitschmidt reviewed the Kansas Open Meetings Act (KOMA) rules for the meeting, and the chat feature of this web conference was disabled.

### 2 Roll Call

Roll call attendance was taken by Gayle Schwarzrock. There were 9 voting members, and five (5) non-voting members present at the start of the meeting. Some Council members joined the meeting after roll call and some Council members had to leave the meeting early.

#### **Council Members in Attendance**

*Voting Members:* Rick Billinger, Troy Briggs, Jac Brown, John Carmichael, Tony Foster, Marci Francisco, Jerry Harrison, Josh Michaelis, Becky Snook, Brooks Wederski, and Jonathan York

*Non-Voting Members:* Jerry Daniels, Patrick Fucik, Ken Nelson, Elizabeth Phillips, Sara Spinks, and Mark Tucker

#### **Council Members Absent**

*Voting Members:* Scott Hilbrink, Kyle Hoffman, and Catherine Macfee

*Non-Voting Members:* Terry Clark, Mike Daniels, Robert McDonald, and Michael Ruffin

#### **Also in Attendance**

Michele Abbott, Eileen Battles, Kathleen Becker, Scott Ekberg, Dick Heitschmidt, Sherry Massey, Angela Murphy, Braden Perry, Gayle Schwarzrock, Ellen Wernicke, and Randall White

### 3 Consent Agenda

Chairman Heitschmidt presented the Consent Agenda which included the December 9, 2022, meeting minutes, LCPA financial reports, the Council Member Handbook, and Staff and Committee Reports. Motion to approve the Consent Agenda was made by Senator Marci Francisco; seconded by Josh Michaelis.

Prior to voting, Representative John Carmichael indicated expressed that Consent Agendas are a good idea, but there are times when members do not have time to fully review and consider the Consent Agenda material due to obligations outside of the Council and resulting time restraints. He requested

having a summary of each of item in the Consent Agenda prior to the vote. Chairman Heitschmidt advised Representative Carmichael that his comments are duly noted for future meetings.

**Motion to approve the Consent Agenda** made by Senator Marci Francisco and seconded by Josh Michaelis. A roll call vote was held with 8 yay and 1 nay and 1 abstain. **Motion carried.**

Voting Members (10)	Aye	Nay	Abstain
Troy Briggs, Kansas Sheriff Association	1		
Jac Brown, Govt IT	2		
Representative John Carmichael, House		1	
Tony Foster, PSAPs over 75k	3		
Senator Marci Francisco, Senate	4		
Jerry Harrison, KACP			1
Josh Michaelis, PSAPs under 75k	5		
Becky Snook, KS APCO	6		
Brooks Wederski, Govt IT	7		
Jonathan York, Adjutant General's Office	8		
<b>VOTE: Motion to Approve the Consent Agenda</b> MOTION BY: Senator Marci Francisco SECONDED BY: Josh Michaelis PASSED: Motion Carried (8 aye, 1 nay, 1 abstain)			

## 4 2022 Legislative Report

Chairman Heitschmidt presented the 2022 Legislative Report for review and approval.

Senator Francisco referred to the Executive Summary. She suggested a change to that verbiage to say that the Council consists of four (4) Legislators and an elite team of handpicked volunteers appointed by the Governor. Each of those handpicked members is a subject matter expert. She stated she did not want to consider herself as a subject matter expert on 911. Scott made the modification.

Senator Marci Francisco made a Motion to accept the Legislative Report. She expressed it could be very helpful to the other members of the Legislature to understand this Council and what they have been doing; Becky Snook seconded the Motion.

Representative Carmichael stated he concurs with Senator Francisco's suggestion and further suggested that using the term "elite" may not be received by the recipients of this report in the fashion that the Council intends. Jonathan York concurred. Jerry Harrison suggested "experienced, distinguished, or knowledgeable." Chairman Heitschmidt asked Scott to make the change. Scott replaced "elite" to "experienced." Senator Billinger agreed with both changes suggested by Senator Francisco and Representative Carmichael.

Chairman Heitschmidt inquired if Senator Francisco is making a Motion to include the discussed amendments. Senator Francisco confirmed she considers those to be friendly amendments and part of the Motion.

**Motion to approve the 2022 Legislative Report with Amendments from Senator Francisco** made by Senator Marci Francisco; seconded by Becky Snook. A roll call vote was held with 10 aye and 1 abstain. **Motion carried.**

Voting Members (11)	Aye	Nay	Abstain
<b>Senator Rick Billinger</b> , Senate	1		
<b>Troy Briggs</b> , Kansas Sheriff Association	2		
<b>Jac Brown</b> , Govt IT	3		
<b>Representative John Carmichael</b> , House			1
<b>Tony Foster</b> , PSAPs over 75k	4		
<b>Senator Marci Francisco</b> , Senate	5		
<b>Jerry Harrison</b> , KACP	6		
<b>Josh Michaelis</b> , PSAPs under 75k	7		
<b>Becky Snook</b> , KS APCO	8		
<b>Brooks Wederski</b> , Govt IT	9		
<b>Jonathan York</b> , Adjutant General's Office	10		
<b>VOTE: Motion to Approve the 2022 Legislative Report with Amendments From Senator Francisco</b> MOTION BY: Senator Marci Francisco SECONDED BY: Becky Snook PASSED: Motion Carried (10 aye, 1 abstain)			

## 5 RFP For Security Auditing Services

Scott Ekberg presented an update on the Request For Proposal (RFP) for security auditing. The RFP draft is being prepared and discussion held with AT&T to ensure that what is included in the RFP is supported by them once the contract is awarded. He anticipates the RFP should be posted through the Department of Administration (DoA), Procurement and Contracts Division, by the end of the month and possibly have the contract awarded and services started in May 2023. No questions or issues were raised.

## 6 RFP For Project Management Services

Scott Ekberg presented an update on the RFP for part-time Project Management services, as previously discussed during the December 2022 Council meeting. He stated that the RFP was posted October 2022, and that three bids were received. A team consisting of Ken Nelson, Josh Michaelis, Kathy Becker, and Scott Ekberg evaluated the bid responses. They made a recommendation to procurement that the contract be awarded to Randall White Consulting. Procurement concurred with that recommendation and the contract was awarded to Randall White Consulting. Representative Carmichael inquired if there were other bidders. Scott affirmed there were three bidders.

Jerry Harrison inquired if the Council could get a bid tabulation on the bidders that could be communicated to the Council members' governing bodies. Scott committed to contact DoA to determine what information can be shared. Then he will send that information out to the members via e-mail. Representative Carmichael advised that the referenced e-mail would need to be made public as part of this proceeding or otherwise, there may be a risk of violation of the Open Meetings Act. Scott advised the information would be added as an agenda item to the April meeting to prevent any concerns regarding KOMA.



## 7 2023 Strategic Plan

Scott Ekberg presented the 2023 Strategic Plan (Plan) draft for input from the Council. No questions or issues were raised. Scott advised the Council members to review the Plan and advise him of any changes or corrections that may be needed. Then, applicable modifications would be made before the final Plan is published on the Council website.

## 8 New Business

Chairman Heitschmidt advised that the next Council meeting is scheduled for April 14, 2023, via web conference.

## 9 Adjournment

**Motion to adjourn** made by Jerry Harrison and seconded by Troy Briggs. Roll call vote was held with 10 aye and 1 abstain. **Motion carried.** The meeting was adjourned by Chief Heitschmidt at 9:30 a.m.

Voting Members (11)	Aye	Nay	Abstain
Senator Rick Billinger, Senate	1		
Troy Briggs, Kansas Sheriff Association	2		
Jac Brown, Govt IT	3		
Representative John Carmichael, House			1
Tony Foster, PSAPs over 75k	4		
Senator Marci Francisco, Senate	5		
Jerry Harrison, KACP	6		
Josh Michaelis, PSAPs under 75k	7		
Becky Snook, KS APCO	8		
Brooks Wederski, Govt IT	9		
Jonathan York, Adjutant General's Office	10		
<b>VOTE: Motion To Adjourn the Meeting</b> MOTION BY: Jerry Harrison SECONDED BY: Troy Briggs PASSED: Motion carried (10 aye, 1 abstain)			

Submitted by: Scott EkbergNG911 Administrator

**KANSAS 911 COORDINATING COUNCIL**  
**Balance Sheet**  
**Saturday, December 31, 2022**

	Current YTD
<b>Assets:</b>	
Cash	
911 State Fund	\$8,678,131.87
911 Operations Fund	17,184,450.62
911 State Grant Fund	1,205,813.80
911 State Money Market	399,892.17
911 Operations Money Market	1,227,141.91
Total Cash	<u>28,695,430.37</u>
Investments	
911 State Fund Investments	1,627,288.94
911 Operations Fund Investments	5,814,988.87
911 Operations Fund CDs	
Total Investments	<u>7,442,277.81</u>
Accounts Receivable	2,916,160.29
Accrued Revenues	
Accrued Receivables	459.00
Total Accrued Revenues	<u>459.00</u>
<b>Total Assets</b>	<b><u><u>39,054,327.47</u></u></b>
<b>Liabilities</b>	
Accounts Payable	3,979,494.92
Accrued Expenses	
Accrued Accounts Payable - PSAP Payments	
Accrued Accounts Payable - PSAP Minimum Payments	285,000.00
Accrued Accounts Payable - PSAP Withholding	(4,558.54)
Accrued Accounts Payable	
Total Accrued Expenses	<u>280,441.46</u>
Deferred Revenue	<u>407,864.64</u>
Total Liabilities	4,667,801.02
<b>Equity</b>	
Fund Balance - Unrestricted	34,386,526.45
<b>Total Liabilities and Equity</b>	<b><u><u>39,054,327.47</u></u></b>

**Kansas 911 Coordinating Council  
Summary  
For the Twelve Months Ending Saturday, December 31, 2022**

	<b>Current Period</b>	<b>Current Period Budget</b>	<b>Current YTD</b>	<b>Budget YTD</b>	<b>FY 22 Budget Remaining</b>
<b>Revenue</b>					
Telcom Income	\$2,641,949.02	\$2,634,333.37	\$32,623,395.94	\$31,612,000.00	(\$1,011,395.94)
Prepay Fee Income	194,081.12	188,584.50	2,424,461.54	2,263,014.00	(161,447.54)
PSAP 911 Services Payments	391,467.05	391,666.63	4,750,474.12	4,700,000.00	(50,474.12)
Grant Income	0.00	0.00	40,986.57	0.00	(40,986.57)
Interest Income	74,690.42	1,250.00	345,748.41	15,000.00	(330,748.41)
<b>Total Revenue</b>	<b>\$3,302,187.61</b>	<b>\$3,215,834.50</b>	<b>\$40,185,066.58</b>	<b>\$38,590,014.00</b>	<b>(\$1,595,052.58)</b>
<b>PSAP Expenses</b>					
PSAP Payments	1,795,704.77	1,708,333.37	21,040,290.64	20,500,000.00	(540,290.64)
PSAP Minimum Quarterly Payments	494,909.06	137,500.00	1,625,275.31	1,650,000.00	24,724.69
<b>Total PSAP Expenses</b>	<b>\$2,290,613.83</b>	<b>\$1,845,833.37</b>	<b>\$22,665,565.95</b>	<b>\$22,150,000.00</b>	<b>(\$515,565.95)</b>
<b>Operating Expenses</b>					
Personnel Contracts	12,753.42	14,469.88	159,234.35	173,639.00	14,404.65
Council Meeting Expenses	1,223.95	1,299.89	11,391.06	15,600.00	4,208.94
Committee Meeting Expenses	0.00	333.48	4,287.17	4,000.00	(287.17)
Other Administrative Costs	6,654.82	7,082.50	75,730.76	84,990.00	9,259.24
<b>Total Operating Expenses</b>	<b>\$20,632.19</b>	<b>\$23,185.75</b>	<b>\$250,643.34</b>	<b>\$278,229.00</b>	<b>\$27,585.66</b>
<b>Contractual Costs</b>					
AT&T Service Contracts	676,996.10	821,420.87	8,774,229.57	9,857,050.00	1,082,820.43
LCPA Contract	12,280.17	12,280.13	147,344.25	147,362.00	17.75
Non-Admin. Contract Staff					
Non-Admin. Contract Staff Expenses	29,094.12	33,233.26	349,056.63	398,800.00	49,743.37
Other Contract Costs	311,140.60	70,731.97	1,107,551.92	848,781.00	(258,770.92)
Grant Expenses	0.00	0.00	50,966.97	0.00	(50,966.97)
<b>Total Contractual Costs</b>	<b>\$1,029,510.99</b>	<b>\$937,666.23</b>	<b>\$10,429,149.34</b>	<b>\$11,251,993.00</b>	<b>\$822,843.66</b>
<b>Total Expenses</b>	<b>3,340,757.01</b>	<b>2,806,685.35</b>	<b>33,345,358.63</b>	<b>33,680,222.00</b>	<b>334,863.37</b>
<b>Other Income</b>					
Investment Interest/Dividends	15,776.17	0.00	254,452.29	0.00	(254,452.29)
Gain/Loss on Investment	(24,819.09)	0.00	(720,896.92)	0.00	720,896.92

	Current Period	Current Period Budget	Current YTD	Budget YTD	FY 22 Budget Remaining
<b>Total Other Income</b>	<b>(\$9,042.92)</b>	<b>\$0.00</b>	<b>(\$466,444.63)</b>	<b>\$0.00</b>	<b>\$466,444.63</b>
<b>Other Expense</b>					
Investment Fees	4,643.68	0.00	58,236.53	0.00	(58,236.53)
<b>Total Other Expense</b>	<b>\$4,643.68</b>	<b>\$0.00</b>	<b>\$58,236.53</b>	<b>\$0.00</b>	<b>(\$58,236.53)</b>
<b>Net Other Income and Expense</b>	<b>(\$13,686.60)</b>	<b>\$0.00</b>	<b>(\$524,681.16)</b>	<b>\$0.00</b>	<b>\$524,681.16</b>
<b>Net Change in Net Assets</b>	<b>(\$52,256.00)</b>	<b>\$409,149.15</b>	<b>\$6,315,026.79</b>	<b>\$4,909,792.00</b>	<b>(\$1,405,234.79)</b>
<b>Operating Expense Percentage</b>			<b>0.62%</b>		



**Kansas 911 Coordinating Council**  
**911 State Fund**  
**For the Twelve Months Ending Saturday, December 31, 2022**

	<b>Current Period</b>	<b>Current Period Budget</b>	<b>Current YTD</b>	<b>Budget YTD</b>	<b>FY 22 Budget Remaining</b>
<b>Revenue</b>					
Telcom Income	\$1,191,668.86	\$2,634,333.37	\$23,848,160.44	\$31,612,000.00	\$7,763,839.56
Interest Income	22,941.18	625.00	104,292.02	7,500.00	(96,792.02)
<b>Total Revenue</b>	<b>\$1,214,610.04</b>	<b>\$2,634,958.37</b>	<b>\$23,952,452.46</b>	<b>\$31,619,500.00</b>	<b>\$7,667,047.54</b>
<b>PSAP Expenses</b>					
PSAP Payments	1,795,704.77	1,708,333.37	21,040,290.64	20,500,000.00	(540,290.64)
PSAP Minimum Quarterly Payments	494,909.06	137,500.00	1,625,275.31	1,650,000.00	24,724.69
<b>Total PSAP Expenses</b>	<b>\$2,290,613.83</b>	<b>\$1,845,833.37</b>	<b>\$22,665,565.95</b>	<b>\$22,150,000.00</b>	<b>(\$515,565.95)</b>
<b>Operating Expenses</b>					
Other Administrative Costs	269.82	175.00	3,130.99	2,100.00	(1,030.99)
<b>Total Operating Expenses</b>	<b>\$269.82</b>	<b>\$175.00</b>	<b>\$3,130.99</b>	<b>\$2,100.00</b>	<b>(\$1,030.99)</b>
<b>Total Expenses</b>	<b>2,290,883.65</b>	<b>1,846,008.37</b>	<b>22,668,696.94</b>	<b>22,152,100.00</b>	<b>(516,596.94)</b>
<b>Other Income</b>					
Investment Interest/Dividends	3,373.29	0.00	56,291.18	0.00	(56,291.18)
Gain/Loss on Investment	(5,712.98)	0.00	(163,394.29)	0.00	163,394.29
<b>Total Other Income</b>	<b>(\$2,339.69)</b>	<b>\$0.00</b>	<b>(\$107,103.11)</b>	<b>\$0.00</b>	<b>\$107,103.11</b>
<b>Other Expense</b>					
Investment Fees	1,132.14	0.00	13,862.72	0.00	(13,862.72)
<b>Total Other Expense</b>	<b>\$1,132.14</b>	<b>\$0.00</b>	<b>\$13,862.72</b>	<b>\$0.00</b>	<b>(\$13,862.72)</b>
<b>Net Other Income and Expense</b>	<b>(\$3,471.83)</b>	<b>\$0.00</b>	<b>(\$120,965.83)</b>	<b>\$0.00</b>	<b>\$120,965.83</b>
<b>Net Change in Net Assets</b>	<b>(\$1,079,745.44)</b>	<b>\$788,950.00</b>	<b>\$1,162,789.69</b>	<b>\$9,467,400.00</b>	<b>\$8,304,610.31</b>

**Kansas 911 Coordinating Council**  
**911 Operations Fund**  
**For the Twelve Months Ending Saturday, December 31, 2022**

	<b>Current Period</b>	<b>Current Period Budget</b>	<b>Current YTD</b>	<b>Budget YTD</b>	<b>FY 22 Budget Remaining</b>
<b>Revenue</b>					
Telcom Income	\$1,390,014.95	\$0.00	\$8,410,571.74	\$0.00	(\$8,410,571.74)
Prepay Fee Income	194,081.12	188,584.50	2,424,461.54	2,263,014.00	(161,447.54)
PSAP 911 Services Payments	391,467.05	391,666.63	4,750,474.12	4,700,000.00	(50,474.12)
Grant Income	0.00	0.00	40,986.57	0.00	(40,986.57)
Interest Income	48,402.60	625.00	226,696.92	7,500.00	(219,196.92)
<b>Total Revenue</b>	<b>\$2,023,965.72</b>	<b>\$580,876.13</b>	<b>\$15,853,190.89</b>	<b>\$6,970,514.00</b>	<b>(\$8,882,676.89)</b>
<b>Operating Expenses</b>					
Personnel Contracts	12,753.42	14,469.88	159,234.35	173,639.00	14,404.65
Council Meeting Expenses	1,223.95	1,299.89	11,391.06	15,600.00	4,208.94
Committee Meeting Expenses	0.00	333.48	4,287.17	4,000.00	(287.17)
Other Administrative Costs	6,385.00	6,907.50	72,599.77	82,890.00	10,290.23
<b>Total Operating Expenses</b>	<b>\$20,362.37</b>	<b>\$23,010.75</b>	<b>\$247,512.35</b>	<b>\$276,129.00</b>	<b>\$28,616.65</b>
<b>Contractual Costs</b>					
AT&T Service Contracts	676,996.10	821,420.87	8,774,229.57	9,857,050.00	1,082,820.43
LCPA Contract	12,280.17	12,280.13	147,344.25	147,362.00	17.75
Non-Admin. Contract Staff					
Non-Admin. Contract Staff Expenses	29,094.12	33,233.26	349,056.63	398,800.00	49,743.37
Other Contract Costs	311,140.60	70,731.97	1,107,551.92	848,781.00	(258,770.92)
Grant Expenses	0.00	0.00	50,966.97	0.00	(50,966.97)
<b>Total Contractual Costs</b>	<b>\$1,029,510.99</b>	<b>\$937,666.23</b>	<b>\$10,429,149.34</b>	<b>\$11,251,993.00</b>	<b>\$822,843.66</b>
<b>Total Expenses</b>	<b>1,049,873.36</b>	<b>960,676.98</b>	<b>10,676,661.69</b>	<b>11,528,122.00</b>	<b>851,460.31</b>
<b>Other Income</b>					
Investment Interest/Dividends	12,402.88	0.00	198,161.11	0.00	(198,161.11)
Gain/Loss on Investment	(19,106.11)	0.00	(557,502.63)	0.00	557,502.63
<b>Total Other Income</b>	<b>(\$6,703.23)</b>	<b>\$0.00</b>	<b>(\$359,341.52)</b>	<b>\$0.00</b>	<b>\$359,341.52</b>
<b>Other Expense</b>					
Investment Fees	3,511.54	0.00	44,373.81	0.00	(44,373.81)
<b>Total Other Expense</b>	<b>\$3,511.54</b>	<b>\$0.00</b>	<b>\$44,373.81</b>	<b>\$0.00</b>	<b>(\$44,373.81)</b>

	Current Period	Current Period Budget	Current YTD	Budget YTD	FY 22 Budget Remaining
Net Other Income and Expense	(\$10,214.77)	\$0.00	(\$403,715.33)	\$0.00	\$403,715.33
Net Change in Net Assets	\$963,877.59	(\$379,800.85)	\$4,772,813.87	(\$4,557,608.00)	(\$9,330,421.87)

**Kansas 911 Coordinating Council  
911 State Grant Fund  
For the Twelve Months Ending Saturday, December 31, 2022**

	<b>Current Period</b>	<b>Current Period Budget</b>	<b>Current YTD</b>	<b>Budget YTD</b>	<b>FY 22 Budget Remaining</b>
<b>Revenue</b>					
Telcom Income	\$60,265.21	\$0.00	\$364,663.76	\$0.00	(\$364,663.76)
Interest Income	3,346.64	0.00	14,759.47	0.00	(14,759.47)
<b>Total Revenue</b>	<b>\$63,611.85</b>	<b>\$0.00</b>	<b>\$379,423.23</b>	<b>\$0.00</b>	<b>(\$379,423.23)</b>
<b>Net Change in Net Assets</b>	<b>\$63,611.85</b>	<b>\$0.00</b>	<b>\$379,423.23</b>	<b>\$0.00</b>	<b>(\$379,423.23)</b>



Kansas 911 Coordinating Council  
Council Member Handbook

Version 4.0

March 13, 2023



# Kansas 911 Coordinating Council

## Greetings

The purpose of this 911 Director's Handbook ("Handbook") is to provide 911 Directors and Managers with information relative to the Kansas Next-Generation 9-1-1 (NG911) Call Handling System. It also reviews the statutory responsibilities that fall to the Kansas 911 Coordinating Council ("Council") and supporting implementation team. Because NG911 is evolutionary, this Handbook is continually revised. Please ask our staff for the latest edition so you don't miss new developments.

Since the Council was created by the state legislature with the passage of the Kansas 911 Act (K.S.A. 12-5362 et seq.) in 2011, Kansas has been a national leader in statewide NG911 services. This accomplishment would not have been possible without the dedicated team of 9-1-1 professionals, past and present, including yourself. Thank you!

A few of the accomplishments garnering recognition as a national leader in NG911 include:

- Ubiquitous infrastructure offers the same level of 9-1-1 service across Kansas
- One of the most cost effective NG911 solutions in the nation, if not the most cost effective
- First state using AT&T ESInet™ for NG911 including their leading-edge AT&T Switched Ethernet (ASE) offering superior speed, performance, and reliability
- Numerous feature-rich capabilities such as enhanced call location plotting and accuracy
- Text-to-911 service including text translation
- Statewide standardized NG911 GIS call routing data maintained by local jurisdictions
- Bi-weekly PSAP Administrator communication, collaboration, and coordination calls
- Full compliance with NG911 standards for the delivery of 911 related voice, one-way video, and situational awareness data.

On September 22, 2017, during a visit to the Sedgwick County Emergency Communications Center, then Chairman Ajit Pai of the Federal Communication Commission, stated that, "Kansas is the Gold Standard for NG911 Deployment." That is a reputation that we intend to preserve. NG911 is evolutionary. With your leadership, we evolve as NG911 evolves.

Sincerely,

A handwritten signature in black ink, appearing to read "Dick Heitschmidt".

Dick Heitschmidt, Chairman

**P.O. Box 842, Emporia, KS 66801**

**(844) 271-5301 – Phone**    [\*\*Dick.Heitschmidt@kansas911.org\*\*](mailto:Dick.Heitschmidt@kansas911.org) - email



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## History of the Council and the Kansas 911 Act

The Kansas 911 Coordinating Council was created by the Legislature with the passage of the Kansas 911 Act (K.S.A. 12-5362 et seq.) in 2011. The Act became effective on January 2, 2012, and the Council commenced operations.

The Act was amended by Senate Bill 384 in the 2012 Legislative Session. The amendments to the Act:

- Defined multi-line telephone systems
- Clarified the definition of a subscriber account
- Modified the initial terms of Council members to provide for continuity of Council operations through staggered term limits
- Clarified the process for disbursing prepaid wireless fees collected in excess of two million dollars annually

In the 2014 Session, the Act was further modified by Senate Bill 284. Those modifications:

- Explained that a telecommunications service provider can include a 911 System Operator
- Defined a 911 call and a 911 System Operator
- Modified Council membership to include representation of the Kansas Sheriff's Association, Kansas Association of Chiefs of Police, Kansas Office of Information Technology Services, and deleted a member representing the KAN-ED network
- Provided the Council with the authority to select the LCPA and set its compensation by an affirmative vote of nine Council members and removed a requirement for Legislative Coordinating Council consent to the award of the contract unless the intended contract awardee is not the incumbent

In the 2019 Session, the Act underwent some substantial change. House Bill 2084 amended the Act to:

- Provide authority for the Council to draft Kansas Administrative Regulations (K.A.R.) to address GIS data standards and maintenance
- Provide a mechanism for cost recovery if the Council must modify GIS data that is not in compliance with the GIS data standard and the PSAP fails to correct it
- Increase the 911 fee to \$0.90 per device capable of contacting 911
  - \$0.66 direct distribution to PSAPs
  - \$0.23 direct distribution to Operations Fund (created by the bill)
  - \$0.01 direct distribution to Grant Fund (\$2M cap)
  - 2.06% Prepaid Wireless Fee
  - \$60,000 minimum payment per County
  - 2% of total revenue cap on administrative expenses of the Council



- Change and expand Council membership
  - PSAP representative regardless of size now represents the Kansas Association of Public Safety Communications Officials (KS-APCO)
  - 2 non-voting members representing non-traditional PSAPs were added, one of which must represent tribal government
- Codify the 911 fee expenditure reporting process that had been followed since 2012
- Provide authority to withhold 10% of 911 fund payments to PSAPs who fail to submit their annual report and supporting documentation,
- Codify the expenditure pre-approval process
- Change liability protection from a reasonable care standard to a gross negligence standard and includes the LCPA, PSAPs and service providers in the protection
- Adds the 911 Act to other legislation that local government cannot opt out of under home rule

## Council Member Responsibilities

In its current form, the Act provides several broad areas of responsibility to the Council. Those responsibilities include:

- Monitoring the delivery of 911 services,
- Developing strategies for future enhancements to the 911 system
- Distributing available grant funds to PSAPs.
- Selecting the LCPA and setting its compensation
- Adopting rules and regulations necessary to effectuate the provisions of the act, including but not limited to
  - Creating a uniform PSAP expenditure reporting form
  - Setting standards for coordinating and purchasing equipment
  - Recommending standards for training of PSAP personnel
  - Mandating technical training on the hosted system equipment
  - Assessing civil penalties
  - Lower the 911 fee if revenue is in excess of need

In addition to fulfilling statutory responsibilities, Council members are expected to meet the following:

- Council members are expected to review and understand this handbook and seek clarification from the NG911 Administrator or other Council members or staff on any questions it may create. The handbook is intended to provide:
  - An in-depth look at how the Council functions
  - Review of what the Council has accomplished and the purpose
  - Discuss Council processes and procedures
  - Provide a review of various plans and strategies for the future

- Participate in six (6) scheduled Council meetings as defined by the annual Work Plan
  - In general, three (3) meetings are face-to-face with web-conferencing
    - One (1) of these meetings is held at the Statehouse, Topeka
    - Two (2) meetings are held jointly with APCO in various conference centers
- Participate in any *ad-hoc*, special Council meetings to address important decisions that cannot wait until the next scheduled meeting.
- Communicate and socialize Council plans and strategy with their represented local and state organizations for the purpose of developing and achieving synergistic statewide concurrence, cooperation, and collaboration.
- Communicate and socialize Council plans and strategy with U.S. Congress members for the purpose of developing and achieving synergistic Federal concurrence, cooperation, and collaboration.
- Monitor, authorize and approve major plans, funds, priorities, reports and decisions regarding statewide next generation 9-1-1 implementation and service as developed by the NG911 Administrator and Council Executive Committee.
- Serve on Council committees, subcommittees, and working groups.
- Council members or their represented associations, nominate candidates to fill vacant Council seats for consideration by the Director of Appointments, Governor's Office.
- All Council meetings comply with Kansas Open Meetings Act (KOMA) and Kansas Open Records Act (KORA) requirements.

## Statement of Substantial Interest

Based on guidance from legal Counsel, and approval by the full Council on April 15, 2022, each member of the Kansas 911 Coordinating Council shall complete a Statement of Substantial Interest (SSI) with the Kansas Secretary of State as a part of the application process for appointment to the Council and each year thereafter between April 15 and April 30 of each year. A reminder to complete the SSI will be provided by the Council Communications and Training Coordinator each year.

## Council Membership

Current Council Membership:

Council Member Representation	Individual Currently Representing
<b>Voting Members (17)</b>	
Government Information Technology Personnel	<b>Brooks Wederski</b> , City of Colby IT
Government Information Technology Personnel	<b>Jac Brown</b> , Riley County IT
Kansas Sheriff's Association	<b>Troy Briggs</b> , Haskell County Sheriff
Kansas Association of Chiefs of Police	<b>Jerry Harrison</b> , Independence Chief of Police
Fire Chiefs Association	<b>Scott Hilbrink</b> , Fire Chief's Association
Adjutant General's Department	<b>Jonathan York</b> , Branch Director - KDEM

Kansas Emergency Medical Services Board	<b>Brandon Beck</b> , Lyon Co EMS
Kansas Commission for the Deaf and Hard of Hearing	<b>Catherine "Cady" Macfee</b> , Accessibility Relationship Manager
PSAPs in Counties with greater than 75,000 population	<b>Anthony "Tony" Foster</b> , Douglas Co. ECC Director
PSAPs in Counties with greater than 75,000 population	<b>Jeremy Rabb</b> , Shawnee Co ECC Director
PSAPs in Counties with less than 75,000 population	<b>Josh Michaelis</b> , Rice Co. ECC Director
PSAPs in Counties with less than 75,000 population	<b>Krista Amaro</b> , Kiowa Co Sheriff's Dispatch Supervisor
Kansas Chapter of the Assoc. of Public Safety Communications Officials	<b>Becky Snook</b> , Mitchell Co ECC Director
Kansas House of Representatives - Majority Party	<b>Representative Kyle Hoffman</b> , District 116
Kansas House of Representatives - Minority Party	<b>Representative John Carmichael</b> , District 92
Kansas Senate - Majority Party	<b>Senator Rick Billinger</b> , District 40
Kansas Senate - Minority Party	<b>Senator Marci Francisco</b> , District 2
<b>Non-Voting Members (11)</b>	
Rural Independent Telephone Companies	<b>Robert McDonald</b> , Madison Telephone Operations Manager
Incumbent Local Exchange Carriers with over 50,000 lines	<b>Michael Ruffin</b> , AT&T External Affairs
Large Wireless Providers	<b>Patrick Fucik</b> , Sprint Director of State Government Affairs
VoIP Providers	<b>Mark Tucker</b> , Cox Communications Vice President
Kansas League of Municipalities	<b>Vacant</b>
Kansas Association of Counties	<b>Jerry Daniels</b> , Allen County Commissioner
Kansas Geographic Information Systems Policy Board	<b>Ken Nelson</b> , Kansas Geographic Information Officer
Kansas Office of Information Technology Services	<b>Sara Spinks</b> , Project Management Director OITS
Mid-America Regional Council	<b>Mike Daniels</b> , MARC Planning & Administration. Manager
Non-Traditional PSAPs	<b>Elizabeth Phillips</b> , Kansas Univ. Public Safety Administrator
Non-Traditional PSAPs - Tribal Government	<b>Terry Clark</b> , PBPB Tribal Police Chief

## Council Staff and Non-Member Volunteers

The following individuals serve as Council Staff and non-member volunteers:

Position	Individual Filling
Chairman	<b>Dick Heitschmidt</b> , Hutchinson Chief of Police Ret.
NG911 Administrator	<b>Scott Ekberg</b> , KES Enterprise, LLC
911 Liaison – South	<b>Angela Murphy</b> , High Caliber Communication, LLC
911 Liaison – North	<b>Ellen Wernicke</b> , Emerging Connections, LLC
Training & Communications Coordinator	<b>Michele Abbott</b> , Abbott ECC Solutions, LCC
NG911 Program Manager	<b>Randall White</b> , Randall White Consulting, LLC
NG911 GIS/Technical Support Specialist	<b>Cherry Massey</b> , DASC
NG911 Portal Work Group Chair	<b>Eileen Battles</b> , DASC Manager
Broadband Interoperability Work Group Chair	<b>Michele Abbott</b> , Butler Co. Special Projects Manager
LCPA Program Manager	<b>Kathleen Becker</b> , Senior Director MNS, Inc.
LCPA Finance Director	<b>Carol Dold Harris</b> , Chief Financial Officer
LCPA Administrative Specialist	<b>Gayle Schwartzrock</b> , Project Assistant MNS, Inc.

## Council Contracts

Position	Individual Filling
KES Enterprise, LLC	NG911 Administrator Services
Lori Alexander, LLC	911 Liaison Services – North
High Caliber Communication, LLC	911 Liaison Services – South
Abbott ECC Solutions, LLC	Communications & Training Coordinator Services
Randall White Consulting, LLC	NG911 Program Management
PRyan, LLC	NG911 Technical Support Specialist
Mainstream Nonprofit Solutions, Inc.	LCPA Services
Dickinson County, Kansas	GIS Support Services
Data Access & Support Center	GIS/Portal Support Services
AT&T	KS NG911 System (Network & Call Handling)
Surdex Corporation	Aerial Imagery
Esri	GIS software products
Mid-America Regional Council (Talent LMS)	Learning Management System
Various	Other contracts as needed (Admin Day, etc.)

## Council Committees

By statute, the Council establishes and relies on several committees and working groups. While the expectation is that these committees and subcommittees provide the “heavy lifting” of day-to-day activities of Kansas Next-Generation 9-1-1 (NG911), the Council provides authority and direction for NG911. Currently, the Council has the following committees and working groups:

- Executive Committee - provides “heavy lifting” for Council. Responsibilities include day-to-day operations, strategic planning, and fiscal planning.
  - Chairman – Dick Heitschmidt

Josh Michaelis

Ken Nelson

Eileen Battles

Becky Snook

Krista Amaro

Tony Foster

Sherry Massey - Support

Randall White - Support

Scott Ekberg – Support

Michele Abbott - Support

Angela Murphy - Support

Ellen Wernicke - Support
- Operations Committee - defines on-going operation and maintenance of NG911. Responsibilities include expenditure review, PSAP operations guidance, and support to all other committees to provide perspective on impact to PSAP operations.
  - Chairman – Josh Michaelis

Becky Snook

Tony Foster

Robert Cooper

Angela Murphy – Support

Ellen Wernicke - Support

Scott Ekberg – Support



Jeremy Rabb  
Krista Amaro  
Troy Briggs

Michele Abbott - Support  
Sherry Massey - Support

- Public Education/Technical Policy and Training Committee - develops recommended infrastructure public education, recommended technical policy and training plans and programs. Responsibilities include implementation and policy guidance, public education and assistance to PSAPs with public education, real-time text implementation, policy guidance and education. Includes creation and maintenance of recommended minimum training standards, development of mandatory training requirements for NG911 System equipment and programs, administrative training conference, APCO conference training upon request, and administration of the Kansas Learn online training platform.

- Chairman – Becky Snook

Josh Michaelis

Pam Opoka

Robert Cooper

Eric Harper

Krista Amaro

Michele Abbott - Support

Luke Blankenship

Angela Murphy - Support

Roxanne VanGundy

Ellen Wernicke - Support

Brian Meis

Scott Ekberg - Support

Cady MacFee

Randall White – Support

Brandi Walker

- Expenditure Review Subcommittee – reviews all expenditures of 911 fees by the PSAPs and ensures compliance with the eight allowable uses of 911 funds as proscribed by K.S.A. 12-5375.

- Chairman – Josh Michaelis
- Co-Chair – Brandi Walker

Becky Snook

Jeremy Rabb

Brandy Scott

Troy Briggs

Elora Forshee

Ellen Wernicke - Support

Kristia Amaro

Angela Murphy - Support

Mike Henning

Michele Abbott – Support

Tony Foster

Scott Ekberg – Support

- Legislative Committee – prepares and supports attempts to modify the Act as needed.
  - Committee is currently dormant as no pending legislative actions are being considered
- Technical/Security Committee - addresses current and future technology issues and impacts of proposed changes to the NG911 System network.
  - Chairman – Sherry Massey



Joe Currier	Mike Henning
Brooks Wederski	Brent Trease
Jac Brown	Justin Vaughn
Nathan Johnson	Eric McCurdy
Hassan Al-Rubaie	Dustin Alexander
Jeff Maxon	Dick Heitschmidt – Support
Joe Mandala	Randall White – Support
Keith Martin	Scott Ekberg – Support
Tony Foster	

- Call Location Accuracy Work Group - improves 911 caller location accuracy.
  - Work Group is currently dormant as latest developments in location accuracy have been implemented on the system.
- Geographic Information System (GIS) Committee - addresses critical GIS data maintenance for routing of 9-1-1 calls
  - Chairman – Ken Nelson
  - Co-Chair – Sherry Massey

Eileen Battles	Sheri Taylor
Eamonn Coveney	Mike D’Attilio
James Stewart	Ellen Wernicke – Support
Saralyn Hayes	Scott Ekberg – Support
Jack Joseph	Randall White – Support
Keith Shaw	Phill Ryan - Support
Will Trimble	Angela Murphy - Support

- NG911 Portal Work Group – addresses current and future change and expansion of NG911 web portal
  - Chairman – Eileen Battles

Ken Nelson	Randall White
Kelly Emmons	Michele Abbott
Asif Iqbal	Scott Ekberg
Angela Westcott	Angela Murphy

- Broadband Interoperability Work Group - monitors and addresses interconnection and interoperability of broadband systems, including the FirstNet public safety broadband network.
  - Chairman – Michele Abbott

Bob McLemore	Stanley Adams
Jonathan York	Travis Marshall
Stacie Mills	

## GIS Data

1. Importance of GIS data for NG911
  - a. Accurate, aligned GIS data is a mandatory, critical component of geospatial call routing
  - b. Geospatial call routing is the foundation of NG911 and routes calls based on the location of the caller, rather than the location of a tower site.
2. First step taken by the Council towards migration to NG911 was the GIS Data Enhancement Project
  - a. Creation of Kansas NG911 GIS data model
  - b. Contractor hired to compare each PSAP Jurisdictions GIS data with the data model and identify gaps and omissions
  - c. Remediation contractors hired to bring the GIS data into alignment with the standard.
  - d. Remediated data submitted back to the initial contractor to ensure that the gaps and omissions had been resolved
  - e. GIS data then went into maintenance mode
  - f. GIS Committee continually monitors for updates and to ensure that the data remains in alignment with the standard.
3. Aligning tabular MSAG and telephone number records with GIS data
  - a. This is done as a part of the migration of a PSAP to the ESInet
  - b. Complete for all PSAPs currently on the system
  - c. Must be a 99% match between MSAG, TN records and the GIS data before migrating
4. Geospatial call routing
  - a. Calls are routed based on the location (Lat/Long) of the caller.
  - b. At present, wireline and fixed VoIP calls are geospatially routed.
  - c. Wireless calls and nomadic VoIP calls that present Lat/Long at the time that the routing decision is made, are routed geospatially.
  - d. Wireless service and nomadic VoIP providers, in time, will provide Lat/Long as a part of call setup and all such calls will then be routed geospatially.

## GIS Committee Report

The GIS Committee report will be provided at each Council meeting. The following table explains the content and importance of the information provided by that report. The GIS committee is responsible for:

1. Data Maintenance oversight
2. Ortho-imagery Project oversight
3. Council web portal management and oversight



4. Geospatial call routing support and oversight

Topic	Why It Matters
GIS Data Maintenance Submission Status	Current, accurate data essential to NG911
Ortho-imagery Project Update	Imagery provides the base for data maintenance and is utilized in locating calls at the PSAPs
NG911 Portal Update	New modules and capabilities are routinely developed in the portal – Huge cost savings
Geospatial Call Routing Update	The migration of the statewide system to geospatial call routing will result in more accurate call routing and is a major milestone on the road to full NG911



# Historical Timeline of Major Events

The following timeline captures some of the major events that have transpired since the Council's inception in 2012:

- 2012 - The Act becomes effective
  - Governance, Security, ICM and Strategic Plans created
- 2013 - GIS Enhancement Project Launched
  - RFP for hosted system process begins
- 2014 - GIS Enhancement complete – all PSAPS in maintenance mode
  - Award of hosted system contract
- 2015 – Hosted data centers constructed
  - First ten PSAPs go live on system
- 2016 - 40 additional PSAPs go live – Total of 50
- 2017 - 33 additional PSAPs go live – Total of 83
  - SMS Text-to-911 goes live – First success story comes within one week.
- 2018 - 14 additional PSAPs go live – Total 97
  - Migration of system to Nationwide ESInet – (First in the nation)
- 2019 – 3 additional PSAPs go live, 2 additional planned – Total 102
  - All PSAPs on the system migrated to ESInet in RFAI config.
  - Geospatial Routing based on PIDF-Io planned by year's end
- 2020 – Migration of all PSAPs on the system to i3 geospatial routing implemented
  - 4 additional PSAPs, added to the system, 1 in install queue and 4 additional planning to come on – Total 109
- 2021 – 5 additional PSAPs added to the system – Total 109
- 2022 – 2 additional PSAPs in install queue – Total 111

## Funding

The Kansas 911 Act creates five funds that the Council operates with. Three of these funds are outside of the State Treasury and two are inside of the treasury. These funds and their source of funding are:

<p>911 State Fund (Outside of State Treasury)</p>	<p>911 fees are collected by telephone service providers (TSPs) and remitted to the LCPA for deposit in this fund</p> <ul style="list-style-type: none"> <li>• The LCPA disburses \$.66 of each fee collected, based on a population based funding formula, to the PSAPs <ul style="list-style-type: none"> <li>○ Population over 80,000 - 82% of funds generated distributed to PSAP</li> <li>○ Population 65,000 to 79,999 – 85%</li> <li>○ Population 55,000 to 64,999 – 88%</li> <li>○ Population 45,000 to 54,999 – 91%</li> <li>○ Population 35,000 to 44,999 – 94%</li> <li>○ Population 25,000 to 34,999 – 97%</li> <li>○ Population less than 25,000 – 100%</li> </ul> </li> <li>• The LCPA deposits \$.23 of each fee into the 911 Operations Fund</li> <li>• the LCPA deposits \$.01 of each fee into the 911 State Grant Fund</li> <li>• Any PSAP jurisdiction that does not generate at least \$60,000 in 911 fee fund revenue in a year receives a subsidy to bring them up to \$60,000 annually.</li> <li>• The funds withheld from the larger PSAP disbursements per the formula above, are used to make the minimum payments. Funds in excess of what is needed to make the subsidy payments from the retained funds are deposited into the 911 Operations Fund.</li> </ul>
<p>911 Operations Fund (Outside of State Treasury)</p>	<ul style="list-style-type: none"> <li>• A 2.06% fee on all prepaid wireless service purchases is collected at the point of sale, by the Kansas Department of Revenue (KDOR) from retailers. These funds are remitted to the LCPA by KDOR and deposited to the 911 Operations Fund.</li> <li>• \$.23 from each 911 fee received by the LCPA is deposited to this fund <ul style="list-style-type: none"> <li>○ If the balance in the Operations Fund is greater than 15% of total receipts over the prior 3 years, then the \$.23 is deposited into the State Grant Fund</li> </ul> </li> <li>• Excess retainage and 911 fees that cannot be attributed to a specific PSAP jurisdiction are deposited to this fund</li> </ul>



911 State Grant Fund (Outside of State Treasury)	<ul style="list-style-type: none"> <li>• \$.01 of every 911 fee collected is deposited to this fund, unless the balance in the fund is in excess of \$2M.</li> <li>• Funds derived from the \$.23 deposited to the 911 Operations Fund in excess of 15% of total receipts over the prior 3 years, are deposited into this fund.</li> <li>• If the balance of this fund exceeds \$2M, then the \$.01 ceases to be deposited into this account and the fee to the PSAP increases by \$.01.</li> </ul>
911 Federal Grant Fund (Inside State Treasury)	<ul style="list-style-type: none"> <li>• Federal grant funds for 911 are deposited into this account, however, all federal grants that we are aware of are reimbursement grants, so no “bucket of money” is available for deposit into this account.</li> </ul>
State Maintenance Fund (Inside State Treasury)	<ul style="list-style-type: none"> <li>• Monies donated to the Council or State general funds appropriated for the Council are deposited into this fund.</li> </ul>

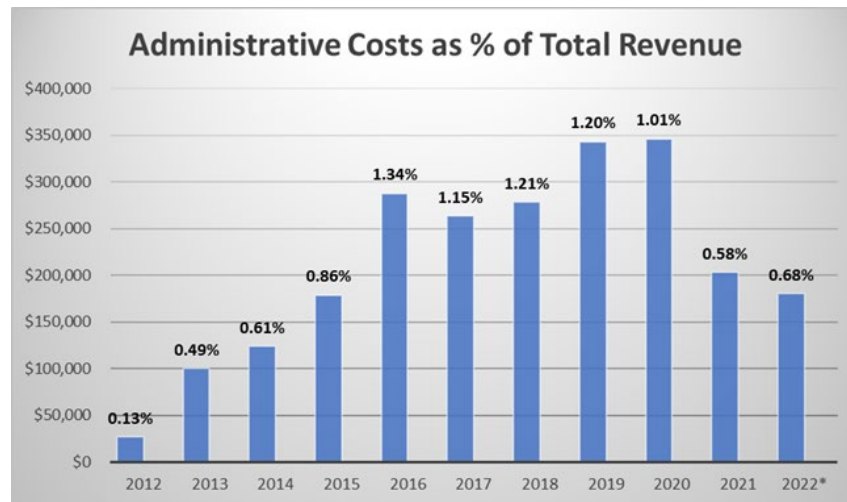
## Funding History

The 911 fee has generated the following revenue per year since 2012.

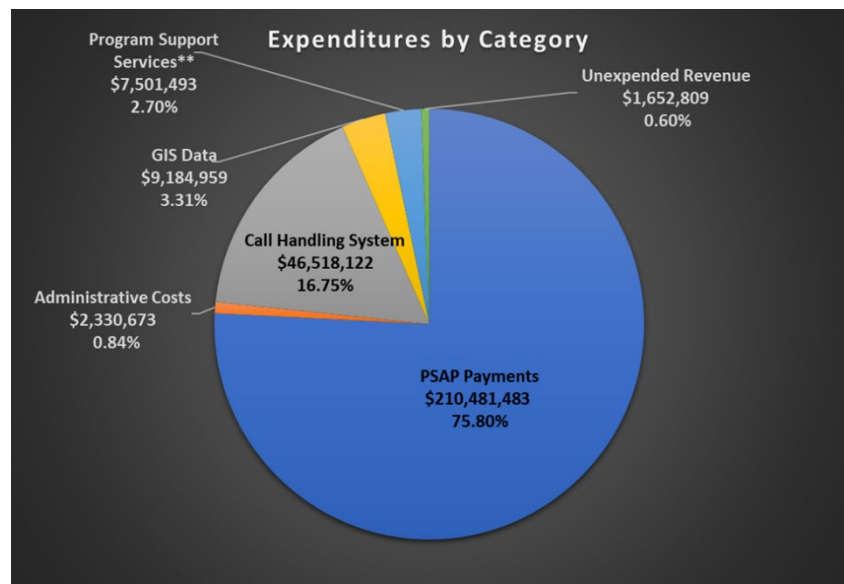
Year	911 Fee Funds Collected	Total Prepaid Wireless Fees Collected	Difference from Previous Year 911	Prepaid
2012	\$19,414,841	\$1,055,132	N/A	N/A
2013	\$19,416,238	\$1,156,979	\$1,397	\$101,847
2014	\$19,011,333	\$1,326,415	(\$404,905)	\$169,436
2015	\$19,359,086	\$1,462,888	\$347,753	\$136,473
2016*	\$21,022,272	\$1,918,797	\$1,663,186	\$455,909
2017	\$22,900,621	\$1,916,781	\$ 1,878,349	(\$2,016)
2018	\$21,555,711	\$1,806,243	(\$1,344,910)	(\$110,538)
2019*	\$26,573,640	\$2,059,641	\$5,017,929	\$253,398
2020*	\$ 31,478,150	\$2,723,715	\$4,904,510	\$664,074
2021	\$32,464,105	\$2,170,357	\$985,955	(\$553,358)
2022	\$32,623,738	\$2,424,462	\$159,633	\$254,105

\*Increase from prior year based on 911 fee increase (\$.07 – 10/2015, \$.30 – 7/2019)

Council administrative expenses are capped at 2% of total revenue each year. The following chart shows that the Council has maintained administrative expenses well below this cap amount.



Between January 1, 2012, and September 30, 2022, the Council expended a total of \$274,132,136 in all expense categories. Figure 3 below, illustrates these expenditures by project category as a percent of total 911 fee revenue. As shown, call handling system and GIS data expenditures account for 20.06% of total Council expenditures. Program support services, which



include LCPA services, LPA and LCPA Audit, Non-Administrative Personnel, Project Management, Implementation Technical Support Services, and technical equipment for testing costs, account for 2.7%, while Council administrative costs total less than 1% of total 911 fee revenue. Council administrative costs include Council and Committee meeting expenses (travel, meals, venues, publication fees for notice of meetings) and administrative personnel costs (salaries, benefits, travel, and vehicle expenses). Other administrative expenses include office expense and telephone expense for all Council contract staff.

The current business case projections indicate a growth trend towards 2027. This is encouraging, as our existing contract for the NG911 System will term out in 2027 and we will face new one-time costs to refresh the system equipment, which will return us close to our planned management reserve funding level of \$15,000,000.

NG911 Business Case - Summary				2019	2020	2021	2022	2023	2024	2025	2026
WBS	Category	Description	Provider	NOTES							
					98	98	104	107	108	109	110
					210	210	210	246	246	210	210
					NSI	MNS	MNS	MNS	(MNS)	(MNS)	
					0.60	0.90	0.90	0.90	0.90	0.90	0.90
					0.60	0.66	0.66	0.66	0.66	0.66	0.66
					-	0.23	0.23	0.23	0.23	0.23	0.23
						0.01	0.01	0.01	0.01	0.01	0.01
					50,000	60,000	60,000	60,000	60,000	60,000	60,000
					32,983,596	39,985,216	41,119,640	39,660,727	38,982,702	39,345,242	39,270,742
					37,38,39,40						
					37,38,39,40						
					37,38,39,40						
					(30,056,877)	(33,442,417)	(34,071,182)	(33,075,430)	(41,911,956)	(45,738,605)	(40,162,093)
					2,926,720	6,542,799	7,048,458	6,585,297	(2,929,254)	(6,393,363)	(9,356,906)
					19,037,258	25,580,057	32,628,515	39,213,812	36,284,558	29,891,195	20,534,290
					net asset equity						
					Cash and Investment Equity →						

## Audits

The 911 Act requires two audits. One of these is an annual audit of the LCPA, which must be performed by a Certified Public Accountant or a Licensed Municipal Accountant. The current LCPA has selected Cummins, Coffman & Schmitlein, CPA's, P.A. to perform this annual audit. Each year, the audit report will be presented to the Council at a regularly scheduled Council Meeting. The auditor is required to appear and present their findings to the full Council, at which time the Council will be asked to accept the audit report by vote.

The other required audit occurs every five years, and is a Legislative Post Audit (LPA) conducted through the Kansas Legislative Division of Post Audit. A procurement will be issued for auditing services by the Division of Post Audit and a contractor will be awarded the audit. This audit, by statute, will explore three areas:

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
3. The status of 911 service implementation.

Additionally, other topics may be added to the scope of the audit either by the Legislature or the Council. A written report is submitted by the contractor at the completion of the audit and is made available to the Council and the Legislative Post Audit Committee of the Kansas Legislature.

Council members may be asked to submit to interviews by the contractor performing the LPA audit.

## Annual Expenditure Reporting

Each PSAP is required to submit an annual report indicating the amount of 911 fee funding it received for the previous year, the balance of 911 fees on hand, all expenditures of 911 fee funds, and information related to the PSAP, such as number of 911 call-takers, amounts of general fund monies spent for 911 purposes, etc. This report is electronic and is contained within the Council's web portal. The report is due on March 1<sup>st</sup> and is considered delinquent on March 31<sup>st</sup> of each year.

The Expenditure Review Committee (ERC) meets weekly via phone conference beginning the first full week of March until all annual reports have been reviewed, finalized and closed. The ERC reviews each reported expenditure and questions any that are not obviously allowed under the eight allowable uses contained in K.S.A. 12-5375. Those allowable uses are:

1. Implementation of 911 services



2. Purchase of 911 equipment and upgrades
3. Maintenance and license fees for 911 equipment
4. Training of PSAP personnel
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. The original acquisition and installation of road signs designed to aid in the delivery of emergency service

If an expense is questioned, follow up is conducted with the PSAP to obtain additional information on how the expenditure relates to the receiving, processing or dispatching of a 911 call. If the additional information satisfies the ERC that the expenditure is appropriate under the statute, then the expenditure is approved. If the information provided does not satisfy the ERC, or if the expenditure is obviously not covered by the statute, the PSAP is asked to refund the amount of the expenditure to their 911 fee account. If the PSAP concurs with the finding of the ERC, documentation of the repayment is required and the expenditure is closed upon receipt. If the PSAP does not concur, they may appeal the decision of the ERC to the Council. In this event, the PSAP will be scheduled to appear at a meeting of the Council and present their argument as to why the expenditure should be allowed. The Chairman of the ERC will present the reasoning for the ERC's finding that the expenditure was unallowable. After hearing both positions, and following any discussion or questioning that the Council may have, a vote is taken to determine the allowability of the expenditure. If the expenditure is found to be allowable by majority vote of the Council, the expenditure is accepted and the matter closed. If the expenditure is found to be unallowable, the PSAP is again asked to refund the amount of the expenditure to the 911 fee account of the PSAP. If the PSAP does not concur with the finding of the Council, it may file an appeal with the Kansas Office of Administrative Hearings. In such case, the matter will be turned over to the Council's legal counsel for adjudication.

A PSAP may seek pre-approval for any expenditure. The pre-approval request is filed via the Council web portal and the same process for evaluating the request is followed to provide a finding of allowability prior to the PSAP expending the funds.

Both the expenditure review process and the pre-approval process are set forth in Council administrative regulations. Expenditure review is K.A.R. 132-4-3 and the pre-approval process in K.A.R. 132-4-4.

As a means of keeping PSAPs informed of decisions made by the Council on the allowability of expenditures of 911 fees, a document has been created that memorializes decisions of the Council and its Expenditure Review Committee. This document is made available to PSAPs through the Council website.



## NG911 Web Portal

The Council web portal is located at <https://portal.kansas911.org>. Each Council Member should create an account on the portal. This can be accomplished by going to the above link and clicking on the “register for an account here” link on the opening page. Passwords are generated by the system and are emailed to the account holder. The passwords are not available to administrators of the portal and are known only to the account holder.

The portal has numerous modules contained within it. Some of the major modules are:

- Council Travel Reimbursement
  - A training video on this is available at [https://youtu.be/eZ\\_lleY5r\\_s](https://youtu.be/eZ_lleY5r_s)
- Legislative Pay Requests
  - A training video on this is available at <https://youtu.be/mTha1FlaDBw>
- TSP – Telephone Service Provider data submissions
- Document Archiving
- Group and Mass Email Tools
- GIS Data Upload and Tools
- Expenditure Reporting
- Change Management
- Outage Communications Tool
- Account Creation Management on DDS Server for Hosted System

In the event that an account holder forgets their password, a new password request may be made by selecting the “reset your password here” link. The new password will be emailed to the account holder.





# Kansas NG911 System

## 1. History

- a. Began in November, 2013 with the development of an RFP
- b. RFP issued in August, 2014
- c. Contract awarded for the system as a service on February 26, 2015
- d. Host data center buildout began immediately and the first PSAP was brought live on the system on August 26, 2015
- e. Since that time a total of 109 PSAPs, including a test and evaluation center at Yoder, and backup PSAPs in Sedgwick County, Saline County, and Shawnee County, have been brought on
- f. An additional 2 are in queue to come on, with 3 eligible PSAPs remaining

## 2. Design

- a. Two data centers, one in Topeka (North host) and the other in Wichita (South host)
- b. Two Airbus Vesta host systems, one handling the North side of the state and the second handling the South offers Geodiversity of hosts
- c. Redundant connectivity from each host to AT&T virtual private network (AVPN)
- d. PSAPs connected to the AVPN by a terrestrial circuit and in most cases by a FirstNet LTE wireless connection (T1 in a few rare instances)
- e. Initially the hosts were fed by CAMA (Centralized Automatic Message Accounting) trunks for each PSAP. With the migration to ESInet, the CAMA trunks were disconnected 30 days after a PSAP migrated to the ESInet. The CAMA trunks were replaced with broadband connections from the service providers to the ESInet

## 3. Status

- a. 2 additional PSAPs are scheduled to come on by the end of 2020 – Prairie Band of the Potawatomie Nation Tribal Police Department and Geary County/Junction City.
- b. Hope to add four additional PSAPs next year – Crawford, Osage, Coffey and Marshall.



- c. PSAP can transfer the call with ALI (Automatic Location Information) to any PSAP in the state. Transfers from non-system PSAPs remain ten-digit transfers without ANI/ALI
- d. The System provides the ability for a dispatcher to log on to any workstation on their host as themselves and have full access to their home 911 trunks and administrative lines
- e. Yoder backup, test and evaluation center allows for testing of new functionality before production release

#### 4. ESInet

- a. ESInet (Emergency Services IP Network) is an all IP system for routing and delivery of 911 calls to the PSAPs
- b. Replaces the legacy selective routing system utilizing CAMA circuits
- c. NENA (National Emergency Number Association) i3 standards are the standard being followed for buildout of ESInets
- d. AT&T has built out an i3 nationwide ESInet and we have contracted to connect our statewide call handling system to that ESInet
- e. Advantages of ESInet
  - i. Provides ability to transfer with ANI/ALI to any PSAP in the state
  - ii. Provides faster call setup of 911 calls – decreased delay between dialing and reaching the PSAP
  - iii. Will Provide interoperability with other states' PSAPs
  - iv. Will provide full geospatial call routing
  - v. Will provide delivery of additional i3 services such as MMS messaging, telematics and expanded location information
  - vi. Provides interconnection capability with other states and the MARC region once they have their ESInet in place

#### 5. RapidDeploy

- a. The original call mapping platform, Vesta Locate, was manufacturer discontinued in 2018, and became non-supported in September, 2019
- b. After a robust review of several products by the GIS and Technical Committees, a recommendation to use RapidDeploy Nimbus as the replacement mapping solution was approved by the Council on June 21, 2109
- c. The deployment of RapidDeploy was made a two phase project. The first phase was the deployment of RapidDeploy RadiusPlus, the tactical call mapping package. This deployment was initiated in January 2020 and completed on August 10, 2020



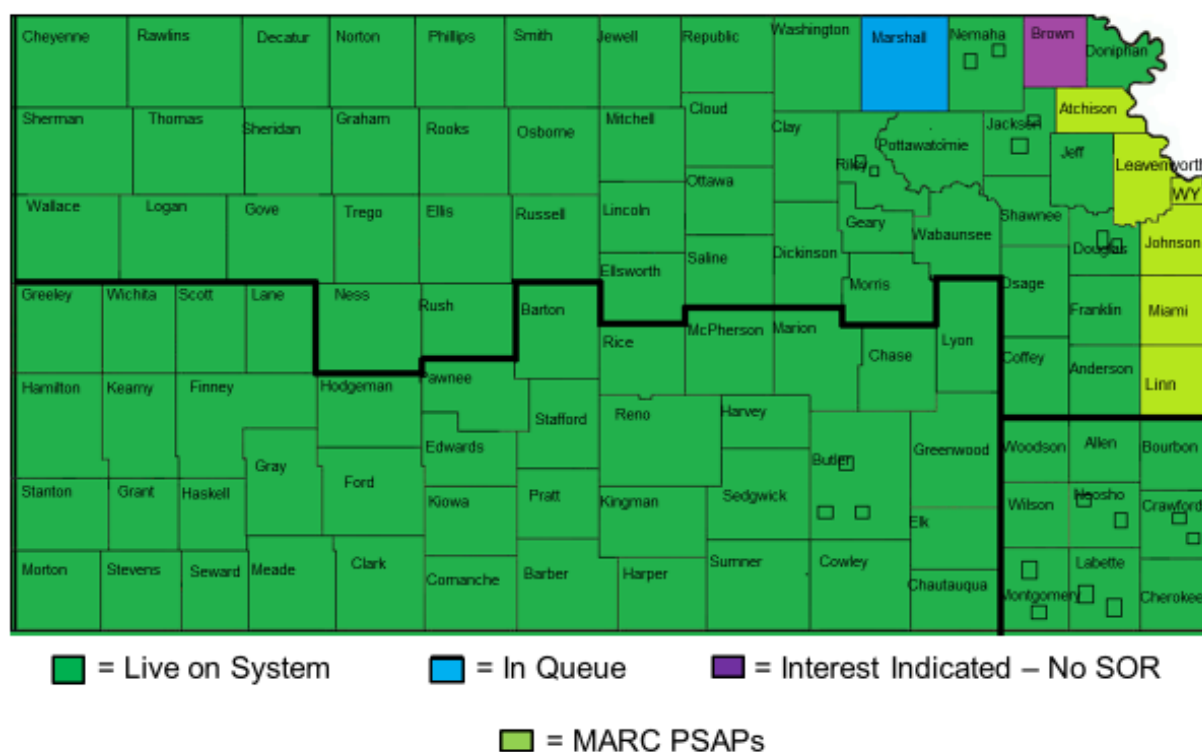
- d. Phase two of the project will be the deployment of Nimbus, which incorporates all of the features and functionality of RadiusPlus but also includes computer aided dispatch capabilities
- e. The Council approved providing a single license of Nimbus to each of the non-hosted PSAPs in the State, which at the completion of phase 2 will allow for CAD data sharing across all PSAPs in the state for multi-jurisdictional responses
- f. The RapidDeploy products provide many capabilities beyond just call mapping. These include:
  - i. Situational awareness tools such as weather, traffic data, and road cameras
  - ii. Text capabilities to obtain location directly from the caller's device and video from the caller
  - iii. Text translation capabilities
  - iv. Shareable CAD data
  - v. Optional responder application for sharing call information with field responders
- g. RapidDeploy should serve as an economical platform for adding additional i3 features and functionality to the statewide system.

# System Status

## Kansas NG911 Call Handling System

The statewide NG911 Call Handling System is currently serving 98 Kansas PSAPs, shown in the dark green section of the map on the following page. The light blue areas are two PSAPs scheduled to come on later in 2020, while the purple areas are PSAP jurisdictions that have indicated interest in coming onto the system. The area in light green is the Kansas City Mid-America Regional Council (MARC) served area of the state. MARC has a hosted system very similar to the statewide system and serves twelve Kansas PSAPs as well as several Missouri PSAPs. The PSAP jurisdictions shown in orange have standalone, legacy 911 systems and have not indicated an interest in moving to NG911.

## Statewide Hosted Call Handling System

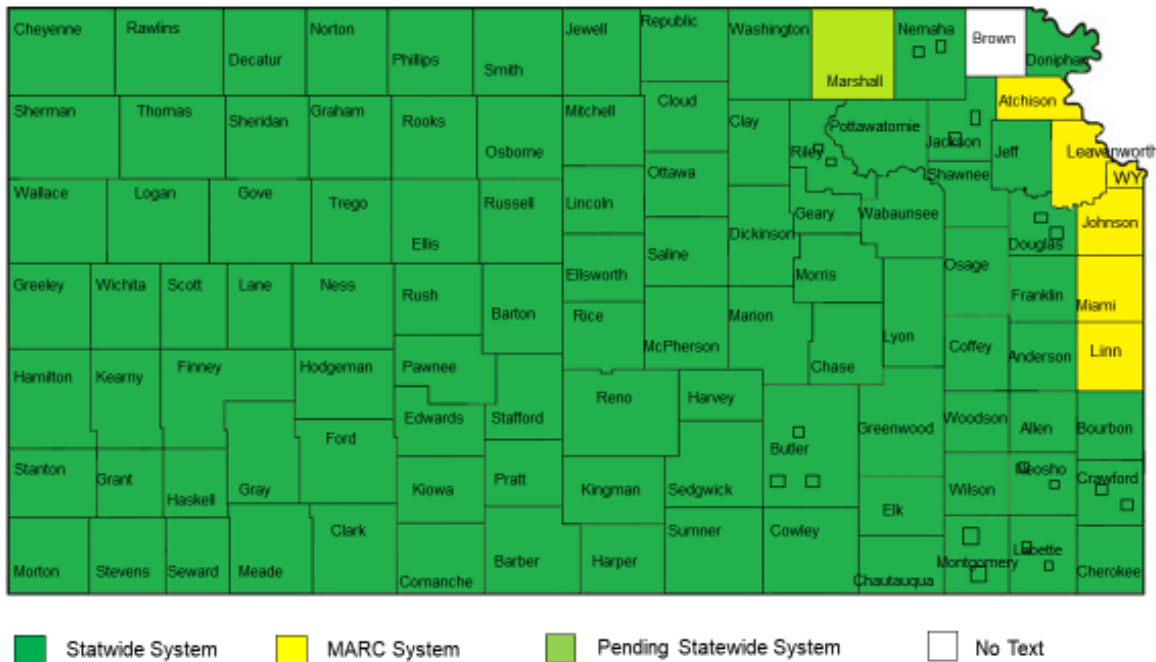


## Text-To-911

Text to 911 was implemented across the entire statewide system in October 2017. PSAPs that have come onto the system since that time have gone live with text-to-911 as they came on. The MARC system provides text-to-911 service over the Telephone Device for the Disabled (TDD) system in their network. Additionally, Coffey and Osage Counties have implemented text-to-911 service via TDD in their PSAPs as well. The MARC region is shown in yellow on the

map on the following page, the statewide system served PSAPs in dark green. The light green are the two PSAPs that will come live with text-to-911 on the system later in 2020 and the counties in white do not have text-to-911. Of the 105 Counties in Kansas, 95% are served by PSAPs that provide text-to-911 service.

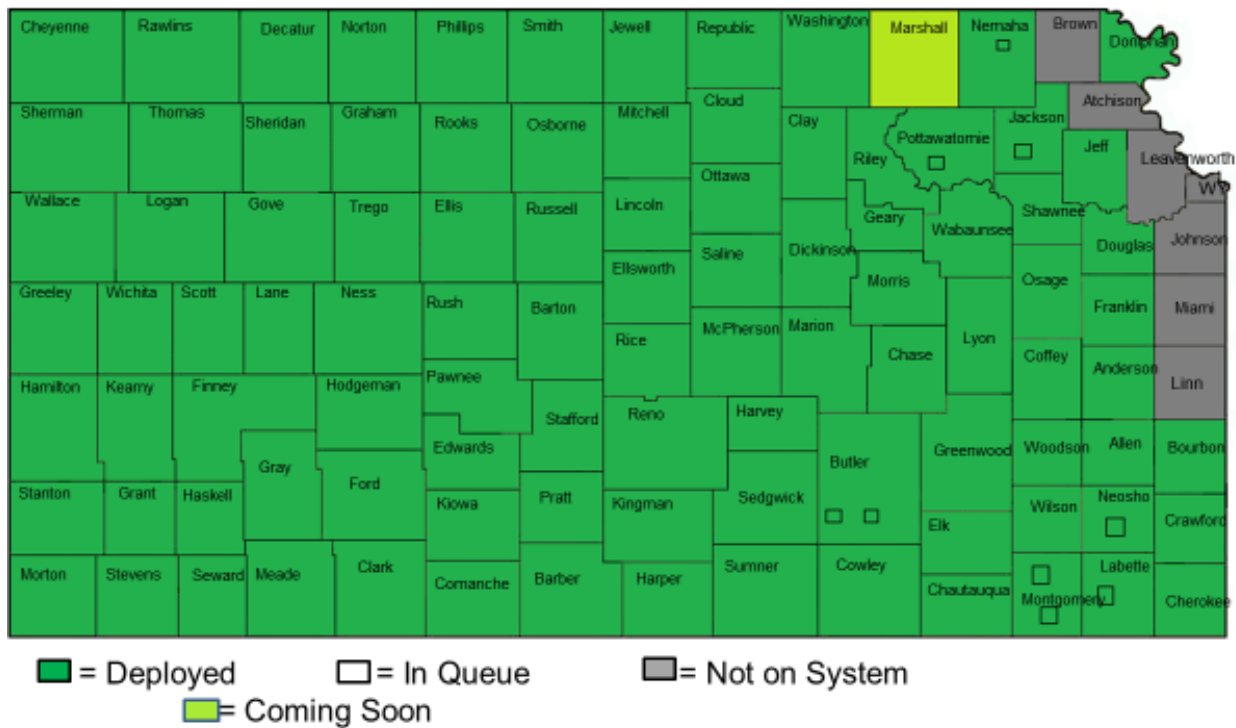
Text-to-911 Status Map – 02/14/2023



## i3 ESInet Status

The Kansas NG911 Call Handling System provides i3 ESInet, with geospatial call routing (routing based on the location of the caller) to all of the PSAPs that it serves. The following map depicts the status of migration to i3 ESInet. The two PSAP jurisdictions shown in light green will go live on the system with i3 ESInet. Pottawatomie County, indicated in white, is awaiting a circuit upgrade to allow for increased bandwidth to the PSAP and will turn up i3 ESInet when that circuit is cut live. The remaining counties, depicted in gray, are currently not served by ESInet, although the MARC region has plans to migrate to their own ESInet in the coming months. Once that migration is complete, an interconnection between the two ESInets will be placed to ensure ease of call transfers from the MARC region to the statewide system.

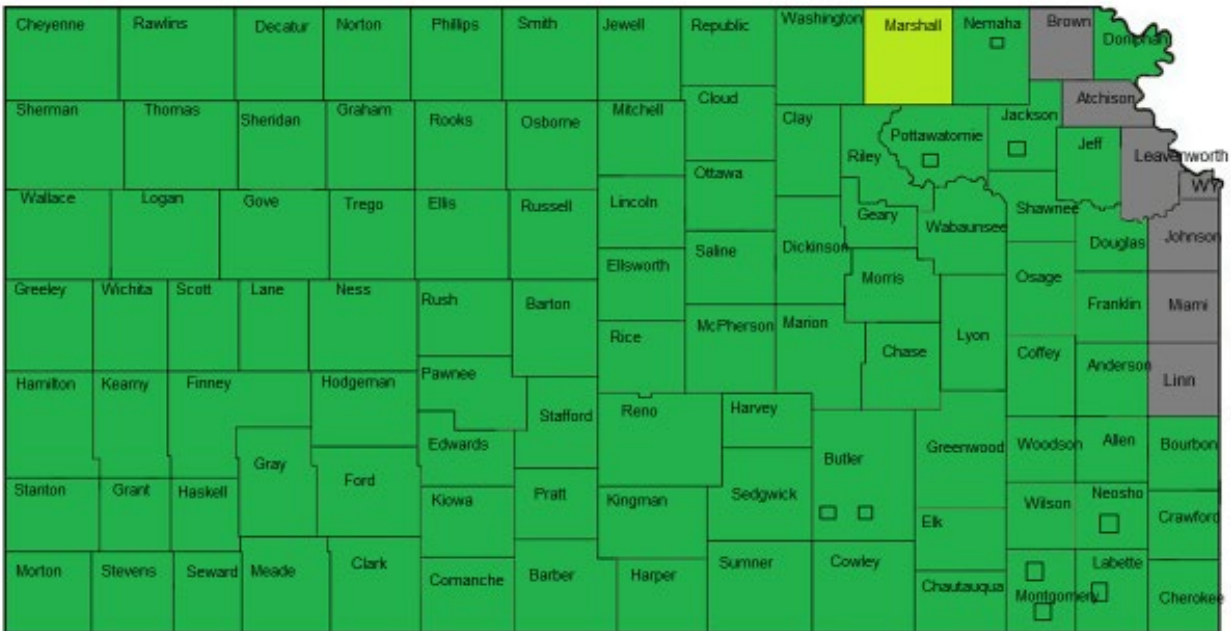
## ESInet Status Map – 03/01/2023



## RapidDeploy RadiusPlus™ Deployment

The deployment of RadiusPlus for all live PSAPs on the system was completed in August 2020. All PSAPs coming onto the statewide system will deploy with RadiusPlus moving forward. The following map depicts the status of RadiusPlus implementation.

## RapidDeploy Deployment Status Map – 03/01/2023



## Projects Currently In Process or Planning

The following projects are either in process or in planning for the Council:

- Real-Time Text (RTT) implementation and training – provides more accurate location information for text callers and real time communication
- Future public service announcements including RTT
- Interconnection with telephone service providers in an all SIP environment
- Addition of last PSAP to the network if they make an official decision to participate
- 2022 Expenditure Review
- IcM Plan updates, revisions – will be presented to Council for approval
- Kansas NG911 Knowledge Center enhancement
- Roadmap planning
- Strategic Planning



- Portal enhancements and additional modules
- Outreach and coordination with other states including Colorado, Nebraska, Missouri, Arkansas, Oklahoma, Texas, South Dakota, and Florida
- Procurement of an Emergency Mobile 9-1-1 Dispatch Center (EMDC) through SPARK grant funding





# Kansas 911 Act

July 1, 2019

**12-5362. Kansas 911 Act.** K.S.A. 2019 Supp. 12-5362 through [12-5381](#), and amendments thereto, shall be known and may be cited as the Kansas 911 act.

History: L. 2011, ch. 84, § 1; May 26.

**12-5363. Definitions.** 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 that 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 the person designated by the 911 coordinating council to serve as the local collection point administrator to collect and distribute 911 fees, 911 operations fund moneys 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) "Non-traditional PSAP" means a PSAP not operated by a city or county, including, but not limited to, PSAPs operated by universities, tribal governments or the state [or] federal government.
- (l) "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.
- (m) "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.
- (n) "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.
- (o) "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.
- (p) "PSAP" means a public safety answering point operated by a city or county.
- (q) "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.
- (r) "Seller" means a person who sells prepaid wireless service to another person.
- (s) "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.
- (t) "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.
- (u) "Subscriber radio equipment" means mobile and portable radio equipment installed in vehicles or carried by persons for voice communication with a radio system.
- (v) "VoIP service" means voice over internet protocol.
- (w) "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.



(x) "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.

(y) "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.

History: L. 2011, ch. 84, § 2; L. 2012, ch. 21, § 1; L. 2014, ch. 6, § 1; L. 2019, ch. 39, § 1; July 1.

**12-5364. 911 coordinating council; composition; terms; powers and duties, limitations; expenses; annual report.** (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 the Kansas chapter of the association of public safety communications officials. 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; one member, a



Kansas resident, recommended by the Mid-America regional council; and two members representing non-traditional PSAPs, one of whom shall be a representative of tribal government.

(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. 2019 Supp. [12-5367](#), and amendments thereto, to collect 911 fees and to distribute such fees to PSAPs and to distribute 911 operations fund moneys and 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 operations fund, pursuant to subsection (j).

(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 (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 impose any requirements that creates a mandatory certification program of PSAP operations or PSAP emergency communications personnel.

(f) If the 911 coordinating council finds that the GIS data for a PSAP is inaccurate or has not been updated for one year or more, the council shall give written notice to the governing body that oversees the PSAP. If, within 60 days of providing such notice, the council does not receive an acceptable proposal for the PSAP to bring the GIS data into compliance, the council may contract with a third party to review and update the GIS data. A PSAP with GIS data that has not been updated for one year or more may provide a certification attesting that the GIS data has been reviewed and remains accurate. If the council receives such certification and has information that the data may not be accurate, the council shall provide a written notice to the PSAP that describes the areas the council believes to be inaccurate and a deadline of 30 days for the PSAP to submit updated GIS data. If the updated GIS data is not received within the deadline, the council may contract with a third party to review and update the GIS data. The council shall assess the governing body that oversees the PSAP for any costs incurred in updating the GIS data.



(g) The council may, pursuant to rules and regulations, lower the 911 fee established pursuant to K.S.A. 2019 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 operations fund, pursuant to subsection (j).

(j) All expenses related to the council shall be paid from the 911 operations fund. No more than 2.0% of the total receipts from providers and the department received by the LCPA shall be used to pay for administrative expenses of the council. 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 of each year 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 of such failure to the PSAP and the governing body of such PSAP. 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. 2019 Supp. [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.

History: L. 2011, ch. 84, § 3; L. 2012, ch. 21, § 2; L. 2014, ch. 6, § 2; L. 2019, ch. 39, § 2; July 1.

**12-5365. 911 federal grant fund; creation; administrator of fund; authorized uses.** (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. 2019 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. 2019 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.

History: L. 2011, ch. 84, § 4; L. 2019, ch. 39, § 3; July 1.

**12-5366. 911 state maintenance fund; creation; administrator of fund; authorized uses. (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. 2019 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. 2019 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.

History: L. 2011, ch. 84, § 5; L. 2019, ch. 39, § 4; July 1.

**12-5367. Local collection point administrator; selection; subject to open meetings act and open records act; treatment of public funds.** The 911 coordinating council, by an affirmative vote of nine voting members, shall select the local collection point administrator. In selecting the LPCA, the council shall contract with the LPCA 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 LPCA if the entity to be designated as the LPCA is different than the previous entity designated as the LPCA. The 911 coordinating council shall annually review the designation of the LPCA and the contract with the LPCA for services. The LPCA 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 LPCA shall not be considered a state agency.

History: L. 2011, ch. 84, § 6; L. 2014, ch. 6, § 3; L. 2019, ch. 39, § 5; July 1.

**12-5368. 911 state fund, 911 operations fund and 911 state grant fund; established by LPCA; distributions; uses.** (a) Upon the approval of the 911 coordinating council, the LPCA shall establish the following funds, which shall not be a part of the state treasury: (1) The 911 state fund for the collection and distribution of 911 fees; (2) the 911 operations fund for administrative costs of the 911 coordinating council and deployment and maintenance of the statewide NG911 system; and (3) the 911 state grant fund for grants to individual PSAPs. All moneys originating from 911 fees, and any interest accrued on such fees, shall be paid to the LPCA for deposit in the 911 state fund or 911 operations fund pursuant to subsection (b). All unobligated federal moneys, and any interest accrued on such moneys, shall be transferred to the 911 federal grant fund.

(b) (1) Except as provided for in paragraph (2), prior to the distribution to the PSAPs pursuant to K.S.A. 2019 Supp. [12-5374](#), and amendments thereto, the LPCA shall withhold \$.23 from every 911 fee remitted pursuant to K.S.A. 2019 Supp. [12-5369](#), and amendments thereto, and shall



deposit such amount in the 911 operations fund for the deployment and maintenance of the statewide NG911 system and standardized functionality upgrades to that system.

(2) If the funds withheld from distribution pursuant to paragraph (1) exceed 15% of the total receipts received by the LCPA from providers and the department over the prior three years, such funds in excess of that 15% total shall be deposited in the 911 state grant fund and used for PSAP grants based on demonstrated need pursuant to subsection (d).

(3) If the balance in the 911 state grant fund is less than \$2,000,000, prior to the distribution to the PSAPs pursuant to K.S.A. 2019 Supp. [12-5374](#), and amendments thereto, the LCPA shall withhold \$.01 from every 911 fee remitted pursuant to K.S.A. 2019 Supp. [12-5369](#), and amendments thereto, and shall deposit such amount in the 911 state grant fund. If the balance in the 911 state grant fund exceeds \$2,000,000, the LCPA shall not withhold such amount.

(c) The council shall be responsible for ensuring that the 911 operations fund and 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. 2019 Supp. [12-5377](#), and amendments thereto; and (5) other costs pursuant to K.S.A. 2019 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.

History: L. 2011, ch. 84, § 7; L. 2019, ch. 39, § 6; July 1.

**12-5369. 911 fee established; applicability, exception; duty to collect and remit.** Subject to the provisions of K.S.A. 2019 Supp. [12-5364](#)(g), and amendments thereto, there is hereby imposed a 911 fee in the amount of \$.90 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. 2019 Supp. [12-5370](#), and amendments thereto.

History: L. 2011, ch. 84, § 8; L. 2019, ch. 39, § 7; July 1.

**12-5370. 911 fee collection and remittance.** (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) All providers shall have the duty to collect the fees imposed pursuant to this act. 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.

History: L. 2011, ch. 84, § 9; L. 2019, ch. 39, § 8; July 1.

**12-5371. Prepaid wireless 911 fee established; applicability; duty to collect and remit; reduction of fee.** (a) There is hereby imposed a prepaid wireless 911 fee of 2.06% per retail transaction or, 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 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. 2019 Supp. [12-5369\(a\)](#), and amendments thereto, pursuant to the 911 coordinating council's authority to reduce the fee under K.S.A. 2019 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. 2019 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. 2019 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. 2019 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.

History: L. 2011, ch. 84, § 10; L. 2019, ch. 39, § 9; July 1.



**12-5372. Same; collection and remittance; department of revenue; procedures for collection; remittance of fees.** (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. 2019 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. 2019 Supp. [12-5374](#), and amendments thereto.

History: L. 2011, ch. 84, § 11; L. 2019, ch. 39, § 10; July 1.

**12-5373. Same; sole funding obligation.** 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.

History: L. 2011, ch. 84, § 12; L. 2019, ch. 39, § 11; July 1.

**12-5374. LCPA; distribution of 911 fee moneys to PSAPs, minimum distribution; deposit of fees; proprietary records.** (a) (1) Except for the amounts withheld by the LCPA pursuant to K.S.A. 2019 Supp. [12-5368](#)(b), and amendments thereto, and any amounts withheld pursuant to K.S.A. 2019 Supp. [12-5364](#)(l), and amendments thereto, not later than 30 days after the receipt of moneys from providers pursuant to K.S.A. 2019 Supp. [12-5370](#) and [12-5371](#), and amendments thereto, and the department pursuant to K.S.A. 2019 Supp. [12-5372](#), and amendments thereto, the LCPA shall distribute such moneys to the PSAPs. The amount of money distributed to the PSAPs in each county shall be based upon the amount of 911 fees collected from service users located in that county, based on place of primary use information provided by the providers, by using the following distribution method:



Population of county where PSAP is located    Percentage of collected 911 fees to distribute

Over 80,000	82%
65,000 to 79,999	85%
55,000 to 64,999	88%
45,000 to 54,999	91%
35,000 to 44,999	94%
25,000 to 34,999	97%
Less than 25,000	100%

(2) 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. 2019 Supp. [12-5368](#)(b)(1), and amendments thereto, and any moneys that cannot be attributed to a specific PSAP shall be transferred to the 911 operations 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 operations 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. 2019 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.



History: L. 2011, ch. 84, § 13; L. 2012, ch. 21, § 3; L. 2016, ch. 82, § 3; L. 2019, ch. 39, § 12; July 1.

**12-5375. 911 fee moneys; approved uses; pre-approval of expenditures, request;**

**unauthorized expenditure, penalties.** (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; or (8) 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 to any pre-approval request within 30 days and inform the PSAP if 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 to appeal the council's decision and for a hearing to be conducted in accordance with the provisions of the Kansas administrative procedure act.

(c) The 911 coordinating council shall annually review expenditures of 911 funds reported on the annual report for each PSAP and shall appoint a committee to review such expenditures. If the committee determines that a reported expenditure was not authorized by this act, the committee shall request that the expenditure be refunded by the PSAP to the PSAP's 911 account. If a PSAP does not concur with the finding of the committee, the PSAP may request a review of the decision of the committee before the 911 coordinating council. If the 911 coordinating council, based upon information obtained from 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 moneys used for any unauthorized purposes to the 911 fee fund of such PSAP. Upon a finding that the expenditure was made intentionally from the 911 fee fund of such PSAP for a purpose clearly established as an unauthorized expenditure, the 911 coordinating council may require such PSAP to pay the lesser of \$500 or 10%, of such misused moneys, 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 Kansas office of administrative hearings. 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.

History: L. 2011, ch. 84, § 14; L. 2019, ch. 39, § 13; July 1.

**12-5376. Provision of 911 service; limitation on liability.** Except as provided by the Kansas tort claims act, and except for action or inaction that constitutes gross negligence or willful and wanton misconduct, the LCPA, PSAPs, and each provider, and their employees, agents, suppliers and subcontractors, and each seller, and their employees, agents, suppliers and subcontractors, 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.

History: L. 2011, ch. 84, § 15; L. 2019, ch. 39, § 14; July 1.

**12-5377. Legislative post audit; audits and review of act; audit of 911 coordinating council; cost and approval of audits; reporting requirements; yearly audit of LCPA; legislative review of act.** (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 operations fund.

(c) (1) 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: (A) Whether the moneys received by PSAPs pursuant to this act are being used appropriately; (B) whether the amount of moneys collected pursuant to this act is adequate; and (C) 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.

(2) 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 division of post audit shall be reimbursed from the 911 operations fund for the amount approved by the contract audit committee. The audit report shall be submitted to the 911 coordinating council, the LCPA, the house of representatives committee on energy, utilities and telecommunications and the senate committee on utilities.

(d) (1) On or before December 31, 2018, the division of post audit shall conduct an audit of the budget and expenditures of the 911 coordinating council. In conducting such audit, the division





shall examine: (A) The annual expenses and financial needs, including personnel, of the council; (B) the total annual operating expenses of the council that are included in the 2.5% cap on expenditures pursuant to K.S.A. 2019 Supp. [12-5364](#)(i), and amendments thereto; (C) the current and projected contractual expenses of the council; (D) the expenditures and distribution of moneys from the 911 state grant fund by the council; and (E) whether the moneys expended by the council are being used pursuant to this act. The auditor, to conduct such audit, shall be specified in accordance with K.S.A. [46-1122](#), and amendments thereto.

(2) The post auditor shall compute the reasonably anticipated cost of providing the audit 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 division of post audit shall be reimbursed from the 911 operations fund for the amount approved by the contract audit committee. The audit report shall be submitted to the 911 coordinating council, the house of representatives committee on energy, utilities and telecommunications and the senate committee on utilities.

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

History: L. 2011, ch. 84, § 16; L. 2014, ch. 6, § 4; L. 2018, ch. 10, § 1; L. 2018, ch. 95, § 1; L. 2019, ch. 39, § 15; July 1.

**12-5378. 911 service; provider cost recovery.** 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.

History: L. 2011, ch. 84, § 17; L. 2019, ch. 39, § 16; July 1.

**12-5379. Wireless service; prior approval of provider by PSAP; establishment of "911" service by provider.** A provider of wireless telecommunications service shall: (1) Receive prior approval of the PSAP of that jurisdiction before directing emergency calls to such PSAP; and (2) establish the unique emergency telephone number "911" across the state, excluding the Kansas turnpike assistance telephone number.

History: L. 2011, ch. 84, § 18; May 26.

**12-5380. Provision for 24-hour receipt of 911 calls.** 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.

History: L. 2011, ch. 84, § 19; L. 2019, ch. 39, § 17; July 1.



**12-5381. Severability.** The provisions of this act are declared to be severable and if any provision, word, phrase or clause of the act or the application thereof to any person shall be held invalid, such invalidity shall not affect the validity of the remaining portions of this act.

History: L. 2011, ch. 84, § 25; May 26.



## **911 Coordinating Council Meeting April 14, 2023 911 Liaison Report**

The following summarizes the 911 Liaison's areas of focus since our December 2022 meeting.

As leadership has changed at the PSAPs, we have focused a lot of energy on better connecting and communicating with the current PSAP leadership and front-line staff. In doing so, we have spent considerable time directly working with many PSAPs to address their immediate needs and how to better support them.

Those have included, but are not limited to:

- Direct daily PSAP support on the expenditure process
- 911 Coordinating Council portal training
- KSNG911 Learning Center overview and use
- Work with the PSAPs on their ASE migration preparation and training, as well as coordination with AT&T
- Work with the PSAPs to ensure their annual cyber security required training is complete
- Work with PSAPs, Council GIS/Technical & AT&T staff on misroute issues that have become more frequent in recent months
- Develop PSAP Admin call agendas and facilitate discussion:
  - January – Expenditure reporting process
  - February – DHS Priority Telecommunications Services (GETS, WPS, TSP)
  - March – Wireless call routing and VOIP
- Since we changed the schedule of the PSAP Admin calls and have focused presentations, we have seen an increase in PSAP leadership participation
- Attend regional PSAP meetings as their agendas allow
- Attend Statewide Interoperability Advisory Committee meetings
- Support staff to Council committees
- Participation in the Rapid Deploy Customer Advisory Board to better provide feedback on current and future enhancements to the product focusing on the impact on the PSAP

With an emphasis on communication and addressing the changing leadership in the PSAPs, the liaisons worked with the Council's GIS/Technical staff on a new 911 Coordinating Council Portal communication tool. We merged a significant amount of information into a single tool in the portal. While doing so, we were able to contact the PSAPs to identify their current leadership to ensure this information was updated in the portal.

We coordinated meetings with Marshall County, Brown County, and Horton PD to discuss coming onto the Kansas 911 Statewide Hosted System. As a result of these meetings, Marshall County has signed on to the system. Brown County and Horton PD are expected to sign soon. All are expected to be on the system no later than the end of September 2023.

We continue to work on the Infrastructure Workshop to be held in April. A significant amount of work goes into the agenda planning as well as coordination with partners and staff.



## Operations Committee Report

### Council Meeting – 04/14/2023

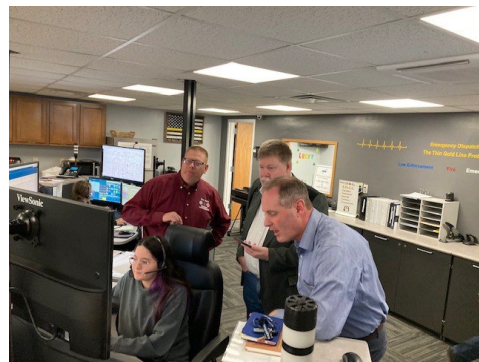
Greetings Kansas 9-1-1 Coordinating Council Members,

The Operations Committee had its first quarterly meeting on January 26<sup>th</sup>. The OPS committee reviewed the work plan deliverables for 2023. The OPS Committee has continued to provide support to the NG911 Policy & Education Committee along with the ERC Committee. They have held several meetings, so please check out their committee report for specific details.

The contact staff has continued to grow the program with the two remaining PSAPs outside the MARC Region who've expressed interest in joining the Nation's best NG9-1-1 hosted solution. We are also making progress program updates & legislative round table for the Council's Admin Day. It is being held at the Hilton Garden Inn & Convention Center on May 9<sup>th</sup>, 2023.

The Kansas 9-1-1 Coordinating Council was represented by Communications Coordinator Michele Abbot & myself at 9-1-1 Goes to Washington February 27<sup>th</sup> through March 1<sup>st</sup>. Unfortunately, scheduling didn't accommodate meetings with Congressman Estes or LaTurner, but we did provide their office with KS NG9-1-1 program & contact information.

We were able to meet personally with Congresswoman Davids & Senator Marshall, as well with their legislative staff. We also met with legislative staff members of Senator Moran & Congressman Mann as well. Congressman Mann was able to visit the Rice County ECC on March 2<sup>nd</sup> as a follow up to our meeting earlier in the week. I also believe that Michele to coordinating an ECC visit for Congresswoman Davids.



#### 2023 Quarterly Meeting Dates

- April 27<sup>th</sup> @ 11:00
- July 27<sup>th</sup> @ 11:00
- October 26<sup>th</sup> @ 11:00

Please accept my apologies for not being able to attend this April 14<sup>th</sup>, 2023, full council meeting to address any questions.

Josh Michaelis, OPS Chair



**Council Meeting – 4/14/2023**

## **Public Education/Tech Policy/Training Committee**

### **Becky Snook- Chair**

We have started 2023 with creating several resources for all PSAP agencies use. These include: RapidVideo (with closed captioning), Static Graphic for RapidVideo, Text to 911 graphic for social media, Text to 911 for deaf or hard of hearing, and 911 “Call if you can, text if you can’t” graphic.

A goal of the committee is to continue to produce public service announcements as needed, as the system changes and new technologies are implemented.

We are tasked with updating the training video on Text to 911 with a deliverable early July. The committee members are currently reviewing the current video and working on update suggestions.

Other upcoming goals include researching professional media campaigns that focus on Text to 911, Text locate, Text translation, What3Words, video and OnStar. We will also include OnStar telematics in a sample SOP/SOG.

Our committee will share updates in the KS 911 Coordinating Councils Admin Day coming up in May. Posted 988 video, public education. 988: A shared opportunity for Law Enforcement [HERE](#)

We will continue to support the Administrators call, Council’s newsletter, social media platform and landing page with real time content as needed.

This committee will support staff in the development of training curriculum for the system, to include delivery methods and development of the training cadre.



## HELP 911 HELP YOU... TEXT-TO-911 TIPS

**CALL IF YOU CAN, TEXT IF YOU CAN'T**

**Voice calls are the quickest way to contact 911**

- Answer all questions and follow instructions
- Keep your texts short and to the point
- Do not use abbreviations or emoticons
- Text-to-911 cannot include more than one person
- 911 is for Emergencies !!!

**[www.Kansas911.org](http://www.Kansas911.org)**



Enhancing Public-Safety  
with State-wide access to  
Next Generation 911 Services

## **GIS Committee Report Council Meeting – April 14, 2023**



### NG911 GIS Data Submission Summary by Quarter

Submission Type	CY2022 Q2 (Apr 1 – June 30)	CY2022 Q3 (July 1 – Sept 30)	CY2022 Q4 (Apr 1 – June 30)	CY 2023 Q1 (Jan 1 – Mar 31)
	Number of Jurisdictions			
Updates that passed QA	95	95	95	Reporting period in progress
Updates that have NOT passed QA or plan submitted	0	0	1	-
No Changes	12	12	11	-
No Reply	0	0	0	-

### Orthoimagery Update:

- Statewide NG911 imagery acquired in 2015, 2018 and 2021 is available through the DASC Hub
- 2021 imagery has been added to Radius Map
- 2024 imagery:
  - Currently planning for the 2024 leaf-off imagery acquisition

### Building Footprints Pilot Project:

- Building footprint polygons have been developed for Dickinson, Saline, Ellsworth, Rice, McPherson counties.
- The data is currently under QA review by DASC and the NG911 GIS Committee.
- The goal of the project is to determine the usability and value of this data for call handling purposes.

### Call Handling Mapping Solution:

- RapidDeploy Radius Map - Members of the Kansas GIS team participate in the following:
  - RapidDeploy Customer Support – bi-weekly, Kansas focus
  - RapidDeploy Customer Advisory Board (CAB) - quarterly, multi-state
  - RapidDeploy GIS Workshop – as needed, multi-state

### NG911 Program Portal:

- Monitor usage and provide continuous agile development to support the Kansas NG911 Program
- PSAP Info – created a new module for storing technical information about PSAPs
- Call Troubleshooting – created a new module to track call routing issues and record resolutions
- Additional Kansas NG911 Liaisons and PSAPs support during the annual Expenditure Reporting
- Support Kansas NG911 LCPA with TSP 911 Fee Reporting and user onboarding
- Maintenance & hosting of the program portal

### NG911 GIS Toolbox:

- Bug fixes and validation test adjustments as needed to correct issues.
- Modifications to comply with data model revisions. Major overhaul with KS GIS Data Model v3.
- An official ArcGIS Pro compatible toolbox version.
- Expanded documentation and new training materials and videos.





- Toolbox v2.2.97 was released in Q4 2022. Details available at: <https://arcg.is/1HHDKS0>

#### Outreach activities:

- Quarterly NG911 GIS User Group
  - Webinars and presentation materials are available at <https://www.kansas911.org>
- Training
  - GIS Data Steward – available to PSAP's through the Kansas NG911 Learning Center
  - GIS Data Maintainer – available on the DASC Hub>NG911 Training site and Kansas NG911 Learning Center
- NENA GIS Data Model v2
  - V2 has been published
  - Work to align the Kansas NG911 GIS Data Model with NENA v2 has begun and should be completed by the end of 2023

#### GIS/MSAG Database Conversion:

- Working with AT&T on conversion to new database platform



## Council Meeting – 03/27/2023

### Program Management Report

Status and Accomplishments	Next Steps
Program <b>JEOPARDY</b> : none	<b>Jeopardy</b> : none
Program <b>Escalation</b> : none	<b>Escalation</b> : none
<b>Local Collection Point Administrator (LCPA)</b> On schedule, On budget <ul style="list-style-type: none"> <li>Updated LCPA Chart of Accounts</li> <li>Compared ROI investments over several years</li> </ul>	<b>Kathy Becker</b> , Mainstream Nonprofit Solutions Contract PoP: Jan 1, 2019, thru Dec 31, 2024 <ul style="list-style-type: none"> <li>Staff continuity / succession planning (on going)</li> <li>Consider financial instability banks impact</li> </ul>
<b>Technical Support</b> On schedule, On budget (Phill Ryan retired 12/31/22) <ul style="list-style-type: none"> <li>3<sup>rd</sup> host and Automated Abandoned Callback done</li> <li>Council Member Handbook revisions (as required)</li> </ul>	<b>Scott Ekberg and Sherry Massey</b> <ul style="list-style-type: none"> <li>AT&amp;T PSP Transition collaboration</li> <li>Release RFP for NG911 Network Security</li> <li>Support ASE migration including ICM Plan updates</li> </ul>
<b>DASC Support</b> On schedule, under budget <ul style="list-style-type: none"> <li>Review Building Footprints</li> </ul>	<b>Ken Nelson</b> , GIO (Ken/Eileen/Sherry have details) Purchase Order expires Dec 31, 2023 <ul style="list-style-type: none"> <li>GIS User Group Training (Stewards/Maintainers)</li> <li>Portal module upgrades and additions</li> </ul>
<b>Program Management</b> On schedule, On budget <ul style="list-style-type: none"> <li>Re-baseline Program Plan: ASE, 3<sup>rd</sup> Host, AAC</li> <li>NG911 Strategic Plan for 2023-2025</li> </ul>	<b>Randall White Consulting LLC</b> Contract PoP: Jan 1, 2023, thru Dec 31, 2023 Option to renew for two additional 12-mo periods <ul style="list-style-type: none"> <li>NG911 Business Case updates &amp; upgrade</li> <li>Monitor Budget and Work Plan deliverables</li> </ul>
<b>Orthoimagery</b> <ul style="list-style-type: none"> <li>Orthoimagery QA Assessment</li> <li>Building Footprint for Dickinson Saline Rice</li> </ul>	<b>Surdex Corp</b> , PoP Aug 25, 2020, thru Sep 30, 2024 <ul style="list-style-type: none"> <li>Schedule reflights</li> <li>Review Building Footprint feedback</li> </ul>
<b>Infrastructure – Hosted Call Handling</b> On Schedule, On budget <ul style="list-style-type: none"> <li>PSAPs on hosted solution = 107 plus backup sites</li> <li>Call Handling 3<sup>rd</sup> Host Implementation complete</li> <li>Automatic Abandoned Callback (AAC) complete</li> </ul>	<b>AT&amp;T</b> : Motorola-Airbus DS; WEST-ECaTS Contract PoP: Feb 5, 2015, to Sep 14, 2027, with option to renew for one additional 24-mo period <ul style="list-style-type: none"> <li>Migration of NG911 from AVPN network to ASE</li> <li>Migrate from TDM tandems to POI connectivity</li> <li>VESTA® r8.0 software upgrade on all 3 Hosts</li> </ul>
<b>Kansas 911 Learning Center</b> On schedule, On budget <ul style="list-style-type: none"> <li>Monitor training content</li> </ul>	<b>Learning Management System (LMS)</b> Joint agreement MARC-Council <ul style="list-style-type: none"> <li>New training content</li> </ul>
<b>NG911 Broadband Interoperability</b> <ul style="list-style-type: none"> <li>Participated in SIAC Working Groups</li> </ul>	<b>Michele Abbott</b> , State Interop Advisory Committee (SIAC), State Interoperability Exec. Committee (SIEC)

Color code: **GREEN**: on sched, in budget, system functional **YELLOW**: escalation **RED**: jeopardy status