

Proposed

**Notice of Hearing on Proposed
Administrative Regulations**

A public hearing will be conducted by the Kansas Association of Counties (KAC) at 9 a.m. Monday August 31, 2015, in the Kansas Association of Counties Board Room, 300 SW 8th Ave, Third Floor, Topeka, KS 66603, to consider K.A.R. 132-1-1, a new regulation setting a fee of \$.60 for each subscriber account pursuant to K.S.A. 2014 Supp. 12-5369.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written comments from the public on the proposed regulation. All interested parties may submit written public comments on the proposed regulation prior to the hearing to Melissa Wangemann, General Counsel, Kansas Association of Counties, 300 SW 8th Ave, Third Floor, Topeka, KS 66603, or through e-mail at wangemann@kansascounties.org. All interested parties will be given a reasonable opportunity to present their views, either orally, in writing, or both, concerning the adoption of the proposed regulation.

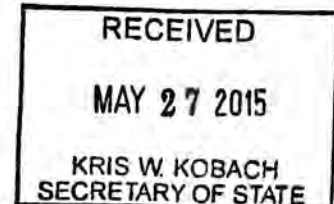
In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit oral presentation to five minutes. Any individual with a disability may request accommodation in order to participate in the public hearing and may request the proposed regulation and economic impact statement in an accessible format. Requests for accommodation should be made at least five working days in advance of the hearing by contacting Melissa Wangemann at (785) 272-2585. Disabled parking is located west of the KAC building. The west entrance to the KAC building is accessible.

This regulation is proposed for adoption on a permanent basis and copies of the proposed regulation and economic impact statement are available by contacting Melissa Wangemann at the address listed above or on the website, www.kansas911.org. A summary of the proposed regulation and the economic impact follows:

K.A.R. 132-1-1 sets the fee for each 911 subscriber account at \$.60. This fee will be paid by consumers of landline phones, wireless phones and voice-over-the-internet telephony (VoIP). The fee is distributed by the Kansas Association of Counties, serving in the statutory role of Local Collection Point Administrator, to the 911 PSAPs throughout the state of Kansas. The money is used by PSAPs to fund their 911 operations.

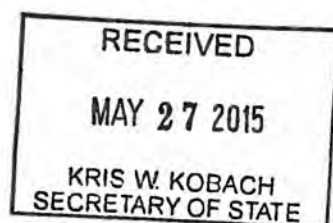
The anticipated economic impact of K.A.R. 132-1-1 is positive for Kansas Public Safety Answering Points (PSAPs) because it increases the amount of money they receive. The increased fee was determined by the 911 Coordinating Council to be necessary to finance Next Generation 911 projects. The fee is an increase to Kansas consumers—both individual and business—that operate phones in the state. The current 911 fee is \$.53 per line and K.A.R. 132-1-1 increases the fee to \$.60 per line.

There is no environmental impact with this regulation.



Article 1: Fees

K.A.R. 132-1-1. Fees. The 911 fee shall be \$.60 per month for each subscriber account, pursuant to K.S.A. 2014 Supp. 12-5369 and amendments thereto. (Authorized by K.S.A. 2014 Supp. 12-5364; implementing K.S.A. 2014 Supp. 12-5364 and 12-5369; effective P-
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ATTORNEY GENERAL

APR 20 2015

APPROVED BY CP

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DEPT. OF ADMINISTRATION

Economic Impact Statement on
K.A.R. 132-1-1
911 Coordinating Council

1. Brief Description of the Regulation. K.A.R. 132-1-1 sets the 911 fee for each 911 subscriber account at \$.60. Current statutory law sets this fee at \$.53, but allows the 911 Coordinating Council to increase the fee by Kansas administrative regulation. This fee is paid by anyone who uses landline phones, wireless phones and voice-over-the-internet telephony (VoIP). The fee is paid by the phone user when paying the bill to the telecommunications provider. The fee is routed from the telecommunications providers to the Kansas Association of Counties, which serves in the statutory role of Local Collection Point Administrator. KAC then distributes the fee to the 911 PSAPs throughout the state of Kansas. The money is used by PSAPs to fund their 911 operations in accordance with guidance given in Kansas statutory law.

2. Federal Law or Requirement for a Federal Subsidized Program. The proposed regulation is not mandated by federal law as a requirement for participating in or implementing a federally subsidized or assisted program. The proposed regulation does not exceed any requirement of federal law.

3. Description of Costs.

A. The Agency Proposing the Regulation. The agency proposing the regulation, the Kansas 911 Coordinating Council, is not affected by the proposed regulation directly. The agency has made a finding that the increased fee will assist it in its coordination and implementation of Next Generation 911; however, none of the proposed fee goes to the Council.

B. Governmental Agencies and Units. Other government units, namely cities and counties that have Public Safety Answering Points, will be affected by the fee in the regulation. These PSAPs will see an increase in the 911 fees received from the Local Collection Point Administrator. This fee can only be used for statutory prescribed duties given in K.S.A. 12-5375.

C. Small Employers.

D. Private Citizens.

E. Consumers.

Small employers, private citizens and consumers will be affected by the fee in the regulation. They will see an increased fee on their phone billing statement; the current fee of \$.53 will increase to \$.60. This fee will be paid by small employers, private citizens and consumers when they pay their phone bill.

4. Less Costly or Less Intrusive Methods. The Council did not find any other less costly or less intrusive methods to achieve the stated purpose of the regulation.

The Council attaches their report as an exhibit to explain the reason for the increased fee proposed in K.A.R. 132-1-1. *Contact KAC for exhibit.*

