

LINDA LINGLE  
GOVERNOR



LATE TESTIMONY

RUSS K. SAITO  
Comptroller

BARBARA A. ANNIS  
Deputy Comptroller

**STATE OF HAWAII  
DEPARTMENT OF ACCOUNTING  
AND GENERAL SERVICES  
P.O. BOX 119  
HONOLULU, HAWAII 96810-0119**

TESTIMONY  
OF  
RUSS K. SAITO, COMPTROLLER  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
TO THE  
HOUSE COMMITTEE  
ON  
PUBLIC SAFETY  
ON  
January 29, 2009

H.B. 10

RELATING TO WIRELESS ENHANCED 911 SERVICE

Chair Hanohano and members of the Committee, thank you for the opportunity to testify on H.B. 10.

The Department of Accounting and General Services (DAGS) opposes H.B. 10. for several reasons.

Currently in the State, wireless enhanced 911 service is available through all carriers on all islands. The first reason we oppose this bill is that one of the main purposes of the Wireless Enhanced 911 Fund (the Fund) was to provide reimbursement to the public safety answering points (PSAPs) to maintain the enhanced wireless systems (the systems). Elimination of the surcharge will jeopardize ongoing operations and support of wireless enhanced 911 service. If the counties have to fund the maintenance and ongoing cost of wireless enhanced 911 service, there would likely be reduced service levels, system reliability will be an issue, and public safety will be jeopardized.

Second, an intention of the Act was to supplant funds for the implementation and operation of wireless enhanced 911 service. Those funds continue to be needed as long as wireless enhanced 911 service remains operational.

Third, the Board is preparing to proceed with a project to expand wireless enhanced 911 coverage statewide into remote areas and public buildings that currently have limited wireless coverage (such as the basement in the State Capitol) by building cell towers or placing antennas in these locations. If implemented, this bill would cancel the Board's initiative, resulting in future customers in distress not being able to call 911 and get help because the signal could not get through. Wireless enhanced 911 service is a life saving service. The Board feels that it should be used to its maximum potential.

Fourth, studies are being requested by the PSAPs to explore the migration from the current service to the "Next Generation" or even current but not included service such as text messaging of wireless enhanced 911 service. Without the surcharge, the technology used by the PSAPs will age, become unsupported by vendors and not support enhanced modes of communication by citizens.

In summary, Wireless E911 service will not wind down in the manner suggested by this bill. As a result, this bill, if implemented, will reduce government's ability to fulfill one of its primary responsibilities, the protection of the health and safety of its citizens.

Thank you for the opportunity to testify on this matter.

POLICE DEPARTMENT  
CITY AND COUNTY OF HONOLULU

801 SOUTH BERETANIA STREET · HONOLULU, HAWAII 96813  
TELEPHONE: (808) 529-3111 · INTERNET: www.honolulu-pd.org

MUFI HANNEMANN  
MAYOR



BOISSE P. CORREA  
CHIEF

PAUL D. PUTZULU  
KARL A. GODSEY  
DEPUTY CHIEFS

OUR REFERENCE MC-LS

January 29, 2009

The Honorable Faye P. Hanohano, Chair  
and Members  
Committee on Public Safety  
House of Representatives  
State Capitol  
Honolulu, Hawaii 96813

Dear Chair Hanohano and Members:

Subject: House Bill No. 10, Relating to Wireless Enhanced 9-1-1 Service

I am Marie McCauley, Major of the Communications Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD opposes House Bill No. 10. This bill would eliminate the surcharge on wireless telephones and terminate the Wireless Enhanced 9-1-1 (WE 9-1-1) fund once depleted.

The HPD, which is the main Public Safety Answering Point (PSAP) for the State of Hawaii, has only just begun to see the effects and identify the problems from deploying the WE 9-1-1 system. We continue to discover and address new technical issues in the deployment of the system at our centers, which prevent the system from being fully functional.

Although the first carrier went live in January 2007, it was several months later when all wireless carriers had tested and activated their systems. During the past year, we have noted that our current Computer Aided Dispatch System and our SeNTinel 9-1-1 Computational Methods Limited workstations are not receiving phase II calls as expected. Phase II calls provide the location of the wireless caller immediately. The number of phase II calls received has been reduced since the implementation of the system. This is an indication that further upgrades and changes are necessary to obtain the results needed to fulfill the expectations of both the public and the WE 9-1-1 Board in the tracking of emergency 9-1-1 calls.

Over 60 percent of the approximately 750,000 calls for service we receive yearly are from cellular telephones. Due to the volume of calls from wireless service providers, we believe that this fund will need to be continued in some form. There will always be costs to maintain a system that is able to provide excellent service to the community at the level that they expect.

*Serving and Protecting With Aloha*

The Honorable Faye P. Hanohano, Chair  
and Members  
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January 29, 2009

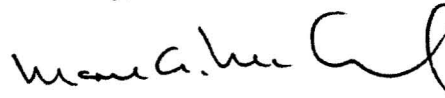
This technology saves lives, and we are in the business of saving lives. We have had incredible experiences in just the past year because we deployed this system when we did. It was a responsible decision to deploy WE 9-1-1.

The HPD urges this committee to consider not suspending the surcharge so that our PSAP and other PSAPs will have an opportunity to request reimbursement for equipment and systems that we did not realize would have to be replaced because of the deployment. We have no problem with providing a report on the jurisdictional readiness for WE 9-1-1 services. Actually, we welcome the opportunity to share with the Legislature what is working and what is not so that you will be able to better decide what level of surcharge will need to be maintained along with possible future costs.

The HPD is committed to providing the best communications to deliver expeditious emergency services to every call.

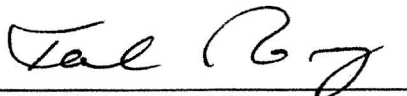
Thank you for giving us the opportunity to express our opposition to this bill.

Sincerely,



MARIE A MCCAULEY, Major  
Communications Division

APPROVED:

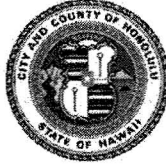


BOISSE P. CORREA  
Chief of Police

DEPARTMENT OF INFORMATION TECHNOLOGY  
**CITY AND COUNTY OF HONOLULU**

650 SOUTH KING STREET, 5TH FLOOR  
HONOLULU, HAWAII 96813  
Phone: (808) 768-7684 □ Fax: (808) 527-6272 □ Internet: www.honolulu.gov

MUFI HANNEMANN  
MAYOR



GORDON J. BRUCE  
DIRECTOR & CIO

January 28, 2009

The Honorable Faye P. Hanohano, Chair  
and Members of the Committee on Public Safety  
State House of Representatives  
State Capitol  
Honolulu, Hawaii 96813

Dear Chair Hanohano and Members:

**Subject: House Bill No. 10  
Relating to Wireless Enhanced 911 Service**

On June 12, 1996 the FCC ADOPTED RULES TO IMPLEMENT ENHANCED 911 FOR WIRELESS SERVICES (CC Docket No. 94-102).

Hawaii Act 159/SLH 2004 (the Act) created a Wireless Enhanced 911 Board (the Board) which is administratively attached to the Department of Accounting and General Services (DAGS). The purpose of the Act is to provide Public Safety Answering Points (PSAPs) and wireless providers with the funding needed to acquire technology that will enable PSAPs receiving 911 calls from wireless phones to see the caller's identification and location.

There is established outside the state treasury a special fund, to be known as the wireless enhanced 911 fund, to be administered by the board. The fund shall consist of amounts collected under section 138-4. Monies paid into the fund are not general fund revenues of the State.

Over the past years, we have seen tremendous progress in the delivery of public safety, the result of efforts put forward by the WE911 board and the county 911 call centers. Lives have been saved, tourists have been rescued, domestic abuse has been thwarted, and kidnappings have been prevented as a result of WE911 deployment.

The fund was established with specific intent and specific language to prevent its use for other purposes. The Board has acted with fiscal prudence in its management of the fund. I also understand that the Board has now reached a point where expenditures for the fund will be considerable in nature.

Over 50% of all 911 calls in Honolulu are from mobile telephones, and this number will increase with next generation telephone systems such as those provided over the internet. As such, on behalf of the Oahu PSAPs, we strongly object to the suspension of this fund and do not support House Bill No. 10..

Sincerely

A handwritten signature in black ink, appearing to read "Gordon J. Bruce", written over a circular stamp or seal.

Gordon J. Bruce  
Director and Chief Information Officer

# TAXBILLSERVICE

126 Queen Street, Suite 304

TAX FOUNDATION OF HAWAII

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: MISCELLANEOUS, Eliminate wireless enhanced 911 surcharge

BILL NUMBER: HB 10

INTRODUCED BY: Takai

BRIEF SUMMARY: Repeals HRS section 138-4 that provides for the imposition of the monthly wireless enhanced 911 surcharge of 66 cents.

Amends HRS section 138-3 to provide that the wireless enhanced 911 fund shall cease to exist once all the fund have been expended.

Makes conforming amendments to HRS section 138-6.

EFFECTIVE DATE: July 1, 2009

STAFF COMMENTS: The legislature by Act 159, SLH 1994, established a wireless enhanced 911 surcharge of 66 cents per month and a wireless enhanced 911 fund to allow deployment of phase 1 and phase 2 of the wireless enhanced 911 service and expenses of administering the fund. The wireless enhanced 911 program allows wireless phones to be located by public safety personnel in the event of an emergency. The fee is collected to reimburse facilities that provide Public Safety Answering Points (PSAP) which are set up to determine the location of a wireless 911 call for emergency services.

In February of 2007, the Honolulu police department completed its renovation of its communications division as a PSAP. As of August 2007, Oahu, Kauai, Maui and Hawaii were 100% operational with Molokai two-thirds operational.

At December 31, 2008, the wireless enhanced 911 fund has grossed nearly \$30 million and the wireless enhanced program is in operation. With the completion of the enhanced 911 system, it is questionable whether the wireless enhanced 911 surcharge is still necessary. What this measure does underscore is the point that has been made over and over again, where fees or taxes are earmarked for a particular program or service and bears no relationship for the demand of that service, there will always be a mismatch of revenues and expenditures. Either the fee will generate insufficient resources or, as it is in this case, produce more resources than necessary for the program. It is, therefore, more appropriate to actually appropriate the necessary funds out of general funds once costs are actually determined.

Digested 1/28/09