



Testimony of the Kansas Association of Counties
To the House Committee on Energy, Utilities and Telecommunications
On HB 2084

February 5, 2019

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to offer written, neutral testimony for HB 2084. The Kansas Association of Counties (KAC) has been closely involved in many 911 bills over the years, as county governments run most of the Public Safety Answering Points (PSAPs) within the State. KAC's review of this proposed legislation found a mix of positives and negatives, hence our neutral position.

First, the positives. KAC agrees, based on the analysis in the Audit of the Kansas 911 System, that a \$0.23 monthly fee per phone would be necessary for the 911 Coordinating Council to continue to cover the costs of the statewide NG911 system and this bill provides that need. The KAC agrees with the increase on subscriber accounts to \$1.03, as it helps address the rising costs of doing business at the local level, noting that this change moves the local share from \$0.60 to \$0.80 (the additional \$0.23 being for the aforementioned statewide NG911 system). Finally, the KAC agrees with the proposal to change the minimum county distribution from \$50,000 per year to \$60,000, as this shift will help ensure rising costs in the more rural areas are addressed.

In terms of concerns, KAC has several, but two are paramount. First, according to the NG911 Status Map (dated 10/8/2018) in the Audit of the Kansas 911 System, 17 counties have chosen to use another system than the statewide NG911 system. KAC analysis indicates these 17 counties represent approximately 40% of the State's population (much of that population in the Kansas City area). This bill is a significant policy change, asking a sizable portion of the population to pay a fee that does not benefit the NG911 system they live under. With as diverse of a membership pool as KAC has, we are in a position where some counties will directly benefit via this change (due to being in the statewide NG911 system) and some will not (due to selecting a different NG911 system instead).

Another concern KAC has is regarding the minimum county distribution model being proposed. While KAC agrees with the increase in the minimum county distribution, we question why the distribution tiers are not being adjusted. Current law, and the present bill, keep the same model, where distributions start declining from a 100% return for counties with 25,000 population, and the highest tier being an 82% return for those counties with over 80,000 population. This is to support the minimum payment fund, but KAC is concerned about excess collections. Our analysis indicates the existing \$0.60 fee could support an increase of the minimum guarantee to \$60,000 right now due to surplus funds already being generated from the tiers in place, and thus with an increase in the local share to \$0.80 these tiers could be adjusted and allow those counties with larger populations to retain more of their generated funds. Setting that aside, we are concerned that the excess minimum funds

generated are designated in this bill to be swept into the operations fund. Would not the state grant fund make more sense, given the original purpose these funds were set aside for?

Given the mix of positives and negatives, and how some of these changes may benefit some counties but not others, KAC has adopted an overall neutral position of HB 2084. Thank you for your consideration.



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