



KANSAS
ASSOCIATION OF
COUNTIES

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Testimony of the Kansas Association of Counties to the
Senate Committee on Utilities
Neutral Testimony for HB 2084 • March 13, 2019

Mr. Chairman and Members of the Committee:

Thank you for the opportunity to offer 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.

The amendment that was made on the House floor on this bill lowers the subscriber account fee from \$1.03 to \$0.82. The original HB 2084 presumed that the local share of subscriber fees would increase from \$0.60 to \$0.80, while the additional \$0.23 would be used by the 911 Coordinating Council to continue to cover the costs of the statewide NG911 system. With the reduction to \$0.82, if the 911 Coordinating Council maintains their need for \$0.23, this would leave local PSAPs with just \$0.59, which is less than what these PSAPs currently receive. This reduction would be very troubling to our local stakeholders.

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. However, it is unclear if this increase can be financed under the bill as amended by the House.

In terms of additional 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. Additionally, the House amendment creates the question of whether the increases can be properly funded if the local share decreases from \$0.60 to \$0.59 as contemplated above.

For these reasons KAC is neutral on this proposal, but would request that the committee carefully consider these items when making its final decision regarding HB 2084 as amended by the House.

Respectfully,



Jay Hall

Kansas Association of Counties