

HOUSE COMMITTEE ON ENERGY, UTILITIES, & TELECOMMUNICATIONS
REPRESENTATIVE LEO DELPERDANG, CHAIR
TUESDAY, FEBRUARY 13th, 2024

Mr. Chairman Delperdang and Committee Members:

Thank you for the opportunity to provide testimony on behalf of the Association of Public-Safety Communications Officials, Kansas Chapter or, better known the KS APCO. I am Josh Michaelis, Executive Council Representative, and Board member for the KS Chapter of APCO. Kansas APCO represents our 570 professional public safety telecommunicator members. KS APCO stands in opposition to House Bill 2690, which proposes abolishing the 911 Coordinating Council and establishing the State 911 Board. This bill further suggests abolishing the 911 operations fund, 911 state fund, and 911 state grant fund outside of the state treasury, replacing them with the state 911 operations fund, state 911 fund, and state 911 grant fund within the state treasury.

The Kansas 9-1-1 Coordinating Council has made significant strides in implementing and deploying Next Generation 911 (NG911) services, benefiting all Kansans. The dynamic nature of the Next Generation 911 ecosystem, coupled with rapid advancements in wireless technology, underscores the need for a governance structure that is flexible and adaptable, as exemplified by the current Kansas 911 Coordinating Council.

However, HB 2690 is currently not in the best interest of Kansas residents or the 570 Kansas Public Safety Telecommunicator Professionals who respond to their calls for assistance. Abolishing the Kansas 911 Coordinating Council and establishing a state agency causes fiscal concerns. While the current Kansas 911 Act limits the council's administrative costs to no more than 2.0%, HB 2690 imposes no such limit, leaving the fiscal impacts on Kansas taxpayers and PSAPs uncertain.

Despite proposing a state fee-based board, the State 911 Board's funding mechanism differs from other state boards, such as the Kansas Dental Board. Instead of being funded by practitioners' licensing fees, the State 911 Board would rely on funds from Kansas taxpayers through the local 911 tax/fee assessed on their phone service accounts.

KS APCO also opposes the transfer of 911 funds into the State Treasury. While HB 2690 includes protections against misappropriations, it doesn't prevent such changes once the bill leaves the committee or another legislative body. The proposed bill's inclusion of 911 funds in the State Treasury could potentially increase state revenues, a concern that meets the criteria for K.S.A 75-37215a regarding fiscal notes for certain legislative bills.

KS APCO further opposes granting authority to either the current KS 911 Coordinating Council or a future Board to reduce the 911 tax/fee established pursuant to K.S.A. 12-5369. The current act and HB 2690 fail to define who would bear the reduction. Currently, the 911 tax/fee is .90 cents per subscriber phone number, with .23 cents allocated to the 911 operations fund, .01 cent to the state 911 grant fund, and the remainder distributed to local PSAPs based on the County's population, with variations for counties falling between 25K and over 80K.

The current Kansas 911 Act, in existence since July 1st, 2012, and last amended in 2019, has fostered the growth of the Kansas 9-1-1 program, evolving it into one of the most cost-effective NG911 programs in the nation. KS APCO endorses a review of the Kansas 911 Act but opposes the approach taken by HB 2690.

On behalf of our 570 members, the Kansas APCO Board opposes HB 2690 and urges the committee to review the bill further with stakeholders to make sure that that 911 network is not detrimentally affected by this transfer. Thank you for your time and consideration.

Joshua Michaelis
Executive Council Representative
Kansas Chapter of APCO