

February 3, 2025

Senate Committee on Utilities Senator Michael Fagg, Chairman

Dear Senate Utilities Committee Members,

Butler County would like to express its <u>opposition</u> to SB 57, an Act concerning roads and highways; relating to orders to modify or relocate communications or video service facilities for certain road and highway projects; requiring certain state agencies, counties, cities and political subdivisions to reimburse the owner or operator of any such facilities for the costs associated with modifying or relocating such facilities pursuant to such an order; amending K.S.A. 68-402b, 68-415 and 68-2005 and repealing the existing sections.

The proposed modifications set a bad precedent. Counties and cities own the right-of-way (ROW) for road purposes. These ROWs can be utilized by telecommunication companies to lay their lines, but when road improvements are needed the companies are required to relocate their facilities. Due to the proposed changes counties and cities would be required to pay the cost to relocate telecommunication lines in the ROW. Many of these improvements were recently put in place with grant funds derived from State and Federal governments. Instead of purchasing easements in which to place their lines, companies have chosen to place them in road ROW to minimize their costs. SB 57 would place the burden of paying for the relocation of telecommunication lines directly on the backs of Butler County property tax payers. When a county or city receives State or Federal funds for road projects, the entity is always required to provide matching funds which, in Butler County, comes from property taxes. The additional cost of relocating telecommunication lines because State or Federal aid is involved adds to the financial burden of local tax payers by way of project matching funds.

Counties and cities do not have sufficient funds to pay for all the necessary road and bridge improvement projects currently identified, let alone to pay to relocate telecommunications and other utilities who choose to minimize their cost by voluntarily locating their lines in the road ROW. Butler County hopes you understand its opposition to this bill is strictly from a standpoint of minimizing the impact to local taxes and placing the burden where it belongs, with the users of the facilities located within the road ROW. Butler County hopes the Committee shares in its opposition with this proposal and votes to not move the bill forward. Thank you for your time and consideration.

Sincerely.

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William H. Johnson Jr.

Butler County Administrator

CC: Butler County Commission