

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 p.m. on February 16, 2004 in Room 519-S of the Capitol.

All members were present.

Committee staff present:

Mary Galligan, Legislative Research Department
Hank Avila, Legislative Research Department
Bruce Kinzie, Revisor of Statutes Office
Betty Boaz, Committee Secretary

Conferees appearing before the committee:

Lt. John Eichkorn, KS Highway Patrol
Billy Brown, Redfield, KS
Duane Goossen, Director, Div. Of the Budget
Deb Miller, Secretary, KDOT
Pat Hurley, Economic Lifeline
Mark Turkington, Economic Lifeline
Ron Gaches, KS Society of Professional Engineers
Woody Moses, Managing Director, KRMCA and KAPA
Larry Baer, League of KS Municipalities
Jon Daveline, President, Hutchinson Chamber of Commerce
Jim DeHoff, KS AFL-CIO
Randall Allen, KS Ass'n. of Counties
Ed DeSoignie, Heavy Constructors Ass'n. of KC
Bob Totten, KS Contractors Ass'n.
Steve Feigenbaum, Exec. Director, KS Public Transit Association
Lew Ebert, KS Chamber of Commerce
Tom Swenson, TranSystems Corporation

Others attending:

See Attached List.

HB 2709 - Regulating traffic, motorized skateboards

The Chairman introduced the first proponent for **HB 2709**, Lt. John Eichkorn. (Attachment 1) Lt. Eichkorn explained the bill as proposing to make it illegal to operate "motorized skateboards" on any highway, road, street, sidewalk, or sidewalk area. The fine for these violations would be \$30. Lt. Eichkorn said clarification of this issue would be helpful and **HB 2709** would make the rules regarding "motorized skateboards" clearer.

The next proponent was Billy Brown, resident of Redfield, Ks. (Attachment 2) Mr. Brown felt that due to his own personal experiences with mopeds, ATVs, and freedom scooters, these vehicles should be operated by a licensed/insured driver. He urged support of **HB 2709**.

There were no other proponents and no opponents. The Chairman closed the hearing on **HB 2709**.

HB 2728 - Financing the Comprehensive Transportation Plan

Chairman Hayzlett opened the hearing by introducing Duane Goossen, Director of the Budget Division, who explained the Governor's Plan - Outlook for the State General Fund to the Committee. (Attachment 3)

Deb Miller, Secretary, Kansas Department of Transportation was the next proponent. (Attachment 4) According to Secretary Miller the passage of **HB 2728** will allow the state to keep its' commitment to the CTP by completing all of the announced projects and will do so without raising taxes or devastating the state's future ability to fund other major programs, such as economic development, higher education, K-

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12, and social services.

The next proponent was Pat Hurley (Attachment 5) who attached a Resolution approved by members of the Economic Lifeline stating their opposition to any reductions in funding without replacing that revenue. They thought this bill would solve a critical problem for the state by allowing the state to retain \$675 million in the SGF over the next five fiscal years. He urged the Committee to support **HB 2728** which they feel would allow the CTP to be completed.

Mary E. Turkington, Co-Chairman with Fred Berry of Economic Lifelines asked the Committee to support the Governor's transportation proposal (**HB 2728**). She reiterated what she considered the most persuasive components of this plan (Attachment 6).

The next proponent was Ron Gaches on behalf of the Kansas Society of Professional Engineers. (Attachment 7) Mr. Gaches said they support enactment of **HB 2728** until a better funding plan might be assembled.

Woody Moses, Managing Director of the Kansas Aggregate Producers' Association and the Kansas Ready Mixed Concrete Association spoke next in support of **HB 2728**. Mr. Moses urged the Committee and the Legislature to provide the Comprehensive Transportation Program with 100% dedicated funding (Attachment 8).

According to Larry R. Baer, League of Kansas Municipalities, as written, **HB 2728** is the only legislation that fulfills the funding commitment. (Attachment 9) Mr. Baer said the League believes the Committee needs to be serious in its' approach to the financing of the program and in meeting the funding commitments made. The League feels **HB 2728** continues the funding commitments to the program.

Jon R. Daveline, President Hutchinson/Reno County Chamber of Commerce, was the next proponent to stand in support of **HB 2728**. He said they feel **HB 2728** is a solution and they asked for support of this bill which they feel protects the core of the CTP and insures that no announced project is negatively impacted. (Attachment 10)

The next proponent was Jim DeHoff, Executive Secretary of the Kansas AFL CIO. Mr. DeHoff said **HB 2728** addresses a means of continued financing for the 1999 Transportation Plan and they support the issuing of bonds to complete the commitment made in 1999 to Kansas communities. (Attachment 11)

Randall Allen, Executive Director of the Kansas Association of Counties was the next proponent. Mr. Allen said they support **HB 2728** because it appears to them to offer the best hope of preserving the CTP while leaving the Special City-County Highway Fund intact. (Attachment 12)

According to Edward DeSoignie, Executive Director of the Heavy Constructors Association of the Greater Kansas City Area, they are in support of **HB 2728** because they feel it represents the most favorable solution to a number of problems presently facing the State. (Attachment 13)

The next proponent was Bob Totten, Public Affairs Director for the Kansas Contractors Association. Mr. Totten said they were in support of this bill because it fulfills the commitments made to the communities throughout the state and makes sure the construction industry which geared up to build the program will be able to utilize the equipment and employees to finish the projects proposed in 1999. (Attachment 14)

Steve Feigenbaum, Executive Director of the Kansas Public Transit Association said the KPTA supports the Governor's plan to fund the CTP (**HB 2728**). He said they recognize that the key elements of this bill; \$465 million in bonds and transfer of sales tax revenue are tough choices but consider the alternative a reduction of the projects and scope of the CTP. (Attachment 15)

Lew Ebert from The Kansas Chamber of Commerce urged the Committee to support **HB 2728** regarding the full funding of the state's Comprehensive Transportation Program. (Attachment 16)

The last proponent for **HB 2728** was Tom Swenson, an engineer and a principal with TranSystems Corporation. He was representing the Kansas Consulting Engineers. He said the full funding of the CTP

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is a top priority for them which is why they are supporting **HB 2728**. He said the bonding component of this bill is an area of great concern to them. Mr. Swenson said the CTP is the second transportation program of its kind and it their strong hope that Kansas will maintain its' commitment to a sound infrastructure by having a third program shortly after the completion of the CTP. The increased bonding envisioned in **HB 2728** would be a serious impediment to the State's ability to enact a third transportation plan. KCE would prefer a viable alternative to bonding, but in lieu of another proposal that fully funds the CTP, they support the passage of **HB 2728**. (Attachment 17)

There being no other proponents and no opponents, the Chairman closed the hearing on **HB 2728**. The next meeting will be on February 17, 2004, in Room 519-S at 1:30.