

TO: The Honorable Virgil Peck, Chair  
House Transportation and Public Safety Budget Committee

FROM: William W. Sneed, Legislative Counsel  
Kansas Speedway Corporation

SUBJECT: H.B. 2574

DATE: February 9, 2012

Mr. Chairman and Members of the Committee: I am Bill Sneed and I represent the Kansas Speedway. Kansas Speedway owns and operates the major sports track in the Wyandotte County area. We have been providing world-class entertainment for hundreds of thousands of patrons since our first race in 2001. We appreciate the opportunity to testify in opposition to H.B. 2574.

As you know, H.B. 2574 is similar to a bill (H.B. 2173) that was introduced and worked in this Committee last legislative session. After that bill was sent to the House floor, the Chair requested that we get together with the Kansas Highway Patrol ("KHP") and discuss the situation to determine if a non-legislative solution was possible.

On March 7, 2011, Darren Cook with Kansas Speedway met with Dek Kruger and his boss, Major Mark Goodloe.

KHP controls ingress and egress on I-70, 435, K-7. They do this with 50 total staff. Six are in the Bonner Springs DOT office, the rest are officers on the highways. Total cost per race is \$100,000.00; \$80,000.00 is KHP officers and \$20,000.00 is DOT expenses, including such things as fuel but they did not have a specific breakdown of the expense. It is important to note that KHP does NOT provide any service on our property.

They informed us that the \$100,000.00 is a figure that is much less than it used to be because they have been forced to reduce costs over the last several years. They stated that they are at the bare minimum to do the job. They also are concerned that night races would increase cost because of overtime. At this point they use on-duty officers as much as possible. Those numbers decrease at night, which would result in the additional overtime hours. We understand that the latest fiscal note has the figure around 73,000.00

During the March meeting they did not know if they intended to charge for the events. Their involvement with the bill has been to provide information regarding costs, staffing etc. To date, we have not received a breakdown of their expenses.

We contend that H.B. 2574 is unwarranted for the following reasons:

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1. We contend that it is the State's duty to provide safety for all of its citizens.
2. Treating state activities differently from private activities is patently unfair.
3. Although the bill uses the term "negotiate," we urge you to review lines 12 through 14; regardless of any negotiation, the amount of fees and services are set by the KHP.
4. There is no appeal from the determination made by the KHP, and as such, we would contend that the bill would be held unconstitutional.
5. We would be happy to provide our own traffic control for all the ingress and egress off the highways, substantially reducing the KHP expense.

We have always considered the Kansas Highway Patrol as one of our partners in providing a safe and enjoyable time at the races. We again reiterate that if KHP would provide us a breakdown on the costs, we would be happy to see if we could come to some resolution to this issue.

Thank you, and if you have any questions, please feel free to contact me

Respectfully submitted,

William W Sneed

WWS:kjb