

SESSION OF 2018

**SUPPLEMENTAL NOTE ON HOUSE SUBSTITUTE FOR
SENATE BILL NO. 391**

As Recommended by House Committee on
Transportation

Brief*

House Sub. for SB 391 would establish the Joint Legislative Transportation Vision Task Force (Task Force). Its provisions would expire June 30, 2019.

Membership

The Task Force would include appointees of certain officials and certain persons by virtue of office.

The following officials would appoint the Task Force members listed below:

- Speaker of the House:
 - One member of the House of Representatives (House); and
 - Two Kansas residents;
- Majority Leader of the House:
 - One member of the House; and
 - One Kansas resident;
- Minority Leader of the House:
 - One member of the House; and
 - One Kansas resident;

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- President of the Senate:
 - One member of the Senate; and
 - Two Kansas residents;
- Majority Leader of the Senate:
 - One member of the Senate; and
 - One Kansas resident; and
- Minority Leader of the Senate:
 - One member of the Senate; and
 - One Kansas resident.

In addition, these officials and entities each would appoint one member, as listed:

- Governor: One Kansas resident;
- Kansas Association of Counties (KAC): One Kansas resident who resides in a county with a population of less than 40,000 people; and
- League of Kansas Municipalities (LKM): One Kansas resident.

The Task Force would include these legislative officials:

- The Chairperson and Ranking Minority Member of the House Committee on Transportation;
- The Chairperson of the House Committee on Transportation and Public Safety Budget;
- The Chairperson and Ranking Minority Member of the Senate Committee on Transportation; and
- The Chairperson of the Senate Committee on Ways and Means Subcommittee on Transportation.

The following *ex officio* members would be nonvoting members of the Task Force:

- Secretary of Transportation, or designee;
- Secretary of Revenue, or designee;
- Secretary of Agriculture, or designee; and
- Chief Executive Officer of the Kansas Turnpike Authority, or designee.

The bill would require all appointed members, except for those appointed by the LKM and KAC, to be affiliated with one of the following stakeholder organizations:

- Economic Lifelines;
- The Kansas Contractors Association;
- The Heavy Constructors Association;
- The Kansas Aggregate Producers' Association-Kansas Ready Mix Association;
- The Greater Kansas City Building and Construction Trades Council;
- The American Council of Engineering Companies of Kansas;
- The Kansas Public Transit Association;
- A class I railroad company;
- A short line railroad company;
- The Kansas Motor Carriers Association;
- The Portland Cement Association;

- The Petroleum Marketers and Convenience Store Association of Kansas;
- The Kansas Asphalt Pavement Association;
- The International Association of Sheet Metal, Air, Rail and Transportation Workers;
- A Kansas aerospace company;
- The Kansas Ag Alliance;
- The Kansas Farm Bureau;
- The Kansas Independent Oil and Gas Association;
- A local or regional chamber of commerce; or
- The AFL-CIO.

Members of the Task Force would be appointed no later than 45 days from the effective date of this act (upon publication in the *Kansas Register*). The bill would require all members to be residents of Kansas. The bill would also require at least two members from each of the six Kansas Department of Transportation (KDOT) districts.

Co-chairpersons, Meetings, and Quorum

The Speaker of the House would select a representative and the President of the Senate would select a senator to serve as co-chairpersons of the Task Force.

The bill would authorize the Task Force to meet in an open meeting at any time upon the call of either co-chairperson of the Task Force.

A majority of the voting members of the Task Force would constitute a quorum. Any action by the Task Force

would be by motion adopted by a majority of voting members present when there is a quorum.

Filing of Vacancies

Any vacancy on the Task Force would be filled by appointment in the manner prescribed for the original appointment.

Any member appointed to the Task Force or a subcommittee who is a member of the House or Senate may designate another member of the respective chamber to attend any or all meetings of the Task Force or a subcommittee as the member's designee.

Subcommittees

The bill would authorize the co-chairpersons to appoint chairpersons and members of subcommittees listed in the bill (and described below) and any additional subcommittees as the co-chairpersons deem necessary. Subcommittees would be subject to the following:

- Each could contain as many as 11 members;
- A majority of the members of each subcommittee must be members of the Task Force;
- Remaining members would be appointed by the Task Force co-chairpersons and need not be affiliated with the organizations listed above; and
- Subcommittees would meet on dates and locations approved by the Task Force co-chairpersons.

The bill would establish the following subcommittees and describe the purpose of each, as follows:

- Funding, to discuss the financing of a transportation plan; the Task Force co-chairpersons would appoint members of this subcommittee in addition to the following:
 - Chairperson of the House Committee on Taxation or the chairperson's designee;
 - Chairperson of the Senate Committee on Assessment and Taxation or the chairperson's designee;
 - Chairperson of the House Committee on Appropriations or the chairperson's designee; and
 - Chairperson of the Senate Committee on Ways and Means or the chairperson's designee;
- Local Consult, to solicit input on projects. The bill would require this subcommittee to meet at least eight times, once in each KDOT district and in the Wichita and Kansas City metropolitan areas;
- Project Development Delivery and Innovation, to discuss engineering best practices, project delivery methods, and innovative project delivery methods;
- Transportation Alternatives, to discuss transit and pedestrian connective issues;
- Economic Development and Freight, to discuss commerce trends and freight flows throughout Kansas; and
- Aerospace, to discuss and explore commercial and transportation interfaces of the aeronautical industry, economic development, and alternative structures for representation of the aeronautical industries' interests in state government. The bill would require this subcommittee include the following members:

- The Chairperson of the House Committee on Transportation and Public Safety Budget, who would serve as subcommittee co-chairperson;
- One appointed by the Task Force co-chairpersons who would serve as subcommittee co-chairperson; and
- Additional appointees of the Task Force co-chairpersons: one member of the House; two members of the Senate; and three members from the aircraft industry, airports, unmanned aerial systems industry, or academia.

Duties of the Task Force

The bill would state the Task Force has the following mission:

- Evaluate the progress of the 2010 Transportation Works for Kansas program to date;
- Evaluate the current system condition of the state transportation system, including roads and bridges;
- Evaluate current uses of State Highway Fund dollars, including fund transfers for other purposes outside of infrastructure improvements;
- Evaluate current transportation funding in Kansas to determine whether it is sufficient to not only maintain the transportation system in its current state, but also to ensure that it serves the future transportation needs of Kansas residents;
- Identify additional necessary transportation projects, especially projects with a direct effect on the economic health of Kansas and its residents;

- Make recommendations regarding the needs of the transportation system over the next ten years and beyond; and
- Make recommendations on the future structure of the State Highway Fund as it relates to maintaining the state infrastructure system.

Reports to the Legislature

The bill would require the Task Force to make and submit reports to the Legislature by January 31, 2019, concerning all such work and recommendations of the Task Force.

Support Services and Compensation

The bill would require staff of the Office of Revisor of Statutes, Kansas Legislative Research Department, and Division of Legislative Administrative Services to provide assistance as may be requested by the Task Force.

KDOT would be required, upon request by the Task Force, to provide data and information relating to the transportation system in Kansas that is not otherwise prohibited or restricted from disclosure by state or federal law.

Subject to approval by the Legislative Coordinating Council, Task Force members who are legislators would be paid as specified in KSA 75-3223(e).

Effective Date

The bill would be in effect upon publication in the *Kansas Register*.

Background

The contents of SB 391, as introduced, would increase the weight limit for certain emergency vehicles subject to specified maximum weights on axles. Those contents are included in SB 375, as amended by the House Committee on Transportation and passed by the House. The House Committee replaced the original contents of SB 391 with modified contents of HB 2775.

HB 2775

In the House Committee on Transportation hearing, proponent testimony was provided by Representative Claeys and representatives of the following entities: Ash Grove Cement Company; Economic Lifelines; the International Association of Sheet Metal, Air, Rail, and Transportation Workers; Kansas AFL-CIO; Kansas Aggregate Producers' Association and Kansas Ready Mixed Concrete Association; Kansas Asphalt Pavement Association; KAC; Kansas Area Transportation Authority; Kansas Contractors Association; and Union Pacific Railroad. Written-only proponent testimony was provided by representatives of the American Council of Engineering Companies; the City of Garden City; Finney County Economic Development Corporation; Garden City Area Chamber of Commerce; Greater Kansas City Chamber of Commerce; Kansas Department of Transportation; Kansas Good Roads, Inc.; Kansas Motor Carriers Association; Kansas Public Transit Association; Overland Park Chamber of Commerce; and Travel Industry Association of Kansas.

Neutral testimony was provided by a representative of the League of Kansas Municipalities. No opponent testimony was provided.

The House Committee amended the bill to authorize the co-chairpersons of the Task Force to establish additional subcommittees as they deem necessary, add the AFL-CIO to the list of organizations with which certain appointees must

be affiliated, require the appointees to include two members from each KDOT district rather than each congressional district and remove references to representation by congressional district in appointment provisions, and make technical corrections. The House Committee also adopted an amendment to require an appointee of the Minority Leader of the Senate to be a resident of the second congressional district, if necessary to satisfy a requirement in the bill as introduced to require representation from each Kansas congressional district; however, this amendment was nullified by subsequent adoption of the amendment to require representation from each KDOT district rather than congressional district. The House Committee then placed the amended contents into a substitute bill.

According to the fiscal note prepared by the Division of the Budget on HB 2775, as introduced, the Division of Legislative Administrative Services estimates the bill would require additional expenditures totaling \$46,935 from the State General Fund for the Legislature's budget for FY 2019: \$40,088 for legislator pay and travel costs, \$6,707 for pay and travel costs of one committee assistant, and \$140 for publications in the *Kansas Register*. The estimate assumes the Task Force will meet four times and each subcommittee will meet at least twice. Any fiscal effect associated with HB 2775 is not reflected in *The FY 2019 Governor's Budget Report*.