

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 8:30 a.m. on March 16, 2010, in Room 152-S of the Capitol.

All members were present except:

Senator Anthony Hensley- excused

Committee staff present:

Bruce Kinzie, Office of the Revisor of Statutes

Daniel Yoza, Office of the Revisor of Statutes

Jill Shelley, Kansas Legislative Research Department

Cindy Shepard, Committee Assistant

Conferees appearing before the Committee:

Bill Feuerborn, Representative, State of Kansas

Pat Apple, Senator, State of Kansas

Dennis McKinney, Treasurer, State of Kansas

Tom Swensen, PE, PTOE, American Council of Engineering Companies of Kansas (ACEC)

Others attending:

See attached list.

The Chairman opened the hearing on **HB 2678 - Designating a part of U.S. highway 59 as the Vern Chesbro memorial highway.**

Bill Feuerborn, Representative, State of Kansas, testified in support of **HB 2678**. He spoke of Mr. Chesbro's career in politics and that he was a very respected member of his community, working tirelessly to promote his community and to pursue jobs and industry there. Representative Feuerborn stated he would be responsible for raising the money for the signs along the highway (Attachment 1).

Pat Apple, Senator, State of Kansas, appeared as a proponent of **HB 2678**. He stated that earlier this year he began the process of drafting a resolution honoring the life of Vern Chesbro, but due to the untimely passing of Mr. Chesbro, the resolution was not submitted to the full Senate. Senator Apple provided the draft resolution for review and when the family is comfortable, he will proceed with the resolution. He concluded his testimony noting that Mr. Chesbro was involved in public service and the political process most of his life, starting as a page in the Kansas Senate. The story of his paging experience is included with Senator Apple's testimony (Attachment 2).

There being no further conferees, the hearing on **HB 2678** was closed.

Seeing no opposition, the Chairman indicated he would like to work the bill today. Senator Apple moved, Senator Donovan seconded, to recommend **HB 2678** favorably for passage. Motion carried.

Chairman Umbarger called for final action on **HB 2486 - Extending school bus exception to 25 years.** Bruce Kinzie, staff revisor, reviewed a balloon amendment requested by Senator Apple (Attachment 3).

Senator Apple moved to untable **SB 538 - Extending school bus exemption to 25 years,** and change the exemption year on the proposed balloon amendment to 2013. After discussion, Senator Apple withdrew his motion.

Senator Kultala moved, Senator Marshall seconded, to adopt Senator Apple's balloon amendment as originally drafted. Motion carried.

Chairman Umbarger indicated intent to amend **HB 2486** by inserting contents of **HB 2561 - Allowing transit buses to be operated on right shoulder of certain highways** into the bill.

Senator Huntington moved, Senator Kultala seconded, to further amend **HB 2486** by inserting contents of **HB 2561** into the bill.

Discussion followed relating to the operation of busses on highway shoulders. The Chairman called on

CONTINUATION SHEET

Minutes of the Senate Transportation Committee at 8:30 a.m. on March 16, 2010, in Room 152-S of the Capitol.

Kansas Department of Transportation (KDOT) to answer questions.

Lisa Koch, Public Safety Manager, KDOT, presented additional information which was requested from Johnson County Transit, at the March 9, 2010 hearing on **HB 2561**, relating to Bus On Shoulders operations. (Attachment 4).

After discussion, Senator Apple requested additional information from Johnson County Transit and KDOT regarding the merging of the buses back into traffic before proceeding with any further action on **HB 2561**.

Senator Huntington withdrew her motion to further amend **HB 2486** with the contents of **HB 2561**, Senator Kultala seconded.

Senator Kultala moved, Senator Huntington seconded, to recommend **HB 2486** as amended, favorably for passage. Motion carried.

The Chairman opened the continued hearings on **SB 498 - Transportation works for Kansas program, financing** and **SB 515 - Transportation works for Kansas, financing, sales tax on motor-vehicle fuels**.

Dennis McKinney, Treasurer, State of Kansas, testified in support of **SB 498**. He stated that our commitment to our transportation infrastructure is a key investment that will help us to grow our economy while keeping us poised to take full advantage of opportunities as the national economy rebounds. He encouraged consideration of the following ideas in a new transportation plan for our state:

1. Include measures to ensure state wide distribution of projects to address needs in all regions
2. Projects sized in small enough bids allowing maximum participation by Kansas contractors
3. Select contractors based on lowest and best bid
4. Require a list of projects be submitted annually to the legislature for review
5. Require approval by the State Finance Council prior to letting if revolving bonding authority is used and require bond issues be handled by Kansas Development Finance Authority
6. Include T-LINK proposal of reserving a small percentage of the 18% debt service cap allowing issuance of bonds, to build fast emerging projects with significant economic impact
7. Accompany a new comprehensive transportation plan, by the stabilization fund concept found in **SCR 1627**, to insure the Highway Fund is not raided in tough times

He added a concern in regard to extending the limitation on bond maturity from 20 years to 25 years, which ties up the money for longer periods of time and restricts options for future legislators. In conclusion, he stated that we have created a first class transportation system in Kansas and while our decisions this year are difficult, Kansans 20 years from now will hold a dim view of us if we allow our transportation assets to deteriorate due to poor stewardship (Attachment 5).

Tom Swensen, PE, PTOE, on behalf of American Council of Engineering Companies of Kansas (ACEC), presented testimony in support of **SB 498** and **SB 515** as they relate to financing transportation in Kansas. He noted that ACEC of Kansas includes 75 member firms representing more than 5,000 employees. According to Mr. Swensen, area engineering firms have reduced staff sizes by at least 25 percent in the last 18 months. The outlook for businesses that deal in transportation is not promising at this point in time, and there are other unfortunate consequences to the current situation. The jobs being lost, pay well and are held by well-educated and well-trained individuals. These people are moving to where they can be employed and are unlikely to return to Kansas (Attachment 6).

The Chairman announced the hearing on **SB 498** and **SB 515** would continue this afternoon, on adjournment, in Room 548-S of the Capitol.

The meeting was adjourned at 9:33 a.m. The next meeting is scheduled for March 17, 2010.