

MINUTES OF THE House COMMITTEE ON TransportationThe meeting was called to order by Rep. Rex Crowell at _____
Chairperson1:30 ~~am~~/p.m. on February 8, 1983 in room 519-S of the Capitol.All members were present ~~except~~

Committee staff present:

Fred Carman, Revisor of Statutes
Hank Avila, Legislative Research
Pam Somerville, Committee Secretary

Conferees appearing before the committee:

Rep. George Teagarden
Jim Whisler, Linn County Attorney
Robert Haupt, Linn County Commissioner
Kim C. Dewey, Sedgwick County
Merle Hill, Kansas Good Roads Association
Fred Allen, Kansas Association of Counties
Ed DeSoignie, Kansas Department of TransportationOthers Present: See Attachment 1.

The meeting was called to order by the Chairman. The Minutes of January 25, 1983 were approved as written. The Chairman introduced visiting members of the Young Stockman's Leadership Conference.

The first order of business was a hearing on HB 2125. Rep. Teagarden, sponsor of the bill, briefed the committee on its intent. The bill is designed to permit a one mill increase in the levy which goes to the special road and bridge fund. Two of the funds which fund bridges at the county level are the special bridge fund and the special road and bridge fund. A question exists regarding whether monies can be transferred from one fund to the other. Monies from the special bridge fund cannot be used for structures less than 20 feet in size. Consequently, some counties do not have funds available to repair and construct smaller bridges.

Following Rep. Teagarden's testimony the Chairman opened the meeting to committee discussion. The greatest concern of the committee was how the bill related to the aggregate levy limit and the tax lid. The Chairman requested Mr. Carman to research the matter.

Mr. Jim Whisler, Linn County Attorney, addressed the committee in support of HB 2125. Mr. Whisler stated that the proposed measure would allow Linn County an additional mill for roads or bridges and that it was the intent of Linn County to reduce the special bridge fund by one mill. The meeting was opened to questions. Again the question was raised by Rep. Campbell as to the aggregate limit. Rep. Campbell pointed out in line 31, "...The tax levies shall be in addition to all other tax levies authorized by law and shall be in addition to the aggregate limit prescribed by K.S.A. 79-1947, and amendments thereto". Mr. Carman indicated he would like to do some research on the matter.

Mr. Robert Haupt gave testimony in support of the measure and reiterated previous testimony. He also gave a history of the use of the special bridge fund in Linn County.

The Chairman queried whether Linn County would like a measure that would allow transfer of monies rather than an increase in tax levies. Mr. Haupt explained to the committee that while a request for an additional mill levy for the special road and bridge fund was desired, it was the intent of Linn County to decrease the special bridge fund by that same mill levy.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,
room 519-S, Statehouse, at 1:30 ~~a.m.~~/p.m. on February 8, 1983.

Testimony in favor of the bill was presented by Mr. Kim Dewey, Intergovernmental Coordinator, Sedgwick County. (See Attachment 2). Mr. Dewey expressed support of the measure as drafted but requested that it be amended as follows: a. on line 37 to include "K.S.A. 79-5001 et. seq." as an additional provision which the special bridge fund would not be subject to, and b. to change K.S.A. 68-1106 to extend the exemption to all counties in Kansas (Sedgwick County currently has a special exemption) and increase the exempt amount to \$3,000,000 per year.

Mr. Merle Hill, Kansas Good Roads Association, presented testimony in support of HB 2125 including the amendments proposed by Sedgwick County. (Attachment 3).

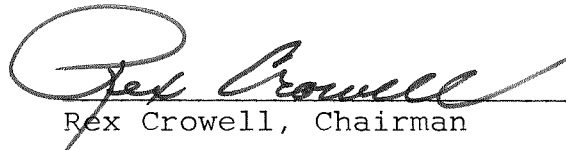
Mr. Fred Allen, Kansas Association of Counties gave testimony supporting HB 2125 with the amendments proposed by Mr. Dewey. The Chairman asked whether Mr. Allen supported the measure without the amendments. Mr. Allen stated the measure would not be as effective.

No opponents appeared before the committee.

Mr. Ed DeSoignie, Kansas Department of Transportation, gave brief testimony on the measure indicating their only concern was how the matter was related to the length limitations on bridges.

A Department of Revenue Memo (Attachment 4) regarding administrative cost estimates relative to the implementation of HB 2069 was distributed to the Committee.

The meeting was adjourned at 2:15 p.m.


Rex Crowell, Chairman

GUEST LIST

COMMITTEE: Transportation

DATE: 2-8-83

PLEASE PRINT

NAME	ADDRESS	COMPANY/ORGANIZATION
Robert Daupt	Lalyppe	Linn Co.
Richard A. Long	Mound City	Linn Co.
James L. Wister	Pleasanton Ks	Linn Co.
George Teagarden		
Mark R. Anson	Overland Park	Johnson County BOCC
Mrs Clifton D. Honk	Osbaloosa	Jeff Co. F.B.
Clifford Honk	Osbaloosa	Jeff Co. Comm.
May W. Kingler	Topeka	Kansas Motor Carriers Assn.
Fred Allen	Topeka	Ks. Assoc. of Counties
Paul Strowe	Palco, Ks	KLA
John R. Duen	Dep. Park	K.S.A.
Tim Meyer	Sylvan Grove, Ks.	"
Stephen Mangon	Tribune, Ks	KLA
CHARLES GRIFFITH	Scott City, Ks	KLA
Galen Ackerman	Sawtooth Ks	KLA
Scott Sparks	Kingman Ks	KLA
Tracy Brunell	Ramora Ks	KLA
Pat Branch	Overland Park Ks	yellow 701
Tom Whitaker	Topeka	Ks Motor Carriers Assn
Ed De Soronie	Topeka	KDOT
Steve Matzgang	S.O.B	Dept. Rev.

House Transportation Committee
Testimony of Kim C. Dewey, Sedgwick County
February 8, 1983
HB 2125

The Board of Sedgwick County Commissioners support HB 2125 as requested by the Linn County Commission and introduced by Representative Teagarden. The problems which the counties in Kansas face regarding repair and replacement of bridges are very severe as this Committee is well aware of. This measure, in its present form would provide a few counties in Kansas with additional means to address these problems. We feel, however, that the Legislature must do much more to aid the rest of the counties in addressing this most urgent problem.

Accordingly, we would like to suggest amendments to HB 2125 which would transform it into a comprehensive piece of legislation which would give the counties in Kansas additional means to finance the needed repairs and improvements to our bridge infrastructure.

First, we would suggest amending line 37 to include K.S.A. 79-5001 et. seq. as an additional provision which the special bridge fund would not be subject to. This would set up the bridge fund outside of tax lid restrictions, which would be necessary for the majority of counties wishing to use this provision. Some counties still have some room left under their tax lid and could use the special bridge fund. Most, however, are at or very near their lid limitations and would be unable to utilize the special bridge fund.

Secondly, we would suggest amending K.S.A. 68-1106 which is commonly used by counties issuing general obligation debt for repair of county bridges where the cost of repairs exceeds \$160,000. Bonds issued under this statute are subject to county debt limitation which is currently set at only 1% of assessed valuation. This greatly limits the amount of debt a county can issue, particularly the smaller counties with smaller assessed valuations. The statute as it currently stands, provides a special exception for Sedgwick County, enabling them to issue up to \$1,000,000 in bonds per year outside of debt limitations. We suggest extending this exemption to all counties in Kansas and increasing the exempt amount to \$3,000,000 per year. Any bonds issued under this statute would be subject to a 5% protest petition.

HOUSE BILL No. 2125

By Representative Teagarden

1-26

0016 AN ACT concerning roads and bridges; authorizing a tax levy
0017 therefor; amending K.S.A. 68-559a and repealing the existing
0018 section.

0019 *Be it enacted by the Legislature of the State of Kansas:*

0020 Section 1. K.S.A. 68-559a is hereby amended to read as fol-
0021 lows: 68-559a. The board of county commissioners of any county
0022 is hereby authorized to make an annual tax levy of not to exceed
0023 ~~one mill~~ 2 mills upon all the taxable tangible property in the
0024 county for the purpose of construction and reconstruction of
0025 county roads and bridges and to pay a portion of the principal and
0026 interest on bonds issued under the authority of K.S.A. 1070 Supp.
0027 12-1774, and amendments thereto, by cities located in the county.
0028 ~~Said~~ The tax levy may be made annually for a period not to exceed
0029 five years. The board of county commissioners shall determine
0030 the amount necessary to be levied each year within the limitation
0031 ~~hereinbefore~~ prescribed by this section. The tax levies ~~herein~~
0032 ~~authorized~~ shall be in addition to all other tax levies authorized
0033 by law and shall be in addition to the aggregate limit prescribed
0034 by K.S.A. 1070 Supp. 79-1947, ~~or acts amendatory thereof or~~
0035 ~~supplemental and amendments~~ thereto. Such special road and
0036 bridge fund shall not be subject to the provisions of K.S.A. and K.S.A. 79-5001 et
0037 79-2925 to 79-2941, both sections inclusive, ~~or acts amendatory~~ seq.
0038 ~~thereof or supplemental and amendments~~ thereto, except that in
0039 making the budgets of such counties the amounts credited to and
0040 the amount on hand in, such special road and bridge fund and the
0041 amount expended therefrom shall be shown thereon for the
0042 information of the taxpayers of such counties.

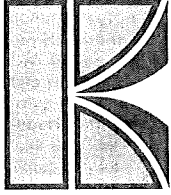
0043 In any county where the board of county commissioners has
0044 previously adopted the provisions of this ~~aet~~ section and at the

Section 1. K.S.A. 68-1106 is hereby amended to read as follows: 68-1106. The board of county commissioners shall adopt a resolution declaring the necessity for construction or repair of a bridge whenever the county's share of the cost of construction or repair exceeds \$160,000. IF there are not sufficient moneys in the appropriate funds of the county to pay the county's share of the cost, the board of county commissioners may authorize the issuance of general obligation bonds of the county therefor. The resolution declaring it necessary to build or repair the bridge shall specify the amount of any general obligation bonds proposed to be issued for the payment of the cost thereof and shall be published once each week for two consecutive weeks in the official county newspaper. If, within 30 days after the second publication of the resolution, a petition signed by not less than 5% of the qualified elector of the county is presented to the board of county commissioners requesting that the question of building or repairing the bridge and the issuance of general obligation bonds of the county in payment of the cost thereof be submitted to and approved by the qualified electors of the county, the board of county commissioners shall direct the county election officer to call and hold an election on the question. The election shall be called and held in the manner provided under the general bond law. If a sufficient petition is not filed within the prescribed time or if a special election is called and held and a majority of the votes cast on the question submitted shall be in favor of the issuance, the board of county commissioners may proceed to make such construction or repairs and shall provide for the payment of the cost thereof out of appropriate funds of the county or if specified in the resolution authorizing the construction or repair, by the issuance of general obligation bonds of the county in the amount specified. The bonds shall be authorized, issued, registered and sold in the manner prescribed by the general bond law and shall bear interest at a rate not to exceed the maximum rate prescribed by K.S.A. 1981 Supp. 10-1009. Nothing in this section shall apply to any bridge work or bond issue authorized under the provisions of K.S.A. 68-1401 to 68-1405, inclusive.

General Obligation bonds issued by any county under the authority of this section shall not be subject to any limitation on the bonded indebtedness of the county provided that the annual principal amount of bonds issued under this section in any fiscal year does not exceed \$3,000,000.

Sec. 2. K.S.A. 68-1106 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.



**KANSAS
GOOD ROADS
ASSOCIATION**

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TOPEKA, KANSAS 66612
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- Dr. W. Merle Hill, President, KGRA
- Ronald Anderson
- Larry Barcus
- Frank Becker
- Fred Berry
- Donald Beuerlein
- Don Clarkson
- W.F. Danenbarger
- Paul DeBauge
- Michael Dreiling
- Paul Fleener
- Tom Fitch
- Noel Hammel
- Virgil Holdredge
- John Koger, Jr.
- Bruce McCallum
- Ralph McGee
- Bill Martin
- John D. Montgomery
- Ernie Mosher
- Betty Muncy
- George Nettels, Jr.
- John Olson
- Gary Padgett
- Richard Peyton
- Don Rathbone
- H.W. Reece
- Hale Ritchie
- Bruce Roberts
- Robert Schmidt
- Pack St. Clair
- James Suplica
- Vince Van Sickle
- Gaye Wilson
- Ray Woods
- Jo Zakas

Remarks to the House Transportation Committee

IN SUPPORT OF

HOUSE BILL NO. 2125

February 8, 1983

Merle Hill, President
Kansas Good Roads Association

Mr. Chairman and Members of the Committee:

I am pleased to have this opportunity to speak in support of House Bill No. 2125. This bill does not ask for state funds but only for the state to grant authority to the local units of government to address their own bridge problems. It would give the local governmental units the tools to deal with a difficult problem.

Recently, the Kansas Good Roads Association asked The Road Information Program in Washington, D.C. to conduct a survey of county bridge needs in Kansas. The Roads Information Program (TRIP) is a non-profit research and information agency supported by highway-related industries and other organizations with an interest in better roads.

Thirty-seven Kansas county engineers responded to the survey questionnaire by completing and returning it to TRIP. Statistical procedures were used to apply these data from thirty-seven counties to the entire state. In addition, other data considered in the study were provided by the Kansas Department of Transportation, the Federal Highway Administration, the U.S. Department of Labor and the National Highway Traffic Safety Administration.

Kansas has 25,461 bridges over 20 feet in length, and 77.9 percent of them are maintained by the counties. Of these 19,837 county bridges, an estimated 11,228 or 56.6 percent are either structurally weak or have obsolete design. These bridges need replacement or reinforcing repairs, road-surface renewal or realignment of approaches.

The counties also maintain some 44,600 bridges under 20 feet in length. A total of 13,915 (31.2) of these bridges are too weak or too narrow and need to be rehabilitated or replaced.

Some 16,669 of the county bridges in Kansas are posted for reduced vehicle weight limits because of structural weaknesses. Unless these bridges are rehabilitated, they will continue to be posted for progressively lower weight limits.

Another 390 county bridges have been closed to traffic. Bridge closings in rural areas often necessitate long, circuitous detours by farmer, school buses and emergency vehicles.

Basing its recommendations on data from the above-mentioned sources, TRIP recommends a 10-year \$1.06 billion bridge renewal program to repair or replace the 25,143 old and worn county bridges. This program would average \$106.5 million a year:

Rehabilitate or replace 11,228 bridges over 20 feet in length	Average cost per bridge of \$80,000	\$898.2 million
Rehabilitate or replace 13,915 bridges under 20 feet in length	Average cost per bridge of \$12,000	\$167.0 million
		<hr/> \$1,065.2 million

The estimates are based on the average cost of bridge improvements in Kansas as reported by the counties surveyed. The cost of improvements for each county could vary somewhat depending on how much work needs to be done, the type of improvements required, location and physical terrain.

The counties responding to the TRIP survey were:

Barber, Barton, Butler, Cherokee, Clay, Cloud, Comanche, Dickinson, Elk, Finney, Gove, Gray, Greenwood, Jackson, Jefferson, Kearny, Leavenworth, Lincoln, Linn, Logan, Marshall, Miami, Mitchell, Morris, Neosho, Norton, Reno, Rice, Riley, Rush, Sedgwick, Sheridan, Stevens, Sumner, Thomas, Trego and Wyandotte.

It is in the best interests of the citizens of Kansas for bridge improvements or replacements to be made. The Kansas Good Roads Association supports House Bill No. 2125 and trusts that the House Transportation Committee will take favorable action on it.

Thank you.



2/8/83
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Kansas
DEPARTMENT OF REVENUE

State Office Building
TOPEKA, KANSAS 66625

February 8, 1983

The Honorable Rex Crowell, Chairperson
Committee on Transportation
House of Representatives
Fourth Floor - Room 431-N
Capitol Building
Topeka, Kansas 66612

Dear Representative Crowell:

Pursuant to the questions of your committee, I have asked departmental staff to review administrative cost estimates relative to the implementation of House Bill 2069, providing for free vehicular registration plates for former prisoners of war.

The original fiscal note was prepared in anticipation of the establishment of a new, distinctive vehicle registration class, i.e. "P.O.W.". When a new class of plates is created by law, it is preferable that the new class be computerized. This satisfies several important concerns, namely:

- (1) Vehicle registration information is computerized to comply with federal and inter-state agreements which enable law enforcement officials to gain access to needed vehicle information.
- (2) A specifically programmed vehicle class for POW plates would eliminate potential confusion for the law enforcement officer who attempts to check a POW plate which is programmed in another registration class.
- (3) A specifically programmed registration class (as opposed to its inclusion in an existing class) satisfies the need for flexibility if future legislatures desire to modify statutes relating to such a class of registrations, as has happened in the past.

It was felt, for the above reasons, that the Legislature would desire that a new "P.O.W." registration class be truly distinctive, in a practical, as well as a visual, sense. Our data processing needs in establishing a new registration class, are as follows:

- I. Data Entry Programs. (14 programmer days, 7 analyst days)

Atch. 4

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For each of the following, experience has shown that it takes two programmer days (per program) to revise, test, install a new program and remove the existing program. Additionally, per program, analyst time would average one day for program review, documentation and dissemination, and notifying users of the change. These programs include:

Corrections	Renewals
New Records w/Hold Codes	New Records & Transfers w/Title
Lost Tags	Revocations & Reinstatements
New Records w/No Title	

II. Direct Inquiry Update Programs. (36 programmer days, 6 analyst days)

These programs enable system users (law enforcement, county treasurers, etc.) to access needed vehicle registration information. These are on-line programs, and are much more complicated than are data entry programs. A new registration class requires 6 programmer days per direct entry program to change edits and information passed between programs. Analyst time would be as described above. In some cases this affects the method by which records are accessed. These programs involve the interaction of communications systems and include:

Special File Inquiry	Master/Special File Update
Transfer File Inquiry	Batch File Inquiry
Law Enforcement Inquiry by Name	Law Enforcement Inquiry by Vehicle Type/Tag Number

III. Batch Processing Programs. (78 programmer days, 28 analyst days)

Nearly all 32 batch programs will require re-programming time due to the size critical nature of these programs to the operation of the system. An average of three programmer days will be required to code, test and implement the new version. Analyst time would be as described above. These programs include:

Edit Transactions	Reformat Transactions
Update Master/Specials File	Issue Title Dates
Title Print	Expiration Code Check
Reorganize/Load Specials File	Reorganize/Load Transfer File
Reorganize/Load ID Number	Reorganize/Load Name File
Reorganize/Load Batch File	Record Selection
Update Batch	Update Transfer
Update Name	Update ID Number File
Create County Renewal Tape	List Lost Tags
List Weight by Vehicle Type	Decal Check
Zip Code Correction	Pre-Renewal Totals
Non-Automobile Pull	Renewal Print
Auto-Renewal/Special File	Pre-Renew Auto/Special File

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IV. D.I.S.C. (3 central processing unit hours)

It is imperative that all programs be thoroughly tested before implementation. An improperly functioning program could create disastrous consequences to the system. The reliability and accuracy of the files and information contained therein must be maintained.

V. Annually Recurring Costs. (2 programmer days/year, 1 analyst day/year)

Annual time will be required for the additional processing, monitoring, maintenance, compile and test time. This minimal expenditure will ensure accuracy of information relating to this new registration class.

Summary

The committee should be aware that our Department's original proposal was designed to assure that a new POW vehicle registration class would be responsibly maintained, and at the same time, be accurate for the registrant's purposes and readily accessible to other system users. Additionally, the estimate was predicated on the concern that a new registration class be flexible enough for modification, if desired, on the part of future legislatures.

I have reviewed these particulars with Department staff and can present another option that, while sufficient, may not necessarily be the most desirable approach.

House Bill 2069
Low-Cost Option

The Department proposes no change to the existing POW license plate design, with the registrant affixing said plate to the rear of the vehicle.

The POW registration class would be computer consolidated with the existing "Disabled Veteran" class. Registrant qualifications and statutory provisions would remain separate and distinct; but for computer programming purposes, the POW registrations would be maintained within DAV computer files. A block of numbers for exclusive assignment to POW registrants would be established. POW and DAV plate numbers would be separate and easily discernible by law-enforcement personnel.

Law enforcement personnel would be provided instructions directing them to access DAV class files when desiring information on POW registrants.

The advantages to this proposal are strictly in terms of time and dollars saved.

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The disadvantages include:

- (1) The Department will need to issue new plates, utilizing the new numbers, to current POW registrants.
- (2) Confusion and some inconvenience may occur to both the registrant and the law enforcement officer should needed registration information be improperly requested, due to the POW registration being in the DAV file system.
- (3) Prohibitive data processing related costs will be incurred if, in the future, amendments are made to statutes authorizing the POW-license plate.

To implement this option, 34 programmer days and 6 analyst days would be required to modify, test and implement 3 batch programs and 4 communication entry programs. Additionally, 15 hours of DISC time for testing and compiling such modifications would be needed.

Annual expenses would be minimal. Five programmer days and two analyst days, plus seven hours of DISC time would be required.

Administrative costs are detailed as follows:

House Bill 2069
Administrative Costs
Low-Cost Option

	<u>One-time Costs</u> <u>FY 84</u>	<u>Annual Costs</u>
I. <u>Salaries and Wages</u>		
Programmer IV 4 days @ \$114	\$ 456.00	\$ -0-
Programmer II 30 days @ \$93	2790.00	-0-
Analyst II 6 days @ \$106	636.00	-0-
Programmer IV 1 day @ \$114	-0-	114.00
Programmer II 2 days @ \$93	-0-	186.00
Analyst II 1 day @ \$106	-0-	106.00

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II. Contractual Services

DISC, Test & Compile 1 hr. @ \$1168	\$1168.00	\$ -0-
DISC, Test & Compile 1/4 hr. @ \$1168	-0-	292.00
143 license plates mfg. @ \$1.60	<u>229.00</u>	<u>-0-</u>
TOTAL	\$5279.00	\$ \$698.00

Other Issues

Relative to Committee questions on the Kansas Highway Patrol's adoption of new license plates, it is important to note the method by which those plates are accounted for.

The K.H.P. plates are recorded and the records are maintained in the computer file system that holds all state vehicle plates. Thus, the adoption of new plates did not require re-programming of the existing system. A minimal administrative expense was incurred for the data entry of numbers and their assigned vehicles.

The Department has billed the KHP for the cost of manufacturing these new plates.

<u>Cost-Plate</u>	
Labor	\$.8562
Materials	<u>.7400</u>
TOTAL	\$1.5962 x 723 tags (ordered FY 83) = \$1154.05

As to the source of funds and spending authority relative to the KHP plate purchase, I can only advise you that the Department does not maintain such information on purchases made by other departments, nor does the Department monitor the authority under which such purchases are made.

If you or your committee members have any other questions or require additional information regarding vehicle registration plates, and the related administrative issues, please do not hesitate to call upon me.

Very truly yours,

Steven C. Montgomery
Attorney

SCM:sa

cc: Michael Lennen
Robert Bugg