

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

The meeting was called to order by SENATOR ROBERT V. TALKINGTON at
Chairperson

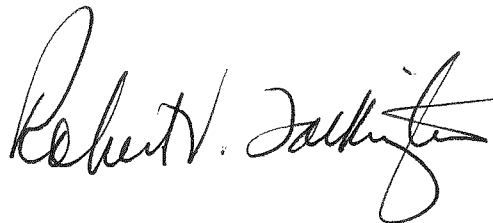
9:00 a.m. a.m./p.m. on Tuesday, March 22, 1983 in room 254-E of the Capitol.

All members were present except:

All present.

Committee staff present:

Fred Carman
Hank Avila
Rosalie Black



Conferees appearing before the committee:

HB 2317 - Representative Max Moomaw
Representative David Heinemann
John Kemp, Secretary of Transportation
Dick Fankhauser, Garden City Chamber of Commerce

HB 2346 - Representative Vic Miller

The meeting was called to order by Senator Talkington, Chairman, who introduced Representative Vic Miller to discuss House Bill 2346.

HOUSE BILL 2346 - HEARING

Representative Miller explained that when the Division of Vehicles believes that an applicant for renewal of a driver's license is incompetent or not qualified to operate a motor vehicle, the Division may require submission to additional examinations necessary to determine that the applicant is qualified to receive the license. Otherwise, he added, that it should not be necessary for an applicant with a good driving record to keep repeating the examination. This would apply to an individual with a mental or physical disability.

HOUSE BILL 2317 - HEARING

Representative David Heinemann noted that House Bill 2317 would allow the board of county commissioners which imposes a countywide retailers' sales tax to issue bonds payable from the proceeds paying the state's share of construction of highways for which a federal share is to be received.

Dick Fankhauser introduced the delegation from Garden City and Holcomb who support the bill. Using a video presentation showing economic growth in the Garden City area and concentrated employee vehicular traffic and commercial truck traffic on a seven-mile portion of U.S. 50 Highway, he said the concentration has

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES,
room 254-E, Statehouse, at 9:00 a.m. a.m./p.m. on March 22, 1983.

HOUSE BILL 2317 (continued)

contributed to approximately 125 vehicle accidents in 1982. Alternate county routes contributed to an additional 35 accidents including one fatality. (See Attachment 1.)

Representative Moomaw stated that the proposed legislation would allow the citizens of Finney County to generate the necessary funding that the State has been unable to provide. He indicated that deletion of the payback provision does not deter support for the bill.

Secretary Kemp pointed out that H.B 2317 is not necessary because the Governor has presented a highway funding proposal that provides funding adequate to use federal funds. He also said his office has had a number of inquiries from local units of government concerning DOT's receptiveness to their proposals to provide the state match for federal funds for projects. The Secretary said he would be receptive to such proposals only in order to prevent a lapse of the federal funds since it is the State's responsibility to provide the State match. (See Attachment 2.)

The meeting adjourned at 10:02 a.m.

Please PRINT Name, Address, the organization you represent, and the Number of the Bill in which you are interested. Thank you.

NAME	ADDRESS	ORGANIZATION	BILL NO.
Ed De Soudie	TOPEKA	KDOT	2317
LARRY MORLAN	TOPEKA	KDOT	2317
JOHN KEMP	TOPEKA	KDOT	2317
DONALD M. LAIRD	GARDEN CITY	GARDEN CITY CHAMBER OF COMMERCE	2317
Judy Ackley	"	"	"
Bob Law	"	"	"
Steve Montgomery	SOE	Dept. Post	2346
Bill Green	STATE OFF. BLDG.	SEC.	
Arden Dindorf		KMCA	
Doug Gersht	Holcomb	City of Holcomb	2317
Loyd Milligan	Holcomb	Supt. of Schools	2317
Martin Gueschka	Garden City	Gen. County Comm.	2317
Ivan J. Myers	Holcomb		
Jim Edwards	Topoka	KACI	-
Chas. R. Jennings	Dakota City	MCIBP	2317



Garden City Area

CHAMBER OF COMMERCE

201 E. LAUREL, GARDEN CITY, KANSAS 67846, PH. 316 276-3264

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I AM DICK FANKHAUSER.

I WOULD LIKE TO INTRODUCE THE MEMBERS OF THE GARDEN CITY DELEGATION IN ATTENDANCE THIS MORNING - MR. MARTIN HUSCHKA, CHAIRMAN OF FINNEY COUNTY COMMISSION; MR. DUANE WEST, VICE MAYOR, CITY OF GARDEN CITY; MR. IVAN MYERS, MAYOR, HOLCOMB; MRS. JUDY ACKLEY, PRESIDENT OF GARDEN CITY AREA CHAMBER OF COMMERCE; MR. LOYD MILLIGAN, SUPERINTENDENT, HOLCOMB SCHOOL; MR. BOB LAW, CHAIRMAN OF GARDEN CITY AREA CHAMBER OF COMMERCE TRANSPORTATION COMMITTEE; MR. CHARLES JENNINGS, VICE PRESIDENT, PUBLIC RELATIONS, IOWA BEEF PROCESSORS; DAVE GEIST, CITY ADMINISTRATOR, CITY OF HOLCOMB; AND DON LAIRD, EXECUTIVE VICE PRESIDENT, GARDEN CITY AREA CHAMBER OF COMMERCE.

WE WANT TO EXPRESS OUR SINCERE APPRECIATION TO THIS COMMITTEE FOR THE OPPORTUNITY TO COME BEFORE YOU TO EXPRESS OUR HOPES AND CONCERNS FOR THE COMPLETION OF THE U.S. 50 - U.S. 83 HIGHWAY BYPASS AROUND GARDEN CITY, AND TO LEND OUR UNQUALIFIED SUPPORT OF HOUSE BILL 2317, WHICH WAS INTRODUCED BY REPRESENTATIVE HEINEMANN, AND PASSED BY THE HOUSE OF REPRESENTATIVES.

WE ARE FULLY AWARE THAT JUSTIFICATION OF THE BYPASS PROJECT IS NOT AN ISSUE BEFORE THIS COMMITTEE. HOWEVER, SINCE OUR NEED FOR COMPLETION OF THE PROJECT IS THE BASIS FOR OUR SUPPORT OF MR. HEINEMANN'S LEGISLATIVE PROPOSAL, WE FEEL SOME DEFINITIVE JUSTIFICATION FOR THE PROJECT MUST BE EMBODIED IN OUR COMMENTS TO YOU THIS MORNING.

FOR THOSE MEMBERS OF THE COMMITTEE WHO ARE NOT FAMILIAR WITH THE GARDEN CITY HIGHWAY BYPASS PROJECT, I WOULD LIKE TO SPEND JUST A MOMENT OR TWO ON A BRIEF SYNOPSIS OF THE HISTORY AND PURPOSE OF THE PLAN. INITIAL PLANS FOR THIS PROJECT BEGAN IN THE EARLY 1960'S, AND CALLED FOR ROUTING FROM U.S. 83 SOUTH OF GARDEN CITY, AROUND THE EAST AND NORTH PERIMETER, INTERSECTING U.S. 50 ON THE EAST, U.S. 156 ON THE NORTHEAST, AND THEN PROCEEDING WEST, INTERSECTING U.S. 83 ON THE NORTH AND ULTIMATELY REJOINING U.S. 50 NORTH AND WEST OF HOLCOMB, SOME SIX TO SEVEN MILES WEST OF GARDEN CITY. AS OF THIS DATE, ONLY THE PORTION FROM U.S. 83

SOUTH OF GARDEN CITY TO THE U.S. 156 INTERSECTING POINT IS IN PLACE. OUR NEED FOR COMPLETION OF THIS HIGHWAY PROJECT IS OVERWHELMING IF NOT DESPERATE. AS WE INTEND TO SHOW THROUGH THE USE OF A VIDEO PRESENTATION, THIS NEED HAS BEEN MAGNIFIED IN RECENT YEARS NOT ONLY BY THE POSITIVE ECONOMIC GROWTH OF THE GARDEN CITY AREA, BUT MORE SPECIFICALLY BY THE LOCATION BY IOWA BEEF PROCESSORS OF ONE OF THE WORLD'S LARGEST BEEF PROCESSING PLANTS ON A SITE JUST WEST AND NORTH OF HOLCOMB. THE EXTREME CONCENTRATION OF EMPLOYEE VEHICULAR TRAFFIC AND COMMERCIAL TRUCK TRAFFIC ON A SEVEN MILE PORTION OF U.S. 50 HIGHWAY BETWEEN THE IBP PLANT AND THE CITY LIMITS OF GARDEN CITY HAS CONTRIBUTED TO APPROXIMATELY 125 VEHICLE ACCIDENTS IN 1982 ALONE. ALTERNATE COUNTY MAINTAINED ROUTES CONTRIBUTED AN ADDITIONAL 35 ACCIDENTS, INCLUDING ONE FATALITY.

DESPITE NUMEROUS APPEARANCES BY INDIVIDUALS AND DELEGATIONS SUCH AS THIS BEFORE LEGISLATIVE COMMITTEES, KDOT OFFICIALS AND GOVERNOR CARLIN, OUR EFFORTS HAVE BEEN REWARDED BY ONLY SYMPATHETIC RHETORIC ON LACK OF FUNDING AND CHANGING PROJECT PRIORITIES. WE DO NOT FEEL THAT A QUALIFIED BEGINNING OR COMPLETION DATE IS ANY MORE A REALITY TODAY THAN IT WAS THREE YEARS AGO WHEN WE WERE PROMISED IN A NEWS RELEASE BY GOVERNOR CARLIN THAT CONSTRUCTION OF THE PROJECT HAD BEEN APPROVED BY KDOT, AND THAT COMPLETION WAS SCHEDULED FOR 1984. OBVIOUSLY, WITH RIGHT OF WAY ACQUISITION STILL IN PROGRESS, THERE IS NO HOPE FOR THIS COMPLETION DATE TO BECOME A REALITY. UNFORTUNATELY, GARDEN CITY AND FINNEY COUNTY CANNOT POSTPONE OR DEFER THE OVERWHELMING NEED FOR THIS HIGHWAY PROJECT.

THE CRUX OF OUR FRUSTRATION IS FUNDING, OR MORE SPECIFICALLY THE LACK OF STATE FUNDING THAT WOULD, WHEN MATCHED WITH FEDERAL FUNDING ALREADY AVAILABLE, PROVIDE FOR THE CONSTRUCTION OF THIS HIGHWAY PROJECT. HOUSE BILL 2317, IF PASSED INTO LAW, WOULD ALLOW THE CITIZENS OF FINNEY COUNTY TO GENERATE THE NECESSARY FUNDING THAT THE STATE HAS BEEN UNABLE OR UNWILLING TO PROVIDE, AND WITH THE COOPERATION OF THE KANSAS DEPARTMENT OF TRANSPORTATION, PROCEED TO THE COMPLETION OF THIS PROJECT WHICH WE SO DESPERATELY NEED. ALTHOUGH WE FEEL THAT THE PAYBACK PROVISION WHICH WAS A PART OF THE ORIGINAL PROPOSAL INTRODUCED BY REPRESENTATIVE HEINEMANN WAS AN IMPORTANT PART OF THE OVERALL PLAN THIS LEGISLATION ADDRESSES, ITS DELETION BY THE HOUSE DOES NOT DETER OUR SUPPORT FOR THE

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BILL IN ITS PRESENT FORM. WE URGE THIS COMMITTEE TO LEND A POSITIVE RECOMMENDATION TO HOUSE BILL 2317, SO THAT THE CITIZENS OF FINNEY COUNTY MIGHT HAVE THE ABILITY TO HELP THEMSELVES AND, AS THE SAYING GOES, "PUT THEIR MONEY WHERE THEIR MOUTH IS."

MR. CHAIRMAN, WITH YOUR PERMISSION WE WOULD LIKE AT THIS TIME TO SHOW THE VIDEO PORTION OF OUR PRESENTATION, AND FOLLOWING THAT, WE WOULD ASK THAT YOU RECEIVE ADDITIONAL REMARKS FROM OTHER MEMBERS OF OUR DELEGATION.



POLICE DEPARTMENT CITY OF GARDEN CITY

P. O. Box 499
304 North 9th
Garden City, Kansas 67846

JERALD R. VAUGHN
CHIEF OF POLICE
316 275-3200

February 24, 1983

Mr. Dick Fankhauser
1407 Mels Drive
Garden City, KS 67846

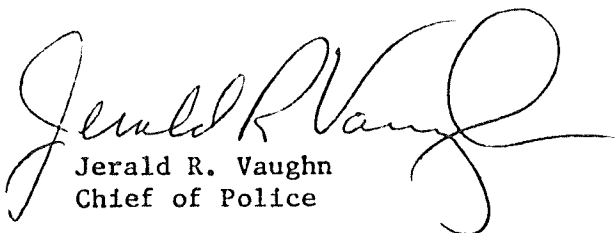
The following information reflects the motor vehicle traffic accident problem experienced in the City of Garden City for 1982.

Overall, traffic accidents increased by 11% over 1981, with a total of 1,030 accidents. We experienced one fatal accident, 158 personal injury accidents, 863 property damage accidents and eight pedestrian accidents.

More specifically, the following streets which are related directly to Highway 50 traffic experienced the following accident rates:

Kansas Avenue	-	192
Fulton Street	-	108
Mary Street	-	43
Buffalo Jones	-	37

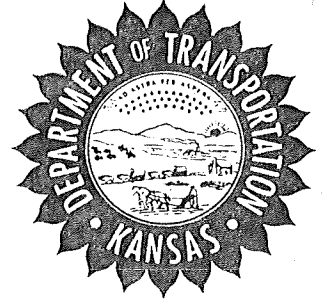
Due to the heavy volume of truck traffic on Kansas Avenue, the Police Department had to place a School Crossing Guard at 8th and Kansas as an added measure of safety. We have experienced significant problems with violations of traffic control devices by truck traffic at the intersections of Fleming and Kansas, Main and Kansas, 8th and Kansas and the 5-Points intersection. These violations have posed serious danger to vehicular and pedestrian traffic in the area.


Jerald R. Vaughn
Chief of Police

JRV:sh

KANSAS DEPARTMENT OF TRANSPORTATION

STATE OFFICE BUILDING—TOPEKA, KANSAS 66612



JOHN B. KEMP, Secretary of Transportation

JOHN CARLIN, Governor

MEMORANDUM TO: SENATE TRANSPORTATION AND UTILITIES COMMITTEE

FROM: MR. JOHN B. KEMP, P.E. *John B Kemp*
SECRETARY OF TRANSPORTATION

DATE: MARCH 22, 1983

REGARDING: HOUSE BILL NO. 2317 - AN ACT CONCERNING HIGHWAYS; PROVIDING FOR A COUNTYWIDE RETAILERS' HIGHWAY SALES TAX OR A LEVY OF TAXES TO PAY BONDS FOR (THE) STATE SHARE OF HIGHWAY CONSTRUCTION PROJECTS

H.B. 2317 IS NOT NECESSARY BECAUSE THE GOVERNOR HAS PRESENTED A HIGHWAY FUNDING PROPOSAL THAT PROVIDES FUNDING ADEQUATE TO USE OUR FEDERAL FUNDS. THUS, THERE IS NO ADVANTAGE TO THE BILL IF THE LEGISLATURE PROVIDES ADEQUATE FUNDING FOR HIGHWAYS. HOWEVER, THERE ARE TWO ISSUES THAT I WOULD LIKE TO ADDRESS.

REQUESTS BY LOCAL GOVERNMENT TO PROVIDE STATE MATCH FOR FEDERAL FUNDS

WITHIN THE PAST YEAR OR TWO, I HAVE HAD A NUMBER OF INQUIRIES FROM LOCAL UNITS OF GOVERNMENT AS TO OUR RECEPTIVENESS TO THEIR PROPOSALS TO PROVIDE THE STATE MATCH FOR FEDERAL FUNDS FOR PROJECTS ON THE STATE SYSTEM OF IMPORTANCE TO THEM.

I HAVE REPEATEDLY ADVISED THAT THE STATE SYSTEM IS, AND SHOULD CONTINUE TO BE, A STATE RESPONSIBILITY AND THAT THE STATE SHOULD PROVIDE THE STATE MATCH. I HAVE ALSO ADVISED THAT SHOULD WE FIND AT SOME FUTURE DATE THAT WE ARE UNABLE TO MATCH FEDERAL FUNDS, I WOULD BE RECEPTIVE TO SUCH PROPOSALS ONLY IN ORDER TO PREVENT A LAPSE OF THE FEDERAL FUNDS. TO ALLOW LOCAL UNITS TO PUT UP THE STATE MATCH FOR FEDERAL FUNDS IN EFFECT ALLOWS THEM TO PROGRAM OUR FEDERAL FUNDS. THE STATE SYSTEM PROJECTS THE LOCAL UNITS WANT MAY OR MAY NOT BE OUR TOP STATE PRIORITY.

INTERSTATE GAP CLOSING FUNDS ARE AVAILABLE FOR A 2-YEAR PERIOD. OTHER CLASSES OF FUNDS ARE AVAILABLE FOR A 4-YEAR PERIOD BEFORE LAPSING. SHOULD THE LOSS OF FEDERAL FUNDS DUE TO LAPSING APPEAR IMMINENT AT SOME FUTURE DATE, I WOULD THEN NOTIFY ALL LOCAL UNITS OF GOVERNMENT THAT CERTAIN FEDERAL FUNDS IN CERTAIN AMOUNTS WOULD BE AVAILABLE SO THAT ALL MAY HAVE AN OPPORTUNITY TO COMPETE.