

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Representative Rex Crowell at
Chairperson

1:30 ~~xxx~~/p.m. on March 21, 1985 in room 519-S of the Capitol.

All members were present ~~except~~:

Committee staff present:

Hank Avila, Legislative Research Department
Fred Carman, Office of the Revisor of Statutes
Donna Mulligan, Committee Secretary

Conferees appearing before the committee:

Mr. Steven C. Montgomery, Kansas County Treasurers' Association
Ms. Doris Larsen, Lincoln County Treasurer
Ms. Shirley Tate, Leavenworth County Treasurer
Ms. Mary P. Ladesic, Wyandotte County Treasurer
Mr. Harley Duncan, Kansas Department of Revenue
Mr. Chris McKenzie, League of Kansas Municipalities

The meeting was called to order by Chairman Rex Crowell, and the first order of business was a hearing on SB-155 concerning the service fee for motor vehicle registration and county treasurers' apportioned amounts.

Mr. Steven C. Montgomery representing the Kansas County Treasurers' Association, testified in support of SB-155. (See Attachment 1)

Mr. Montgomery said SB-155 would make three changes, effective January 1, 1986, 1) increase the service fees retained by County Treasurers from \$.50 to \$1.00; 2) increase the personal compensation to County Treasurers from \$240 per thousand total vehicle registrations to \$360 per thousand; and 3) authorize the County Treasurer to retain, until June 1, the balance of the Motor Vehicle funds which are credited to the County General Fund at the end of the year.

Ms. Doris Larsen, Lincoln County Treasurer and President of the Kansas County Treasurers' Association, gave favorable testimony concerning SB-155. (See Attachment 2)

She said SB-155 would result in increased revenue at the county level without reducing state funds.

Ms. Shirley Tate, Leavenworth County Treasurer, appeared in support of SB-155.

Ms. Mary P. Ladesic, Wyandotte County Treasurer, was the next conferee and testified in support of SB-155. (See Attachment 3)

Ms. Ladesic told the Committee the License Department is totally dependent on revenue generated by the number of tags and titles processed, and therefore urged passage of SB-155.

Mr. Harley Duncan, Secretary, Kansas Department of Revenue, testified on SB-155 on a neutral basis. Mr. Duncan pointed out that the County Treasurers are carrying out State functions which have been mandated to them, and it is appropriate that the State provide financing.

The hearing on SB-155 was concluded.

Chairman Crowell appointed a subcommittee consisting of Representatives Harper as chairman, Dillon and Knopp, to study SB-155.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,
room 519-S, Statehouse, at 1:30 ~~xxx~~ p.m. on March 21, 19 85

The Chairman appointed a subcommittee on SB-181 consisting of Representatives Spaniol as chairman, Erne, Patrick, Schmidt and Brown.

The Chairman appointed a subcommittee on SB-321 consisting of Representatives Ott as chairman, Dillon, Smith, Justice and Snowbarger.

The next order of business was a hearing on SB-260 concerning establishment by cities of a consolidated highway fund for the city.

Mr. Chris McKenzie, of the League of Kansas Municipalities, gave favorable testimony concerning SB-260. (See Attachment 4)

Mr. McKenzie said the basic purpose of SB-260 is to permit city governing bodies to establish by ordinance a single consolidated highway fund, to replace the several accounts and funds that now exist for highway and street purposes.

The hearing on SB-260 was concluded.

The next order of business was Committee discussion and action on SB-52 concerning the damage threshold requiring an accident be reported to the police. A balloon was distributed to Committee members by Representative Spaniol outlining proposed amendments to the bill. (See Attachment 5)

Representative Spaniol made a motion to amend in the \$500 threshold provision in the balloon. Representative Erne seconded the motion. Motion passed 10-9 on a division.

The Committee then turned its attention from SB-52 to Committee discussion and action on SB-21 concerning the transportation of hazardous materials.

A motion was made by Representative Brown to recommend SB-21 favorable for passage. The motion was seconded by Representative Justice. Motion passed.

The meeting was adjourned at 3:10 p.m.


Rex Crowell, Chairman

GUEST LIST

COMMITTEE: Transportation

DATE: 3-21-85

PLEASE PRINT

NAME	ADDRESS	COMPANY/ORGANIZATION
Dale Falen, City Comm.	Independence	city
Peggy Coder, Mayor	Independence	City
RON CALBERT	Newton	U.I.U.
Tom Whitaker	Topeka	Ks. Motor Carriers Assn
Harley Duncan	Topeka	Dept of Rev
Harold B. Tumbler	"	Dept of Rev
RAUL R. GUEVARA	Topeka	KDOT
Michael Wolff	Lawrence	Intern - St. Morris
Doris Larsen	Lincoln	Co Treasurer
Lupe McBride	Columbus	Co. Treasurer
Harry Jones III	Smith Center	Co. Treasurer
Mike Billings	HAYS	CO TREASURER
Marge Roberts	Topeka	Co. Treasurer
Shelma Lance	Heawatha, Br. C.	Co. Treas
BOB BRADLEY	LAWRENCE	KS Assoc Counties
Shirley J. Tate	Leavenworth	County Treasurer
Donna Bradford	Linney Co. W.C.	County Treas.
Ann Hamilton	Sydney KS	Orange Co Treas.
John A. Bartolac	K.C. Ks (Wagon Co)	Dep. Co. Treasurer
Mary D. Ladosic	Wagon Co.	Treasurer

MEMORANDUM

TO: MEMBERS OF THE HOUSE TRANSPORTATION COMMITTEE

FROM: STEVEN C. MONTGOMERY, ATTORNEY, KANSAS COUNTY TREASURERS' ASSOCIATION

RE: SENATE BILL NO. 155

DATE: MARCH 21, 1985

Senate Bill No. 155 was introduced by the Senate Transportation and Utilities Committee at the request of the Kansas County Treasurers' Association. Following the hearing on the bill, it was assigned to a subcommittee. The subcommittee unanimously recommended favorable passage to the Senate Committee and the bill passed out of committee without opposition. It was subsequently passed by the full Senate unanimously.

Following a brief explanation of the purposes of the bill, testimony will also be given by three members of the association: Doris Larsen, President of the Association, from Lincoln County, who will be speaking on behalf of the smaller counties; Shirley Tate, from Leavenworth County, representing the middle-sized counties; and Mary Ladesic from Wyandotte County, representing the larger counties. Bill O'Brien from Johnson County also testified in the Senate Committee, but was unable to appear today.

Senate Bill No. 155 would make three changes, effective January 1, 1986:

- 1) It would increase the service fees retained by County Treasurers from 50¢ to \$1.00. This would generate an additional \$1,300,000 in revenue to motor vehicle offices throughout the state which, depending on inflation and changes

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Attach. 1

in State law should provide enough funding for four additional years. It has been four years since the original service fee was adopted. This change would not create any deficit in the state highway fund and would only place the increased burden for operation of motor vehicle offices on the user, and not the general county taxpayer. In many counties the vehicle section of the Treasurer's office must be self-supporting. The Attorney General has ruled that Counties are not bound to support the vehicle operation;

- 2) it would increase the personal compensation to County Treasurers from \$240 per thousand total vehicle registrations or fraction thereof, to \$360 per thousand total vehicle registrations. The maximum allowable compensation would be correspondingly increased from \$2,400 to \$3,600. County Treasurers believe the auto special fund should bear a greater burden of the County Treasurer's salary primarily because of the increased responsibilities associated with the motor vehicle office. Secondly, it is essential to increase the motor vehicle fund compensation to account for the inflation factor as do salaries paid out of the county general fund; and
- 3) it would also authorize the County Treasurer to retain, until the first of June, the balance of the Motor Vehicle funds which are credited to the County General Fund at the end of the year. Presently there is no statutory direction with

respect to the date on which the unexpended vehicle funds are to be remitted for crediting to the county general fund and the amendment is needed since many Motor Vehicle Offices do not generate enough revenues during the first few months of the year to offset expenses.

At this time, I would like to introduce Doris Larsen, who will present testimony showing the need for the proposed changes and their effect on the smaller counties.

DORIS LARSEN
COUNTY TREASURER
LINCOLN COUNTY
LINCOLN, KANSAS 67455

1 of 2

Mr. Chairman, members of the Committee:

I am Doris Larsen, Lincoln County Treasurer and President of the Kansas County Treasurers Association.

On behalf of myself and the County Treasurers Association I want to express my appreciation to you for granting this opportunity to appear before your committee. I respectfully urge your favorable consideration of SB155.

I am appearing before you today on behalf of the smaller counties of Kansas. Sixty two counties, over half the counties in the state, have a population of less than 10,000. None of these counties maintain a separate vehicle office. All counties this size must subsidize the vehicle portion of the treasurers office with county funds. This method of funding, in many instances, has obscured the deficit between revenue generated and the cost of operating the vehicle office. "It has always been done this way", and often the elected officials, hard pressed to meet the challenges of additional and ever changing responsibilities have not realized that their vehicle offices are not "paying their way".

Long lines in the motor vehicle offices of some counties have become a political liability to the treasurer. We have long lines in the smaller counties too, granted the lines are not as long and not as often as the larger counties, but there will always be the individuals who see no reason to come in today when the final day is tomorrow. The small county treasurer may find themselves in the unenviable position of handling a high volume of work and at the same time attempting to cut back personnel and operational expenses. County Commissioners are becoming increasingly reluctant to fund duties mandated by state law with no provision for additional revenue.

In 1984 my office handled 6694 vehicle transactions (registration renewals, title applications, permits, etc). The total of all vehicle transactions in 1984 was \$132,949.97, of which the State of Kansas

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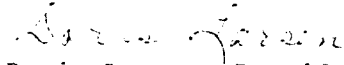
received \$123,851.22 and Lincoln retained \$9098.75 (6.84%).

I employ one part time and two full time clerks. The 1984 total salary of the clerk responsible for vehicle reports was \$9682.80, as you can see Lincoln County was short \$584.04 of funding even one clerks salary. In addition Social Security, KPERS, Unemployment Insurance and operational expenses of operating the motor vehicle portion of my office would be approximately \$9773.00, based on a conservative estimate that maintaining the Motor Vehicle office results in 35% of total costs.

SB155 would generate approximately \$2617.00 additional revenue in Lincoln County, partially alleviating the deficit in funding the vehicle office.

I am sure you are concerned with who stands to benefit from passage of SB155. This bill would benefit the State of Kansas, the counties, the taxpayers, and the County Treasurers. The passage of SB155 bill would result in increased revenue at the County level without reducing state funds. The burden of county funds would be alleviated because the vehicle owners, many of whom pay no other local taxes, would be providing the revenue rather than all local taxpayers. Line 68 of the bill designates June 1 of the following calendar year to transfer, to the county general fund, the balance remaining December 31 in the treasurers vehicle fund. This amendment would allow the treasurer to use the unexpended balance until sufficient funds have accumulated to prevent the motor vehicle office from operating in the red.

Again, I urge your assistance in the passage of this bill and thank you for your time and consideration.


Doris Larsen, President

Kansas County Treasurers Association
(Lincoln County Treasurer)

To: HOUSE TRANSPORTATION

From: MARY P. LADESIC - WYANDOTTE COUNTY TREASURER

Re: SENATE BILL NUMBER 155

MR. CHAIRMAN AND HONORABLE MEMBERS OF THE TRANSPORTATION COMMITTEE,
THANK YOU FOR ALLOTING ME THIS TIME.

I WOULD LIKE TO TAKE THIS OPPORTUNITY TO RECAP FOR YOU THE MANNER IN WHICH THE LICENSE DEPARTMENT AT THE LOCAL LEVEL IS FUNDED. UNLIKE OTHER GOVERNMENTAL OFFICES THAT ARE BASED ON ESTABLISHED BUDGETS, THE LICENSE DEPARTMENT IS TOTALLY DEPENDENT ON REVENUE GENERATED BY THE NUMBER OF TAGS AND TITLES PROCESSED.

ALL TRANSACTIONS AND COLLECTIONS ARE REPORTED AND FORWARDED DAILY TO THE STATE MOTOR VEHICLE DEPARTMENT WITH EXCEPTION OF THOSE FUNDS ALLOWED BY STATUTE TO BE RETAINED FOR THE OPERATION OF THE COUNTY LICENSE DEPARTMENT. SALES TAX COLLECTIONS ARE REMITTED ON A MONTHLY BASIS.

THE MONIES RETAINED AT THE LOCAL LEVEL MUST SUPPORT THE LICENSE DEPARTMENT EXPENDITURES. IN WYANDOTTE COUNTY THIS INCLUDES FUNDING OF SALARIES FOR 16 EMPLOYEES, WITH HOSPITALIZATION, F.I.C.A., RETIREMENT, LIFE INSURANCE AND UNEMPLOYMENT. OTHER EXPENDITURES ARE MAINTENANCE CONTRACTS, ALL SUPPLIES, EQUIPMENT, MAILING EXPENSE AND SEMINAR EXPENSES.

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IN 1984 IN WYANDOTTE COUNTY, THE GROSS SALARY AMOUNT WAS \$209,716.69. PROJECTING A 5% INCREASE OVER THE NEXT SEVERAL YEARS WOULD BRING THIS CLOSE TO \$267,660.00 IN 1989. THIS ALLOWS NO CONSIDERATION FOR ADDITIONAL PERSONNEL THAT ARE PRESENTLY NEEDED. FURTHERMORE, THERE IS ALSO A 5 TO 7% INCREASE ANNUALLY ON OTHER EXPENDITURES MENTIONED PREVIOUSLY.

BECAUSE OF THE EXTENDED PLATE ISSUANCE PERIOD, WE HAVE BEEN FORTUNATE TO MAKE USE OF MAILING FUNDS TO HELP OFFSET OTHER LIABILITIES. A NEW LICENSE PLATE ISSUE IS SCHEDULED FOR 1987. THE PRESENT LAW ALLOWS .50¢ FOR MAILING IN CONTRAST TO THE ACTUAL COST OF MAILING ONE PLATE AT THE PRESENT TIME BEING .88¢. THIS RESULTS IN AN AUTOMATIC DEFICIT. THE ADDITIONAL .50¢ PER APPLICATION, WHICH WOULD BE PROVIDED WITH THE PASSAGE OF SENATE BILL 155, WOULD ADDRESS THE DEPARTMENTAL NEED IN A VERY AFFIRMATIVE MANNER.

CURRENTLY STATE STATUTE DEMANDS THE BALANCE OF FUNDS REMAINING IN LICENSE DEPARTMENTS AT THE CLOSE OF THE CALENDAR YEAR SHALL BE TURNED OVER TO THE COUNTY GENERAL. PROVISIONS IN SENATE BILL 155 HOWEVER WOULD ALLOW THE TREASURER THE OPPORTUNITY TO MAKE USE OF THESE FUNDS DURING THE FIRST QUARTER WHEN THE LICENSE DEPARTMENT DOES NOT GENERATE ENOUGH INCOME TO COVER COST. THIS WOULD ELIMINATE THE CASH FLOW PROBLEM EXPERIENCED BY MANY COUNTIES.

IN CONCLUSION YOU CAN SEE THE MONETARY NEEDS OF THE LICENSE DEPARTMENT ARE WELL FOUNDED. THE TREASURER'S ASSOCIATION AND I FEEL SENATE BILL 155 IS IN THE BEST INTEREST OF THESE MOST URGENT NEEDS. WE RESPECTFULLY REQUEST YOUR SUPPORT OF THIS BILL.



League of Kansas Municipalities

PUBLISHERS OF KANSAS GOVERNMENT JOURNAL/112 WEST SEVENTH ST., TOPEKA, KANSAS 66603/AREA 913-354-9565

TO: House Committee on Transportation
FROM: E.A. Mosher, Executive Director
DATE: March 21, 1985
SUBJECT: SB 260: City Consolidated Highway Fund

The purpose of SB 260 is to authorize cities to establish a consolidated highway fund. Every city now has at least two highway "funds"--(1) the street account within its general fund, and (2) the special highway fund (the fund for the city share of the state "special city and county highway fund" aid program). Some cities have more. About 35 cities of the third class have a special street maintenance fund under K.S.A. 15-733, and about 60 cities of the second and third class have a special street lighting fund under K.S.A. 14-535 and 15-712. In addition, there are at least 35 cities that have provided by home rule charter ordinance for a special tax (fund) to be levied for street purposes outside the tax lid.

The basic purpose of SB 260 is to permit city governing bodies to establish by ordinance a single consolidated highway fund, to replace the several accounts and funds that now exist for highway and street purposes. In instances in which a separate property tax fund exists, moneys therein could be transferred, by the annual budget, to the consolidated fund, with the actual disbursements made from the consolidated fund. Moneys in the consolidated fund could "be used solely for highway purposes." (See line 28.)

The League believes SB 260 is necessary because of the general prohibition against the budgeted transfer of moneys contained in the state budget law; K.S.A. 79-2934 provides "No part of any fund shall be diverted to any other fund. . .except as provided by law." SB 260 would provide the statutory authority for such budgeted transfers. Further, it is believed that the bill is consistent with the requirement of K.S.A. 68-416 that state connecting link payments to cities be "credited to the street and alley fund of such cities. . . ." and the requirement of K.S.A. 79-3425c that state highway aid payments to cities be credited "to a separate fund to be used for the construction, reconstruction, alteration, repair and maintenance of the streets and highways. . ." It is suggested that the proposed "consolidated highway fund" meets the requirement of "a separate fund" in this act. The original intent of the "separate fund" was to prevent cities from using highway aid for police or other non-highway purposes, an intent preserved by SB 260.

Passage of SB 260 will allow cities to simplify their financial procedures, reduce fund balance needs, and permit more effective capital improvement planning of municipal street needs. We urge you to act on it favorably.

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President: Peggy Blackman, Mayor, Marion • Vice President: Ed Eilert, Mayor, Overland Park • Past President: Jack Alexander, Commissioner, Topeka • Directors: Robert C. Brown, Commissioner, Wichita • John L. Carder, Mayor, Iola • Richard B. Chesney, City Manager, El Dorado • Constance M. Conyac, Commissioner, Stockton • Robert Creighton, Mayor, Atwood • Irene B. French, Mayor, Merriam • Donald L. Hamilton, City Clerk/Administrator, Mankato • Carl D. Holmes, Mayor, Plains • John E. Reardon, Mayor, Kansas City • David Retter, City Attorney, Concordia • Melly K. Schmidt, Mayor, Hays • Deane P. Wiley, City Manager, Garden City • Executive Director: E.A. Mosher

SENATE BILL No. 52

By Senator Ehrlich

1-23

0018 AN ACT concerning the regulation of traffic; relating to the duty
0019 of the driver of a vehicle to give notice of an accident to the
0020 police; amending K.S.A. 1984 Supp. 8-1606 and repealing the
0021 existing section.

accident reports;

K.S.A. 8-1611 and

sections

0022 Be it enacted by the Legislature of the State of Kansas:

0023 Section 1. K.S.A. 1984 Supp. 8-1606 is hereby amended to
0024 read as follows: 8-1606. (a) The driver of a vehicle involved in an
0025 accident resulting in injury to or death of any person or total
0026 damage to all property to an apparent extent of \$300 \$500 ~~\$1,000~~
0027 or more shall give notice immediately of such accident, by the
0028 quickest means of communication, to the nearest office of a duly
0029 authorized police authority.

\$500

0030 (b) Whenever the driver of a vehicle is physically incapable
0031 of giving an immediate notice of an accident as required in
0032 subsection (a) and there was another occupant in the vehicle at
0033 the time of the accident capable of doing so, such occupant shall
0034 make or cause to be given the notice not given by the driver.

insert Sec. 2., attached

0035 (c) Violation of this section is a misdemeanor.

K.S.A. 8-1611 and

are

3 0036 Sec. 2. K.S.A. 1984 Supp. 8-1606 is hereby repealed.

4 0037 Sec. 3. This act shall take effect and be in force from and
0038 after its publication in the statute book.

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Sec. 1. K.S.A. 8-1611 is hereby amended to read as follows:

8-1611. (a) Every law enforcement officer who investigates a vehicle accident (1) of which report must be made as required in this article, or (2) who otherwise prepares a written report as a result of an investigation either at the time of and at the scene of the accident or thereafter by interviewing the participants or witnesses: when such accident under subparts(1) or (2) results in injury or death to any person or total damage to all property to an apparent extent of \$500 or more, shall forward a written report of such accident to the division within ~~ten-(10)~~ 10 days after investigation of the accident.

(b) Such written reports required to be forwarded by law enforcement officers and the information contained therein shall not be privileged or held confidential.

(c) The provisions of this section shall be deemed to be satisfied by the submission of consolidated magnetic tape reports prepared by computer and containing the information required to be included in written reports. The format of such magnetic tape reports and the frequency of submission must be acceptable to the division and the secretary of transportation.