

Approved  Date MAR 02 1992

MINUTES OF THE House COMMITTEE ON Governmental Organization

The meeting was called to order by Rep. Gary Blumenthal Chairperson

9:05 a.m./p.m. on February 25, 1992 in room 522-S of the Capitol

All members were present except:

All Present

Committee staff present:

Carolyn Rampey, Legislative Research
Avis Swartzman, Revisor of Statutes
Nita Shively, Committee Secretary

Conferees appearing before the committee:

Representative Carol Sader
Craig Cole, General Manager, Topeka Transit
Michael Swartz, President, KS Public Transit Association
James Garrison, Director, SEK-CAP
Ray Olson, KS Coalition on Aging
Laura Martin, East Central KS Area Agency on Aging
Deb Miller, Department of Transportation
Lyndon Drew, KS Department on Aging
Patrick Carney, Student, Johnson County Community College
Vickie Tobias, student, Johnson County Community College
Neal Israel, student, Johnson County Community College
Merle Hill, Executive Director, KACC
Glenn Stockton, Chairman, Student Action of KACC
Cynthia Lutz Kelly, Deputy General Counsel, KS Association of School Boards

Chairman Blumenthal called the meeting to order when quorum was present.

Hearing on HB 2971 - An act establishing the Kansas coordinated transit act.

Representative Sader, sponser of HB 2971, spoke in support of bill and furnished written testimony, (Attachment 1). HB 2971 is intended to address the transportation needs of the elderly and disabled by providing coordinated transit districts to assist in the management of funds and services. Representative Sader described efforts in Johnson County by the private sector to assist in this endeavor. Coordinating councils are being developed in other parts of the state also making it essential for KDOT to develop a transit district plan in which councils can be a part.

Craig Cole testified and furnished written testimony in support of HB 2971, (Attachment 2). In advocating the adoption of coordinated transit districts, he used Iowa as an example of how well it works. By using a formula base even rural areas have an opportunity to get their share of transportation funds. Implementing the Americans with Disabilities Act was discussed; some of the requirements under ADA involve large expenditures.

Chair recognized Michael Swartz, who testified as a proponent of HB 2971, furnishing written testimony (Attachment 3). Mr. Swartz's remarks called attention to the serious problems that currently exist primarily because of too many grant contracts and too little coordination. He cited the dismal showing by Kansas in 2 different performance audits to back up his contention.

Mr. Swartz also included a "Transportation Coordination Study for Southeast Kansas, Final Report." It outlines methods for coordinating services, consolidation and other pertinent information.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Governmental Organization,
room 522-S Statehouse, at 9:05 a.m./p.m. on February 25, 1992

James Garrison appeared in support of HB 2971, furnishing written testimony, (Attachment 4). Mr. Garrison described his agency, SEK-CAP, as a private, non-profit organization that works to alleviate the suffering of the elderly and handicapped. A study they conducted 25 years ago in South-eastern Kansas revealed that the number 1 concern among that group was lack of transportation. In response to that need, SEK-CAP developed a large transportation program. They recognize the problems of duplication and lack of coordination and urged that HB 2971 be approved favorably.

Ray Olson spoke in support of HB 2971, furnishing written testimony, (Attachment 5). Mr. Olson stated that the provisions of this bill will make transportation for the elderly and handicapped both more accessible and available. Other advantages would be utilization of vehicles, savings on purchasing fuel, parts, insurance etc., and more decision-making on the local level to determine the needs of a particular community.

Chair recognized Laura Martin who appeared as a proponent of HB 2971, furnishing written testimony, (Attachment 6). In the interest of saving time she suggested that members read her testimony recommending that transit districts follow current Area Agency on Aging boundaries.

Deb Miller appeared in support of HB 2971, furnishing written testimony, (Attachment 7). Ms. Miller advised that a number of states already have a coordination of services program in place. Since Kansas contracts with nearly 200 providers, transit districts would solve many of the existing problems.

Ms. Miller described a year-long study, in conjunction with K.U. Transportation Center, in order to develop a detailed implementation plan.

Lyndon Drew appeared in support of HB 2971, furnishing written testimony, (Attachment 8). Although agreeing with earlier testimony, Mr. Drew does not feel the bill goes far enough. He would also like to see it address interagency coordination.

In addition, a survey is included showing State Coordination Efforts. Every state is listed along with their efforts to coordinate transportation.

Hearing closed on HB 2971.

Hearing on HB 2960 - An act concerning community colleges; affecting the composition of boards of trustees by inclusion of student members.

Chair recognized Representative Sader, sponser of HB 2960, who spoke in support of the bill and also furnished written testimony, (Attachment 9). This bill provides for an elected student representative to serve as a non-voting member of a community college Board of Trustees. The student would be in a position to serve as a liaison between the student body and the Board, allowing for better communication.

Since many of the students at a community college are commuters and usually older, they tend to be less involved in campus activities. This makes student representation on the Board more important than it would at a Regents institution.

Patrick Carney testified and furnished written testimony in support of HB 2960, (Attachment 10). This bill would allow student leaders to effectively communicate the issues, ideas and opinions they feel the Board should consider. Mr. Carney mentioned several precedents for such a Board and also noted that with the continually escalating tuition costs, students deserve to have a voice in the issues and policies of their school.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Governmental Organization,
room 522-S, Statehouse, at 9:05 a.m./~~p.m.~~ on February 25, 1992

Chair recognized Vickie Tobias, who appeared as a proponent of HB 2960, furnishing written testimony, (Attachment 11). In her argument, Ms. Tobias noted the large number of non-traditional students at community colleges who, she feels, face different challenges. Their needs and concerns could be better addressed with a student Board of Trustees member, even on a non-voting basis.

Neal Israel appeared in support of HB 2960, furnishing written testimony, (Attachment 12). Mr. Israel had 3 basic reasons for having a non-voting student on the Board of Trustees: 1. It guarantees that students' rights will be considered. 2. Help change the non-active role of most students. 3. Add lines of communication between the governing board and student organizations.

Glenn Stockton spoke briefly as an opponent of HB 2960, outlining some of his reservations regarding this bill. He feels that it is not appropriate for a student to be privy to information in a executive session. A friendly amendment, indicating that it should be up to the college, would be preferable. Mr. Stockton finished his testimony by stating that all colleges are unique and it would be a cause for concern if the wrong person was selected to sit on the Board.

Merle Hill Testified and presented written testimony as an opponent of HB 2960, (Attachment 13). He noted that he represents students, trustees, administrators and faculty. Mr. Hill advised that three-fourths of the KACC membership is opposed to HB 2960. It is their position that a non-voting student should not take part in executive sessions where many sensitive issues are discussed. Faculty members are not allowed to participate in executive session, therefore, it follows that it would not be appropriate for a student to be privy to information concerning tenure, due process, educational programs, etc.

Cynthia Lutz Kelly, testified and furnished written testimony as an opponent of HB 2960, furnishing written testimony, (Attachment 14). She reiterated the other opponents' views and simply stated that should this legislation be adopted, it should be permissive rather than mandatory.

Questions were asked and answered after each side presented their arguments.

Hearing closed on HB 2960.

Discussion and action on HB 2987.

Representative Brown made a motion to amend the bill to incorporate SB 661. Motion seconded by Representative Lawrence, motion passed.

On bill as a whole, motion by Representative Lahti to approve HB 2987 favorably as amended, motion seconded by Representative Brown, motion passed. Meeting adjourned at 10:25 a.m.

Date: Feb. 25, 1992

GUEST REGISTER

HOUSE

COMMITTEE ON 'GOVERNMENTAL ORGANIZATION

NAME	ORGANIZATION	ADDRESS	PHONE
Lo Bestgen	KARF	Topeka	
Kathy Marion	KDOT	Topeka	
Pat Hummel	KDOT	Topeka	
Beatrice Shirley	East Central KS AAA	Ottawa	
Patrick Conn	SGA-JCCC	Johnson C. Overland Park	
Cindy Kelly	KASB	Topeka	
Mike Swartz	KPTA	Topeka	
Jim Garrison	Southeast Ks. Community Action	Birerd Ks	
Merle Huel	KACC	Topeka	
Glenn Stockton	KACC	Fort Scott	
Ray Olson	KCOA	Topeka	
Lynda Drew	KDOT	Topeka	
Laura Lee	KDOT	Topeka	
Terry Heidner	KDOT	Topeka	
Dennis Day	JCCC	Johnson County	
Sydney Hardman	KS Action for Children	Lawrence	
Victoria Sobias	JCCC	Johnson County	
Neil A. Israel	JCCC	Johnson County	
JEFF HINDS	JCCC	KCB	
R. Lipsey	AP	Topeka	
Laura Martine	East Central Kansas AAA	Ottawa	
Doug Bowman	Children & Youth Advisory Comm	Topeka	

CAROL H. SADER
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TOPEKA

HOUSE OF
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS
 CHAIRPERSON: PUBLIC HEALTH AND WELFARE
 CHAIRPERSON: JOINT COMMITTEE ON HEALTH
 CARE DECISIONS FOR THE
 1990'S
 VICE-CHAIRPERSON: ECONOMIC DEVELOPMENT
 MEMBER: PENSIONS, INVESTMENTS AND BENEFITS
 JOINT COMMITTEE ON ECONOMIC
 DEVELOPMENT

TESTIMONY ON HB 2971 - THE KANSAS COORDINATED TRANSIT DISTRICTS ACT
 HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION
 February 25, 1992

Mr. Chairman and Members of the Committee:

I come before you as a sponsor and strong proponent of House Bill 2971 which authorizes the Department of Transportation to establish coordinated transit districts throughout the state to enhance the coordination and management of transportation funds and services.

Coordinated transit districts are defined in this bill as public or private not-for-profit agencies which would be established to distribute funds and monitor the implementation of passenger transportation in designated areas of the state. The responsibility of these districts would include: contracting with the Department of Transportation for the receipt of funds to enhance transportation coordination in the district service area; providing transportation services or subcontracting with eligible agencies to provide these services; and monitoring the provision of transportation services in the district to ensure compliance with applicable federal and state laws and regulations. Each agency, determined by the Secretary of the Department of Transportation as eligible to serve as a coordinated transit district administrator (an agency selected to receive funds from the Department of Transportation for the provision of transportation services in a designated area), must serve the transportation needs of the elderly (persons 60 or over), the disabled (persons disadvantaged in terms of transportation services available to them due to physical or mental disability) and the general public in their service area.

HB2971 provides that on or after July 1, 1995, any recipient of federal or state grants to provide rural or specialized transportation services to the elderly and disabled must become a part of a coordinated transit district to continue to be eligible to receive federal or state grants.

As former Chair of the Eldernet Coalition in Johnson County and Chair of the County's newly formed Para-Transit Council, I have been involved for a number of years in efforts to establish a viable para-transit system to bring affordable, accessible transportation to the elderly and disabled. In early 1991, the Johnson County Para-Transit Council was established. It was incorporated as a not-for-profit organization last October and we are presently applying for a 501(c)(3) designation from the IRS so that we can fundraise effectively in the private sector as well as be eligible for public grant monies. The Johnson County Para-Transit Council was established to supplement existing transportation services and serve as a coordination and referral system for

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 Attachment 1

community transportation services for older adults and persons with disabilities in Johnson County.

Coordinating Councils, such as this one in Johnson County, which are springing up in other parts of the state as well, require the Department of Transportation to develop a coordinated transit district plan for the state of which such Councils can be a part. HB2971 does just that! It is long overdue and addresses a compelling transportation need in Kansas. I urge its passage and will defer to the transportation specialists to describe the concept in greater detail.

Thank you.

Carol H. Sader

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Attachment 1-2

February 25, 1992

TESTIMONY OF CRAIG COLE ON H.B. 2971
GOVERNMENTAL ORGANIZATION COMMITTEE
TUESDAY, FEBRUARY 25, 1992
9:00 AM STATE CAPITOL ROOM 522 SOUTH

DEAR MEMBERS OF THE COMMITTEE:

THANK YOU FOR THIS OPPORTUNITY TO APPEAR TODAY. MY NAME IS CRAIG COLE AND I AM GENERAL MANAGER OF THE TOPEKA METROPOLITAN TRANSIT AUTHORITY AND TREASURER OF THE KANSAS PUBLIC TRANSIT ASSOCIATION.

I APPEAR BEFORE YOU IN ORDER TO ENDORSE AND RECOMMEND APPROVAL OF H.B. 2971. H.B. 2971 REPRESENTS A UNIQUE OPPORTUNITY TO STREAMLINE THE DELIVERY OF STATE AND FEDERAL GRANT FUNDS IN KANSAS AND TO PROVIDE MUCH NEEDED COORDINATION WITHIN THE STATE.

THE KANSAS DEPARTMENT OF TRANSPORTATION HAS LONG LABORED UNDER A GRANT DELIVERY SYSTEM THAT HAS CREATED INSTITUTIONAL INEFFICIENCIES. THE GRANTS UNDER SECTION 18 FOR NON-URBAN AND SECTION 16(b)(2) FOR VAN ACQUISITION FOR PRIVATE NON-PROFIT PROVIDERS ARE FEDERAL PROGRAMS KDOT ADMINISTERS. KDOT MUST ANNUALLY NEGOTIATE AN EXTRAORDINARY NUMBER OF GRANT CONTRACTS. THE COSTS OF ADMINISTRATION AND THE TIME REQUIRED DETRACT FROM A VITAL FUNCTION KDOT SHOULD PERFORM - TECHNICAL ASSISTANCE TO KANSAS PUBLIC TRANSPORTATION. IT SHOULD BE NOTED THAT THE FAULT IS NOT ENTIRELY KDOT'S. WHEN THESE PROGRAMS BEGAN, SOME FUNDS HAD NO TAKERS AND KDOT COULD FUND "ALL COMERS". AS FUNDS BECAME SCARCE, KDOT FOUND IT HAD NO REAL MECHANISM TO QUALIFY GOOD VERSUS MARGINAL PROGRAMS.

MOST OF THE PROGRAMS FUNDED HAD A NARROW SCOPE OF CLIENTS IN SPITE OF THE FACT THAT THE FEDERAL REQUIREMENT WAS TO SERVE THE GENERAL PUBLIC. SERVICES OPERATED TO SERVE ONLY CLIENTS OF A SPECIFIC AGENCY. BECAUSE SERVICES ARE NARROW IN SCOPE, LACK OF COORDINATION IS THE RULE RATHER THAN THE EXCEPTION. THESE FACTS WERE MADE ALL THE MORE CLEAR BY AN AUDIT OF THE OFFICE OF INSPECTOR GENERAL, WHICH FOUND KANSAS TO BE IN NON-COMPLIANCE OF GENERAL PUBLIC SERVICE.

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Attachment 2

THE PROBLEMS ARE CLEAR - TOO MANY GRANT CONTRACTS AND TOO LITTLE COORDINATION.

I WOULD LIKE TO USE THE EXAMPLE OF HOW DISTRICTING WORKED FOR PUBLIC TRANSIT IN THE STATE OF IOWA.

PRIOR TO DISTRICTING, IOWA HAD OVER 305 INDIVIDUAL TRANSIT PROVIDERS THROUGHOUT THE STATE - PRIMARILY IN SEVERAL AREAS WHERE THERE WAS VERY LITTLE COORDINATION. NURSING HOMES, CHURCHES, SOCIAL SERVICE AGENCIES AND SENIOR CITIZEN CENTERS ALL HAD VEHICLES FOR THEIR CLIENTS WITH NEEDS FOR FUNDING. ADMINISTRATING SUCH PROGRAMS WERE IMPOSSIBLE. IN THE MID 70'S THE CONCEPT OF DISTRICTING WAS PURSUED. IOWA USED THE 16 REGIONAL PLANNING AGENCIES AS A BASE FOR THE DISTRICTS. THE DISTRICTS WOULD WORK WITH THE COUNTY COMMISSIONERS IN DETERMINING THE LEVEL OF TRANSPORTATION SERVICES REQUIRED.

THEN THE ALLOCATION OF FUNDS THROUGH IOWA DOT WAS ON A FORMULA BASE USING BOTH RIDERSHIP AND MILEAGE - A BALANCE OF THE TWO FACTORS SO EVEN THE MOST RURAL SYSTEM HAD OPPORTUNITIES FOR ITS FAIR SHARE OF THE TRANSIT DOLLARS AVAILABLE.

ANOTHER FACTOR USED WAS CALLED "LOCAL DETERMINED INCOME." THIS PROVIDED FOR THOSE TRANSIT AGENCIES TO BE REWARDED FOR ADDITIONAL FUNDS IF A SYSTEM COULD SHOW INITIATIVE IN OBTAINING FUNDS. EXAMPLES WOULD INCLUDE INCREASED FAREBOX RECOVERY, INCREASED TAX SUPPORT OR ADDITIONAL CONTRACTS WITH SOCIAL SERVICE AGENCIES.

CERTAINLY THE TRUE ADVANTAGE TO THE STATE OF IOWA WAS A CONSOLIDATION OF THE 305 INDIVIDUAL TRANSIT PROGRAMS TO 16 AND ALLOWED IOWA DOT TO MAKE BETTER USE OF FUNDS AND PERSONNEL AVAILABLE.

THEREFORE YOUR SUPPORT OF THIS BILL IS APPRECIATED AND SHOULD BENEFIT NOT ONLY THE TRANSIT PROVIDER THROUGHOUT THE STATE OF KANSAS, BUT ALSO KDOT AND THE DEPARTMENTS WITHIN THAT ADMINISTER THESE IMPORTANT PUBLIC FUNDS.

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attachment 2-2

Testimony - February 25, 1992
House Transportation Committee
State Capitol, Room 522 South

Members of the Committee:

Thank you for this opportunity to appear before you today. My name is Michael Swartz, President of the Kansas Public Transit Association.

I am here to endorse and recommend approval of H.B. 2971. H.B. 2971 represents a unique opportunity to streamline the delivery of state and federal grant funds in Kansas and to provide much needed coordination within the state.

The Kansas Department of Transportation has long labored under a grant delivery system that has created institutional inefficiencies. The grants Section 18, for non-urban and Section 16, (b),(2), for van acquisition for private non-profit providers are federal programs KDOT administers. KDOT must annually negotiate an extraordinary number of grant contracts. The costs of administration and the time required detract the vital function KDOT should perform - technical assistance to Kansas Public Transportation. It should be noted that the fault is not entirely KDOT's. When these programs began, some funds had no takers and KDOT could fund "all comers". As funds became scarce, KDOT found it had no real mechanism to qualify good versus marginal programs.

Most of the programs funded had a narrow scope of clients in spite of the fact that the federal requirement was to serve the general public. Services operated to serve only clients of a specific agency. Because services are narrow in scope, lack of coordination is the rule rather than the exception. These

facts were made clear by a "Performance Audit Report" for Public Transportation Services for the elderly and handicapped in Kansas, by the Legislative Division of Post Audit in March of 1988. The findings were as follows:

- A. Agencies that provide transportation for the elderly and handicapped in Kansas have overlapping and inefficient coordination services.
- B. Which areas in the state have transportation needs been met for the elderly and handicapped.

These facts made it all the more clear by the audit of the Office of Inspector General which found Kansas to be in non-compliance of the definition of general public service.

The problems are clear - too many grant contracts and too little coordination.

H.B. 2971 provides for a large step in correcting these problems. By forming unique transit districts of operators, KDOT can fund the district coordinating council. The council can make decisions on the local level and then disperse the funds to its member services. No current service provider will be cut out of its funds. Instead, current service providers will be required to work with each other in their district to coordinate services and vehicle acquisition. KDOT can reduce its administrative burden and districts may work together on service issues. Public funds can be spent more wisely and a broader section of the public served.

In Southeast and Southwest Kansas, this process has already begun. A study was requested by the Southeast Kansas Community Action Agency for Transportation Coordination by the Community Transportation Association of America.

A final report was completed and submitted in January of 1992. Recommendations were made that specifically follow the H.B. 2971. Executive Summaries of the study are included as part of this testimony.

To summarize their recommendation, a brokerage program is the most feasible solution for reducing service overlaps and expanding service to the general public. The lead agency or Coordinating Council would coordinate with all the agencies involved under one contract with the State to eliminate the administration duplications and streamline the services.

H.B. 2971 is supported by the Kansas Public Transit Association and the Coordinating Councils of Kansas.

Enclosure

TRANSPORTATION COORDINATION STUDY FOR SOUTHEAST KANSAS Final Report

JANUARY 1992

Submitted to
COMMUNITY TRANSPORTATION
ASSOCIATION OF AMERICA

Submitted by
SG ASSOCIATES, INC.
and
C. M. RESEARCH, INC.

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attachment 3-4

IV. FEASIBILITY OF TRANSPORTATION COORDINATION ALTERNATIVES

There are three basic methods of coordinating services:

1. Consolidate all public transportation under single management.
2. Contract with private companies for transportation services.
3. Develop a brokerage network whereby existing agencies provide more service to the general public through interagency cooperation.

The goals of coordination are to reduce inefficiency and expand service to the public. The brokerage approach is most appropriate for Southeast Kansas for reasons developed in this chapter.

CONSOLIDATION

There are many examples around the country of Section 18 transit systems with four to five county jurisdictions. They typically utilize several service centers (senior centers, etc.) within their jurisdictions as focal points for service. While it is possible, in theory, to consolidate all of Southeast Kansas into a single transportation agency, there would be major problems.

First, service centers would have to be retained. Passengers would continue to travel to the same senior centers and workshops as at present, so vehicles would be distributed around the region more or less as at present. This would be a very difficult system to manage because of the distances involved. There are ninety-four vehicles involved at present and numerous service centers when all of the senior centers are included. A system of site managers would be needed, more or less as at present, to schedule riders. Management costs would probably increase, rather than decrease, under this system.

Service cost would almost certainly increase. Consolidated multi-county paratransit systems typically operate for about \$18 to \$25 per hour. This is in excess of \$1.00 per mile. Agencies in Southeast Kansas are operating well below this range. According to the information assembled for the study, the costs per mile for the larger transportation agencies are as shown:

o Class LTD	\$0.603 per mile
o Tri-Valley	\$0.591 per mile
o Senior Service of SEK	\$0.567 per mile
o SEK-CAP	\$0.869 per mile

Consolidation would bring costs up to at least the \$0.60 per mile range, and probably closer to the \$0.90 per mile range.

The reason costs would increase is that agency personnel would have to be full-time drivers. Instead of parking a vehicle at the senior center or workshop during the day, the vehicles would perform other public transportation services. Full-time drivers or permanent part-time drivers would be required to achieve greater vehicle utilization; they could not shift to other duties at the site. The labor cost savings achieved when drivers do other duties would largely be lost. It would also be very difficult to utilize volunteers, because driving would be a full-time job. Agencies that use volunteers to hold down costs would lose that opportunity.

The average cost for twenty-four agencies in the Southeast Kansas region is now \$0.503 per mile, for 1,300,722 annual vehicle miles. The annual regional transportation cost is \$654,483. If the average cost increased to \$0.60 per mile, comparable to Tri-Valley, Class LTD, and Senior Services of SEK, regional costs would increase to \$780,433 for the same number of vehicle miles. At \$0.80 per mile, regional costs would be \$1,040,580. Costs would very likely go up by at least \$130,000 in the region, maybe more, if all services were consolidated. This does not include the additional cost of expanded service.

Consolidation would also require equipment improvements. Radios would be absolutely essential to capture the benefits of consolidation. Drivers must be dispatched to pick-up return paratransit trips by radio. Passengers' plans change, doctors appointments run late, etc. Without radios, the system could not adjust to changes.

Fleet upgrades would also be necessary. Forty-four of the ninety-four vehicles identified in the inventory are 1984 model or older. Five to six years is the expected service life of vehicles built on a van chassis. Almost half of the fleet is beyond the typical replacement age. A reliable transportation service cannot be built upon such a fleet. Attempts to expand service would lead to customer dissatisfaction as inevitable breakdowns would lead to delays and missed trips.

Finally, public transportation services are not funded at a sufficient level to successfully achieve consolidation. The fleet is old; most vehicles have no radios; there is very little computerization; most current transportation managers have other duties as well. Extensive investment in vehicles, equipment, and management would be needed to create a successful, consolidated program. The primary argument against a consolidated system is the difficulty of management. No central staff can manage and dispatch all of the vehicles in the region. It would be necessary to rely on site managers for day-to-day management, and they are already performing this function. Regional management would simply add overhead costs without providing any expansion of service.

CONTRACTING

Contracting with private sector providers is a method used elsewhere as a method of coordinating services. It is consistent with UMTA's privatization guidelines. However, no private company in the region is in a position to undertake a project of this magnitude. Private contracting costs would definitely be higher than present costs, because no volunteers would be possible and the company must make a profit. Privatization does not offer the solution.

BROKERAGE

A brokerage program is the most feasible solution for reducing service overlaps and expanding service to the general public, although this approach also requires expanded funding. Vehicles are already placed around the ten-county region, and many have some available time in the middle of the day. No drivers are available for this open vehicle time, however, so additional funding would be required to take advantage of it.

In a brokerage program, each agency would continue to operate more or less as at present. A regional 800 telephone number would be established and marketed throughout the region. The broker would assign trip requests to an existing Section 18 agency depending on the trip location and vehicle availability. Each Section 18 agency would be required to specify hours when additional trips could be carried. Advance reservations would be required so agencies could schedule the special trips.

Agencies would schedule the trip assigned by the broker to current runs, if the trip pattern matched. If not, a special trip would have to be made. It would be the broker's job to know all agency schedules, so that the new trip request could be placed on an existing run, if possible.

The Southeast Kansas Coordinating Transit Council should be the forum for discussion of the proposal. Through the Council, a lead agency should be identified to undertake the broker's role. This agency would then include funds to establish the brokerage program in its next Section 18 grant application.

The Section 18 systems that will be called upon to carry additional passengers must also make provision for the increase. As a start, at least one vehicle must be identified for use if a trip is assigned by the broker. A driver must also be identified who could drive the trip. Provision for covering extra service hours should be identified in the Section 18 budget.

Marketing of this program will be essential. Some transportation agencies have been actively marketing the availability of their service to the general public as a result of the report by the Office of the Inspector General. So far, there have been no requests for rides. An ongoing marketing campaign built around the proposed 800 number will be required.

The region-wide program should be named to assist in marketing. "Southeast Kansas Area Transportation" (SKAT) is a possibility. The Coordinating Transit Council should select the name. All participating Section 18 vehicles could then bear the marketing logo with an "operated by" painted underneath. The identification would be similar to a franchise operation where there is a common marketing name but various companies operate individual franchises.

An easily remembered 800 number should be obtained and painted on the vehicle: 1-800-TRANSIT is a possibility if the number is available. Listings in area phone books should be purchased plus periodic ads in local newspapers.

Estimated Costs of Brokerage Program

The costs for the proposed brokerage program will include brokerage staff, telephone charges, and the cost of additional service hours.

Staffing the brokerage position will cost approximately \$40,000. A full-time broker will be needed plus a back-up to cover vacation and illness. Ideally, staff in the lead agency could be cross-trained to fill-in as needed. This could reduce the staff cost somewhat.

The cost of a "Maximizer 800" telephone number from Southwestern Bell would be:

Installation	\$67.50
Monthly Charge	\$10.00
Usage Charge	22.5 cents per minute

The Maximizer 800 service covers area code 316 only, which excludes Linn County.

A statewide 800 number would cost:

Installation	\$50.00
Monthly Charge	\$75.00
Usage Charge	30 cents per minute

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attachment 3.7

Assuming four hours per weekday of actual use, annual costs would be:

Maximizer 800	\$13,958
Statewide 800	\$19,310

There would also be regular long distance calls from the broker to each participating agency to schedule trips. In order to keep phone costs down, the broker could call the agency to alert them to the trip and then the agency would call back on the 800 number to discuss the schedule. It would be a good idea for the broker to FAX a trip schedule to each agency as well.

The Section 18 transit systems in Southeast Kansas now spend approximately \$560,000 on passenger transportation. The latent demand estimate indicates ridership could increase by as much as twenty-eight percent. Assuming a ten percent increase in the first year, operating costs would increase by \$56,000.

In summary, the additional costs for a brokerage system would be as follows:

Brokerage Staff	\$40,000
Communication	\$14,000 to \$20,000
Additional Service	\$56,000
	<hr/>
Annual Total	\$110,000 to \$116,000

Fare Structure

A standardized fare structure should be adopted across the region for the brokered service. A suggested fare would be \$2.00 per round trip within one county; \$4.00 per round trip across county lines. Alternatively, a zone structure could be established that recognizes service areas of existing vehicles. Fares within the service area would be \$2.00; \$4.00 outside of the service area.

Adding ten percent to the current ridership under the brokerage program would yield an additional 33,000 one-way passenger trips annually; 16,500 round trips. This equates to 6.5 additional round trips per weekday in each of the ten counties. At an average fare of \$3.00 (estimate) this would yield \$49,500 in revenue. Revenue would be retained by the agency that carried the trip.

IMPLEMENTATION OF A BROKERAGE SYSTEM

The implementation steps for establishing a brokerage program would be as follows:

1. The Coordinating Transit Council adopts the brokerage concept and becomes the forum for negotiating implementation.
2. The Coordinating Transit Council selects a lead agency to house the brokerage function and adopts a marketing name and logo for the concept. Proposals should be submitted by candidate agencies.
3. All Section 18 agencies agree to market their services under the regional logo. Vehicles would be marked with the regional logo and 800 phone number.

4. A unified fare structure is adopted by Section 18 agencies for brokered trips.
5. The lead agency submits a Section 18 application that includes a funding request for brokerage staff.
6. Other participating Section 18 agencies include funds to provide expanded brokered service in their budgets. Section 18 grant applications would reflect the increase.
7. The lead agency establishes an 800 number and arranges for listings in all applicable telephone books. Two free listings are provided by Southwestern Bell.
8. The lead agency takes responsibility for an ongoing marketing program. A marketing plan should be implemented and carried out.
9. The Coordinating Transit Council continues to function as a forum for planning, making program adjustments, and coordinating services.

The brokerage concept provides a mechanism for expanding transportation services to the general public while each agency still controls transportation for its own programs. The approach does require cooperation between agencies and requires additional funding to make the proposal feasible.

TABLE 2
SERVICE/RIDERS
BY AGENCY
1990

Agency	Number of Vehicles	Annual Vehicle Miles	Annual Ridership	Annual Total Costs	Annual Cost Per Passenger Trip	Cost Per Mile
1. Allen County Hospital	1	18,223	4,036	1,710.93	0.42	0.094
2. Allen County	1	15,000	8,400	18,668.00	2.22	1.245
3. Baxter Springs, Riverton, Lowell Senior Citizen	1	12,223	200	1,343.00	6.72	0.110
4. Bourbon County Senior Citizens	4	270,652	8,182	47,800	5.84	0.177
5. Class LTD (1)	11	209,384	58,298	126,354.00	2.17	0.603
6. Coffeyville Transportation	1	13,753	10,987	3,962.94	0.36	0.288
7. Elm Acres Youth Home, Inc.	6	85,567	18,597	27,195.37	1.46	0.318
8. Friendship House/ Community Support Program	1	16,006	2,121	6,683.82	3.15	0.418
9. Galena Senior Citizen Transit	1	6,438	1,522	1,198.39	0.79	0.186
10. Linn County Transportation	2	68,785	1,373	19,286.00	14.05	0.280
11. McCune Friendship Villa	1	14,351	590	1,260.19	2.14	0.088
12. Mercy Hospital	2					
13. Mt. Carmel Hospital	1	5,117	1,631	700.55	0.43	0.137
14. Mulberry Transportation	1	15,449	734	1,306.06	1.78	0.085
15. Northern Ch. Co. Transportation	1	6,451	914	1,256.27	1.37	0.195
16. Parsons Transit	2		10,127		0.00	
17. Pittsburg Transit Service, Inc.	1					
18. SEK-CAP	18	244,006	67,369	212,059.43	3.15	0.869
19. Senior Services of SEK, Inc.	19	77,544	64,751	43,995.28	0.68	0.567
20. Thanks Program	5	33,615	12,244	27,561.00	2.25	0.820
21. Toronto Transportation	1	2,506	24	1,097.37	45.72	0.438
22. Tri-Valley Development Ctr.	10	175,854	49,040	103,948.00	2.12	0.591
23. Walnut Senior Citizens Transit	1	3,132	101	1,110.01	10.99	0.354
24. Yates Center Transportation	1	6,666	4,984	5,986.00	1.20	0.898
Total Number	93	1,300,722	326,225	654,483	2.01	0.503

J. O. 2-25-92
Attachment 3-10

TABLE 1

SUMMARY FUNDING SOURCES/VEHICULAR FLEET

<u>Agency</u>	<u>Funding Sources</u>	<u>No. of Vehicles</u>
Allen County Hospital	Hospital Funds, Rural Health Care, Transition Grant, Donations	1
Allen County Transportation	County Mill Levy Funds	1
Baxter Springs, Riverton, Lowell, Senior Citizen Transportation	Donations, Fares	1
Bourbon County Senior Citizens	Donations, Older Americans Act, Social Security, Title XX, Fares, KDOT Section 18 (UMTA), Section 16(b)(2) (UMTA), United Way, County Mill Levy	4
Class LTD	County Mill Levy, SS Block Grants, Fares, KDOT Section 18 (UMTA), Kansas HB 2099,	11
Coffeyville Transit	KDOT Section 18, County Mill Levy	1
Elm Acres Youth Home	Donations, United Way, General Operating Funds, KDOT Section 18 (UMTA), Endowment	6
Family Life Center/ Community Support Program (CSP)	Kansas SRS, General Fund, KDOT Section 18 (UMTA), Donations, County Mill Levy	1
Galena Senior Citizens Transit	Donations, Older Americans Act, KDOT Section 16(b)(2) (UMTA), SEK-AAA	1
Linn County Transportation	Donations, Older Americans Act, KDOT Section 18 (UMTA), County Mill Levy, AAA,	2
McCune Friendship Villa	Donations, Older Americans Act, KDOT Section 16(b)(2)(Purchase)(UMTA), SEK-AAA	1
Mercy Hospital	Mercy Hospital Funds, Endowments	2
Mt. Carmel Hospital	KDOT Section 16(b)(2) (UMTA), Mt. Carmel	1
Mulberry Aging Transp.	KDOT Section(16)(b)(2) Purchase (UMTA)	1
Northern Cherokee County Transportation	Donations, Older Americans Act, KDOT Section 16(b)(2) (UMTA), SEK-AAA	1
Parsons Transportation System	Local, Oil Overcharge Funds, SEK-AAA	2

g O. 2-25-92
attachment 3-11

TABLE 1 (Continued)

SUMMARY FUNDING SOURCES/VEHICULAR FLEET

<u>Agency</u>	<u>Funding Sources</u>	<u>No. of Vehicles</u>
Pittsburg Transportation Service	Local	1
SEK-CAP	Energy Dept.-Oil Overcharge Money, SEK-CAP, Donations, Fares, Section 16(b)(2), Section 18 (UMTA), County Mill Levy, Older Americans Act, KDHS, SEK, Area Agency on Aging	18
Senior Services of SEK, Inc.	SEK-AAA, Donations, Older Americans Act, Social Security, Title XX, Fares, KDOT Section 18 & 16(b)(2) (UMTA), Oil Overcharge	19
Thanks Program	Older Americans Act, Donations, County Mill Levy, Social Security Section XX, SEK-AAA, KDOT Section 18 (UMTA)	5
Toronto Transportation	Donations, SEK-AAA	1
Tri-Valley Transportation	Donations, Fares, United Way, KDOT Section 18 (UMTA), Title XIX, Older Americans Act	10
Walnut Valley Senior Center	Donations	1
Yates Center Transportation	Local, Older Americans Act, Fund Raising	1
Total		93

*g. O. 2-25-92
Attachment 3-12*

Testimony - February 25, 1992
House Transportation Committee

By
Southeast Kansas Community Action Program, Inc.
James W. Garrison, Executive Director

Thank you for this opportunity to appear today. My name is James W. Garrison and I am the Executive Director of SEK-CAP, Inc.

Approximately 25 years ago, my agency, realizing that many of the elderly in Southeast Kansas had serious needs, did a study among that group asking what seemed at that time their most urgent need. We did this by survey and by actually knocking on doors to get a concomitant of opinion. We found that the number one need expressed was the lack of transportation of any kind. There existed no public transportation of any kind in any of the small cities and rural areas of our corner of the state. These people were in a real sense "Land locked" with no way to get needed services and goods unless some relative or friend could take them.

Seeing this great need, SEK-CAP, Inc. began developing piece by piece a transportation program to alleviate the suffering. It has evolved into the largest and most comprehensive system in the state, transporting approximately 260,000 rides annually, both in rural fixed routes and larger city transportation systems.

The problem that has developed is that so many single purpose providers have been funded during this time that coordination has become increasingly more difficult and I am afraid that there are instances where duplication is now occurring among the multiplicity of single vehicle grantees.

H.B. 2971 is aimed directly at the Elderly and Handicapped Transportation Provider in the State of Kansas that is funded under the Section 18 and 16, B,2 Grants of the Federal Transportation Administration.

SEK-CAP, Inc. has been operating transportation programs for twenty-five (25) years in Southeast Kansas, and was the only true Public Transit Operation for many years and by definition still is under the Older American's Act.

However, when the Section 18 funds were first made available to entities in Kansas - federal guidelines did not permit any of the Agencies now operating to apply. Urban Mass Transportation Act then changed the guidelines so that private-non-profits or small urban systems could apply. The Kansas Department of Transportation then made funds available to the public with no real guidelines as far as qualifying applications. The problem of duplication of services then occurred.

As a result, in any given year up to 150 grants may be issued by KDOT, some as low as \$500. This places Kansas very near the national lead in terms of grant contracts issued.

As has already been testified, the Kansas Transportation Committee with the Post Audit Study, The Office of the Inspector General have both said that "Coordination" has not occurred and "Duplication" does exist.

Mr. Chairman and Committee members, we support implementation so as to correct and improve transportation in Southeast Kansas.

I will be happy to entertain any questions at this time or at any time in the future if I may be of assistance.

Testimony
To the House Committee on Governmental Organization
Regarding HB 2971

February 25, 1992

Mr. Chairman and members of the Committee, my name is Ray Olson, Chairman of the Kansas Coalition On Aging. I appreciate the opportunity to appear today and voice KCOA's support of HB 2971.

I want to bring to the Committee's attention that KCOA's 1992 public policy priorities, adopted September 20, 1991, included a statement that we support the provision of an available, accessible and well coordinated system of public transportation in Kansas, which would serve the elderly and handicapped. We feel establishment of transit districts as provided for in this bill would certainly enhance coordination of the rural public transportation system.

In addition to savings resulting from the better utilization of vehicles due to enhanced coordination, there would be savings in purchasing of such items as gasoline, diesel fuel, tires, batteries, oil, insurance etc.

The establishment of local coordinated transit districts would place more responsibility for decision making at the local level. Who better can make decisions regarding local transportation needs than those living in the community?

I have seen no fiscal note for establishment of these districts. The most obvious problem I see in carrying out the intent of this bill is that KDOT's Office of Public Transportation will surely expend considerable manpower in accomplishing their goal. I assume KDOT is prepared to provide the extra manpower necessary to bring this about.

Thank you for the opportunity to offer our views on this important public transportation bill.

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attachment 5

Good Morning. Thank you for allowing me to speak today on House Bill 29-71. My name is Laura Martin. I am the Eldercare Activities Coordinator for the East Central Kansas Area Agency on Aging.

It is stated in House Bill 29-71 that the purpose of the Kansas Coordinated Transit Districts Act is to authorize the Kansas Department of Transportation to establish coordinated transit districts to enhance coordination and management of state and federal passenger transportation funds.

In Section 6, it is stated that the Secretary of the Kansas Department of Transportation shall establish coordinated transit districts for the purpose of providing financial and administrative assistance to transportation systems.

The East Central Kansas Area Agency on Aging supports House Bill 29-71. However, we propose that the transit districts that are to be established under the bill, follow current Area Agency on Aging boundaries. The districts are already defined and the experience of the Area Agencies on Aging in distributing state and federal funds would prove useful.

Responsibilities of the transit districts include contracting with the department for receipt of funds which will enhance transportation coordination. The ECKAAA already contracts with the department for Section 9 and Section 18 funds. The ECKAAA already provides administrative and technical support of transportation services. And the ECKAAA

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attachment 6*

already monitors transportation services in its six county area. We also are striving to form a para-transit council.

House Bill 29-71 also states that transportation shall be provided to the elderly, disabled and the general public. The ECKAAA already provides services to the elderly and disabled, and through a grant from the Kansas Department of Transportation, we oversee transportation services to the general public.

We believe it would be in the best interest of the elderly, disabled and the general public not to establish another layer of governmental red tape. It would be in their best interests to provide transportation through an established, effective agency that already coordinates some transportation services. Administration of the Kansas Coordinated Transit Districts Act through Area Agency on Aging districts would make the program available sooner and more effectively for potential participants.

g O. 2-25-92
attachment 6-2



Michael L. Johnston
Secretary of Transportation

KANSAS DEPARTMENT OF TRANSPORTATION
Docking State Office Building
Topeka 66612-1568
(913) 296-3566
FAX - (913) 296-1095

Joan Finney
Governor of Kansas

February 25, 1992

Testimony

House Governmental Organization Committee
on House Bill 2971

Mr. Chairman and members of the committee, I am here today to testify on behalf of Secretary Michael Johnston and the Kansas Department of Transportation (KDOT). My name is Deb Miller and I am the Director of Planning and Development for KDOT. The Office of Public Transportation, which administers the federal and state public transportation programs, is under my direction.

I am here to speak in favor of House Bill 2971. We believe the formulation of transit districts would greatly enhance coordination of transportation services. Many states already have this type of program in place, whereas Kansas currently contracts with nearly 200 individual providers of transportation services statewide. A transit district approach to management of transportation services in a region will improve coordination, eliminate service duplication, allow more efficient use of under-utilized resources, better match service supply to service demand and reduce the number of drivers and dispatchers required in a region with many separate transportation services.

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attachment 7

The Office of Inspector General, US DOT and the Kansas Legislative Post Audit have both cited the Kansas program in the past for failing to coordinate transportation services in an efficient manner to a broad-based clientele. We believe the approach outlined in House Bill 2971 would go a long way toward improving coordination of transportation services.

At this time, there are many unanswered questions as to the details of implementing such a program. We will soon be starting a year-long study in conjunction with the K.U. Transportation Center to develop a detailed implementation plan. During this study, meetings will be held across the state to seek input from the public on the best approach for implementing such a program.

We also plan to begin contracting with two regional transit districts this year. These two districts have been formed voluntarily and will serve as demonstration districts for others to observe and model. All in all, I believe the benefits of this approach will far outweigh the costs or uncertainties associated with a change in the program.

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attachment 7-2

Testimony on HB 2971
The Kansas Coordinated Transit Districts Act
before the
House Governmental Organization Committee
February 25, 1992

by the
Kansas Department on Aging

Mr. Chairman and members of the Committee, the Kansas Department on Aging supports the passage of HB 2971. The bill proposes to improve on the coordination of transportation services by establishing transit districts. The Department believes that such local coordination will benefit transportation consumers.

The U.S. General Accounting Office reported in August, 1991 that longstanding transportation problems need more attention:

We found that in many communities a number of agencies operate in isolation from one another to provide special transportation to the elderly and other populations. As a result, each agency's vehicles are used for only a part of the day. In addition, while there are no special transportation services available in some localities, one agency's vehicles pass by another agency's clients in other localities.

The GAO study included visits to four sites, including Chanute, Kansas.

Coordination can improve services. For example, last year Congress addressed a problem of inefficiency by amending the transportation act to allow mass transportation service providers "to coordinate and assist in providing meal delivery service for homebound persons on a regular basis." This amendment should allow providers to deliver meals to isolated homebound people when the vans and buses are driving by with passengers.

HB 2971 only partially addresses the problem of statewide coordination. Attached is a table describing the efforts of each state to coordinate transportation. Notice that Kansas has no legislation or executive order; HB 2971 would remedy this. Notice also that Kansas has no state interagency committee or task force. HB 2971 does not change this deficiency. The Kansas Department on Aging believes that such statewide coordination is necessary. We often find that local providers are willing to coordinate if only the state agencies will coordinate.

Our recent experience with interagency collaboration on long term care is evidence that interagency coordination is beneficial. If the Senior Care Act becomes a statewide program as proposed by the House Appropriations Committee on February 20, some transportation services may be funded pursuant to the Act. Although HB 2971 does

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attachment 8

not include this funding source in its design, we believe that transportation services can be an important part of the continuum of long term care. Provisions for interagency coordination at the local level (K.S.A. 75-5928(b)) and at the state level (K.S.A. 75-5935(a)) are already a part of the Senior Care Act.

The Department urges your support for HB 2971.

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attachment 8-2

State Coordination Efforts

The Federal Transit Administration and the U.S. Department of Health and Human Services encourage coordination to stretch Federal transit resource. Following the Federal lead, some states have developed coordinating mechanisms and also provide technical

assistance that helps local operators better coordinate resources. See how your state stacks up against the nation. *The following information was provided by the Region IV Transportation Consortium.*

State	Legislation or Executive Order	State Interagency Committee or Task Force	Technical Assistance State-To-Local
<i>Alabama</i>	1989 Executive Order 29 established Alabama Interagency Transportation Review Committee	Alabama Interagency Transportation Review Committee	Marketing, vehicle specs, business approaches
<i>Alaska</i>	none	none	UMTA RTAP funds used for passenger assistance techniques training
<i>Arizona</i>	1980 Arizona Older Americans Act requires coordination of services to the elderly	Social Services Transportation Coordinating Committee	Funding, operations , grant application process, program information, project development
<i>Arkansas</i>	1977 Act 192 expanded the role of Arkansas' Department of Transportation in coordination process	none	Vehicle specs, record keeping, grant application, marketing, mechanics, human service transportation issues, monttoring, evaluating.
<i>California</i>	1979 AB120 The Social Services Transportation Improvement Act requires coordination of all social services transportation and establishes a task force to monitor its implementation	Interagency Social Services Public Transportation Committee and Social Services Transportation Task Force	Management techniques
<i>Colorado</i>	1983 Legislature authorized Colorado's Department of Highways to conduct transit planning in areas under 200,000 population	Interagency Advisory Committee	Safety training, other technical assistance
<i>Connecticut</i>	1987-88 General Appropriation of \$3 million to develop elderly and hand-capped coordination plans	none	Marketing, planning, safety training

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attachment 8-3*

State	Legislation or Executive Order	State Interagency Committee or Task Force	Technical Assistance State-To- Local
Delaware	1979 Delaware Transportation Authority Act created Delaware Transit Authority with power to create a statewide specialized transit administration	Paratransit Advisory Committee and the Governor's Council on the Coordination of Services for people with disabilities.	Vehicle procurement, service planning, sensitivity training, safety training
Florida	1979 Florida Statute Chapter 427 established Coordinating Council for the Transportation Disadvantaged	Transportation Disadvantaged Commission	Driver safety, CPR, first aid, TDC policies and procedures, driver sensitivity, passenger assistance techniques, maintenance, drug testing, program management, Section 18 and 16(b)(2) guidelines
Georgia	Senate Bill 457 requires coordination of transportation services	Interagency Coordinating Council	Application process, scheduling, dispatching, Rodeos, marketing
Hawaii	none	Rural Public Transportation Advisory Council	Information sharing
Idaho	none	Informal interagency agreement with DOT, Headstart and Office of Aging	Regulations, planning, troubleshooting
Illinois	1984 Resolution 1299 established the Illinois Task Force on Coordination of Public Transportation Service	Illinois Task Force on Coordination of Public Transportation Service	Using RTAP funds to set up a technical assistance program
Indiana	none	Transportation Advisory Group Section 16(b)(2) — Interagency Cooperation Group (Section 18) — Interdepartment Coordinating Body — Interagency Council on Specialized Transportation	Funding sources, planning, passenger assistance techniques, workshops on transportation management techniques, driver training maintenance, insurance.
Iowa	Code IA Chapter 601J (transportation funding)	Statwide Transportation Advisory Committee	Regulation, marketing, planning, passenger assistance techniques training, grant application, scheduling
Kansas	none	none	Grant applications, toll-free number, anti-drug training

9.0.2-25-92
Attachment 8-4

State	Legislation or Executive Order	State Interagency Committee or Task Force	Technical Assistance State-To- Local
Kentucky	none	none	Regulations, planning, annual vehicle inspections, RTAP program
Louisiana	none	16(b)(2) Interagency Committee	Vehicle specifications, RTAP program, procedures
Maine	1979 LD 1556 established administrative framework for coordinated allocation of state and federal transportation funds	Interagency Cooperative	Regulation, RTAP workshops, performance standards, priority setting, scheduling, regional planning
Maryland	1986 Transportation Article Section 2 authorizes funding for all counties for general purpose transportation for elderly and persons with disabilities — 1975 Article 77 permits use of school buses to transport elderly	Interagency Committee on Specialized Transportation	Training for transportation needs of the disadvantaged, driver training, planning
Massachusetts	none	Interagency Advisory Committee	Grant application process, UMTA regulations
Michigan	Law pending that would require surveys of transportation service to avoid duplication	Ad Hoc Committee for Specialized Service	Regulation, planning, safety training, seminars on lift operation and vehicle availability
Minnesota	1983 Minnesota Human Rights Law amended to include public transportation service criteria for disabled persons — 1979 Senate Bill 405 established a state policy on coordinating public and private transportation	Interagency Task Force on Coordination of Special Transportation Services	Driver safety training, passenger assistance techniques, program monitoring, vehicle inspections
Mississippi	none	Interagency Transportation Committee	Driver training, monitoring programs, development of grant applications
Missouri	1986 Senate Bill 676 provides for planning and coordination efforts	Coordinating Council	Defensive driving, CPR, operations

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Attachment 8-5
January 1992

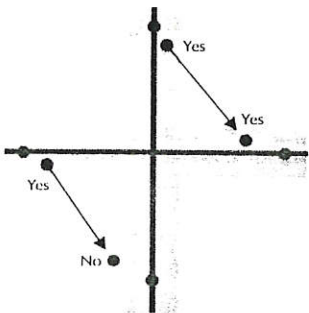
State	Legislation or Executive Order	State Interagency Committee or Task Force	Technical Assistance State-To-Local
Montana	1983 Senate Bill 21 established authority for local government to levy up to one mil of property tax to provide transportation for elderly and handicapped.	Coordinating Committee/Project Solution Committee	Marketing, planning, safety training, passenger assistance techniques, driver training, annual conference and quarterly newsletter
Nebraska	LR 136 established the Public Transportation Advisory Committee	Public Transportation Advisory Committee	Regulation, marketing, planning, safety training, passenger assistance techniques, fiscal and grant information
Nevada	none	none	Grant application, conferences, newsletter, insurance pooling, annual inspections, passenger assistance techniques, UMTA program rules, maintenance
N. Hampshire	none	Coordinating Working Group	Marketing workshops, driver safety training
New Jersey	1983 Senior Citizen and Disabled Resident Act dedicates 7.5% of Casino Tax revenues for senior and handicapped transportation	Council on Special Transportation — Task Force on the Elderly — Governor's Task Force on Services to the Disabled	Management information systems, scheduling, reporting, routing, funding, driver training, information sharing and newsletters
New Mexico	none	Governor's Committee on Services	Regulation, planning, driver safety training, first aid, CPR, passenger assistance techniques, defensive driving
New York	1990 Chapter 61 requires N.Y. City to provide coordinated, accessible TD service by requiring additional urbanized areas to do the same.	New York Interagency Coordinating Committee on Rural Public Transportation	Application procedure workshops, passenger assistance techniques, maintenance
North Carolina	1988 establishment of elderly and handicapped transportation assistance program	N.C. Public Transportation Advisory Council — N.C. Interagency Transportation Review Committee	Training for managers, drivers, dispatchers, mechanics, and computer operators, management performance reviews, annual regulations workshops
North Dakota	none	Section 18 Advisory Council	Planning, safety training
Ohio	none	Ad Hoc Elderly and Handicapped Transportation Committee	Funding procedures

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Attachment 8-6

State	Legislation or Executive Order	State Interagency Committee or Task Force	Technical Assistance State-To- Local
<i>Oklahoma</i>	none	none	Application procedures, computerized record keeping systems, national RTAP Training Modules
<i>Oregon</i>	none	none	Planning, safety training
<i>Pennsylvania</i>	1976 Rural and Intercity Common Carrier Act funds public transportation in rural areas	Interdepartmental 16(b)(2) Review Task Force — Transportation Coordination Task Force	Regulation, marketing, other technical assistance
<i>Rhode Island</i>	1989 legislation approved funding for a test Paratransit Brokerage System	16(b)(2) and Section 18 Review Committee	Passenger assistance techniques, safety training
<i>South Carolina</i>	1981 Amendment to Interagency Council Legislation of 1977	S.C. Interagency Council on Public Transportation	Regulation, planning, safety training, defensive driver training, first aid, quarterly driver training, mobile vehicle simulation
<i>South Dakota</i>	none	Transportation Planning and Coordinating Task Force	Marketing, safety training
<i>Tennessee</i>	none	Interagency Working Group on Public Transportation	Regulation, safety training, driver and financial skills, provider agency management training, drug abuse, radio communication, user subsidies, volunteers, planning
<i>Texas</i>	none	Informal working group	Regulation, marketing workshops, safety training, planning
<i>Utah</i>	none	Utah Rural Development Committee — Utah Council for Handicapped and Developmentally Disabled Persons — E&H Evaluation and Selection Committee	Preventive maintenance training, defensive driving, safety training
<i>Vermont</i>	1987-88 General Appropriations mandated a state coordination study	16(b)(2) Advisory Committee	Lift use, sensitivity training, accounting, marketing, information sharing, grant application process, cost estimates

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 January 1992
 attachment 8-7

State	Legislation or Executive Order	State Interagency Committee or Task Force	Technical Assistance State-To- Local
<i>Virginia</i>	1986 Senate Bill 29 mandates the development of a plan to provide coordinated transportation services	Plan of Cooperation Committee	Regulation, safety training, management and mechanics training, passenger assistance techniques
<i>Washington</i>	none	16(b)(2) Advisory Review Panels — Section 18 Committee — Technical Advisory Committee	Safety training, management training, computer training, passenger assistance techniques, maintenance training, and grants
<i>West Virginia</i>	none	Informal groups	Regulation, marketing, safety training, passenger assistance techniques
<i>Wisconsin</i>	1977 State Law Section 85.23 authorizes DOT to make state capital grants for specialized transit to supplement Section 16(b)(2)	Interdepartment Transportation Coordination Committee	Regulation, marketing, planning, safety training, volunteers, record keeping
<i>Wyoming</i>	none	Coordinating Committee	Conference, workshops, rbadeds, passenger assistance techniques, driver sensitivity training, grants, maintenance, schedules



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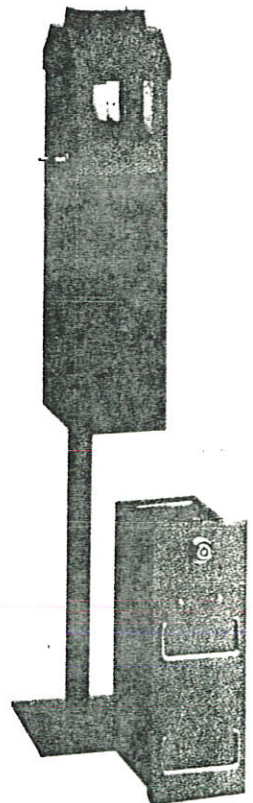
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attachment 8-8*

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TOPEKA

HOUSE OF
 REPRESENTATIVES

TESTIMONY ON HB2960
 HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

COMMITTEE ASSIGNMENTS
 CHAIRPERSON: PUBLIC HEALTH AND WELFARE
 CHAIRPERSON: JOINT COMMITTEE ON HEALTH
 CARE DECISIONS FOR THE
 1990'S
 VICE-CHAIRPERSON: ECONOMIC DEVELOPMENT
 MEMBER: PENSIONS, INVESTMENTS AND BENEFITS
 JOINT COMMITTEE ON ECONOMIC
 DEVELOPMENT

February 25, 1992

Mr. Chairman and Members of the Committee:

I appear as a sponsor and supporter of House Bill 2960, a bill which would include an elected student representative as a non-voting member of a community college's Board of Trustees.

The student member would be the highest student executive officer elected by the entire student body of the community college. The student member would serve for a term expiring concurrently with his or her term as an elected student officer and upon qualification of a successor. The student member would enjoy the same rights and privileges, perform the same functions and duties, and exercise the same powers as all other trustees except for the power to vote. The student member would also: serve as a liaison between the student body and the Board; stimulate awareness in the student body of the rights and responsibilities of the Board and the students; identify student concerns; advocate student positions; disseminate information to the student body about college governance, management and policies of the Board.

This bill was developed as an initiative of a Kansas community college's Student Senate. As a former elected member of a community college's Board of Trustees, as a chairperson of that Board, and as a former Chairperson of the KACC's Trustees' Section, I recommend this concept for your positive consideration for a number of reasons: First, it articulates a very clear policy message on the state's part that community colleges as institutions of public education in Kansas exist for the benefit of the students. Unfortunately, in reality, this very basic precept is frequently obscured by the voices and interests of far more vocal and visible college constituencies such as administrators, faculty, staff, and even the institution, itself, which, at times, demands policies based on little more reason than self-perpetuation. A student representative on the policy-making board would serve as a constant reminder to the voting board members of the college's true mission and responsibility. There is no need for any other college constituency, such as faculty, to be similarly represented on the board for no group, other than the students, represents the college's reason for being.

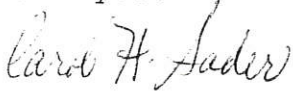
A second reason that HB2960 has merit is that it would afford the

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 attachment 9*

students of community colleges an unusual opportunity to participate in the governance of their institution. Unlike the student body of a Regents institution, most of the students in a community college are commuters, are older, have full-time or part-time jobs, and are, consequently, less likely and less able to participate in college activities or communicate directly with Board members or administrators on college policies or governance issues. Limited time on campus and other non-student related responsibilities create a far greater need for student representation on the governing board of community colleges than on the governing board of other post-secondary institutions.

HB2960 is a statement in recognition of the importance of the educational mission of our state's community colleges and the unique character of their student bodies. I urge its passage as a clear and timely legislative message on the value of student-centered outcomes.

Thank you.



Carol H. Sader

*J. O. 2.25-92
Attachment 9-2*

Patrick Carney
Johnson County Community College
Student Senate President
February 25, 1992

Student Position On Community College Board of Trustees

Before I start I would like to thank the Government Operations Committee and its chair in taking time to consider this bill. Unfortunately, I did not learn about this hearing until late Sunday evening, February 23rd. With such a short period of time I was unable to build the necessary network between the student governments of various community colleges to come and speak on behalf of this legislation. If you would allow, after today, letters of support from the various community college student governments to show that there is support for this legislation, I will assure you that contacts will be made and letters sent to your committee.

I initially began this proposal to consider the the various avenues that could be investigated by student government in community colleges in order to gain a more prominent role on the campus that we reside. This review led me to the likely conclusion that the role of the student, especially student leaders within the community college, has never been thoroughly explored. Once I had made this the basic understanding that student leadership needed to be further explored, it became obvious that there was no student representation on the very board that currently maintains local control over each community college. That board, which makes and votes on policy changes effecting the student body is the Board of Trustees for Community Colleges. While I understand it would take changes of the most dramatic form to gain a voting position on the board of trustees for community

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colleges, I believe it to be in the best interest of all community colleges that input and direct communication with the student voice be maintained.

While there are many facts that lend support to the creation of this position, I would like to first review some of the precedents that have taken place which would highlight legitimacy to the passage of this legislation and the creation of such a student position. To begin, student membership positions were created on the state councils directing higher education within the State of Illinois. During this time, Dr. Charles Carlson, the President of Johnson County Community College assisted the student government in creating and lobbying for legislation that allowed for the creation of a student position on the regents like council which supervised activities for higher education institutions. In fact, Dr. Carlson has lent support to this initiative and specifically stated, "while he was in Illinois and serving as Dean of Students, he found that the students were very effective and helpful in offering various alternatives and solutions to proposals that were being discussed."

The second case comes from this very state. Within the Kansas education system, student delegates from the six state universities are chosen to sit and discuss issues with the members of the State Board of Regents. During these meetings, these students can interject and debate various issues with the Regents members over issues that could impact either the students or the institutions themselves. With this opportunity, the opinions of the students can be transmitted to the very officials who are supposed to act in the best interest of the students and the university system. It is for this reason that I believe that since local control is maintained by community colleges, the students need a position to voice the concerns of each local community college student body.

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With each of these cases, the impact that was allowed to occur also allowed for an effective student opinion and response to key issues that effected the institutions of higher educations and the students within them. While each of these cases offers a strong foundation from which a case may be built upon creating the position proposed by this legislation, there are reoccurring trends and facts that would further emphasize the need for such a position.

Across this state there are budgetary problems facing this house of government. With the growing cost of government and its programs, the available resources for education will either continue to decline in the future or taxation will increase for the communities that have community colleges. With the latter of this two possibilities being less likely to occur in a nation facing a serious recession, the amount of monetary responsibility facing a student will continue to rise. Whether the increased cost to the student will occur in higher tuition rates, users fees or activity costs is not the question, the question is the oversight of those funds by those who assist in the payment into the system. Currently in Johnson County, tax payer dollars represent forty-six percent (46%) of the revenues needed to run Johnson County Community College (JCCC). While this is a large section of the budget for JCCC, every member of the Board of Trustees is elected by the tax paying residents of Johnson County. On the other hand, student tuition and fees pay for approximately nineteen percent (19%) of the total costs to operate the community college. While this percentage may fluctuate from community college to community college the fact still remains that with the exception of a Student Government Association (SGA) there is not seat or position from which a student voice may be spoken or heard within community colleges. Thus, for forty-six percent (46%) of the cost to operate the college, the tax payers of Johnson County

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receive one-hundred percent (100%) of the representation in the highest and most powerful policy making body of the community college.

Over the next few years the tuition rate for those attending community colleges will be rising substantially. In fact, at JCCC the rate of tuition will possibly increase at least five dollars per credit hour for student as I am told by our Dean of Students. While the ramifications of such drastic tuition hikes may not be known for some time, the reality is that as tuition increases, the percentage that students in community colleges pay for their education will also increase. As a student leader and a student of JCCC for three years, I have had the opportunity to see some of the innerworkings of the community college but not all students have had the opportunities that I have. Furthermore, even as the current Student Body President, I still have to play catch-up on most of the issues that our Board of Trustees considers throughout the year. With the creation of such a position, there would be a student who could be fully versed in the numerous issues that face the community college and its student body throughout the year. Overall, as the price for our educations increases the need for a larger student role in the policies and issues that are discussed and decided at our schools also rises considerably.

This bill and the position it seeks to create was not constructed to build a "student watch post" which could be used to "keep an eye" on the activities of the Board of Trustees. To the contrary, its purpose is to give students and student leaders a way to effectively communicate the issues, ideas and opinions in an open forum for the members of each Board and the Community College as a whole to review and consider. This position would establish a formal line of communication between students and their trustee members. With the rising burden of cost for

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students, I believe that it is essential that formal communication lines be established so the needs of all groups involved will be considered prior to the passage of decisions and the expenditure of future funds on various educational programs.

I understand that the idea of allowing a student on the Board of Trustees for a community college may not be at the fore most of concerns for the legislature this year but the ramifications of this position cannot be measured in mere economic indexes or numbers. The impact that I speak of is the idea of control and responsibility that is needed if a person is going to truly understand the gift that education offers them. As a student leader, I am faced every day with the student perception that to be in student government within a community college is ridiculous and that we have basically no control and no say in the decision making process of the college. While I try to debate with perception, at this point student government in community colleges has very little to any say in the decision making structure its own school. With this perception, comes apathy and with apathy comes a lack of initiative and action within the educational system by those very people the system has been created. This position would send a clear and undeniable signal to the 60,000 to 70,000 community college students that they have an option and a voice. If there is a change that needs to be made within community colleges or in the least considered by the state legislature, then it should be the creation of a recognized channel of communication for students to follow.

At one time my father told me that I would not understand the value of a dollar until I worked for it. At that young age I just brushed it off as something my dad would say, but once I had the opportunity to go out and work for a paycheck and pay bills, I understood all too well what a dollar meant and that it should not be wasted. This example stands true here for every student. Either students are

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currently to apathetic to care or just do not understand the value of our education because, with the exception of the classroom, they have never had the opportunity to work for its growth and progression. We have never had the opportunity to understand and respect the value of our education in the community college system. Unless we have that chance to review and discuss the issues that confront a Board of Trustees, I fear the students never shall understand what a glorious gift we have and that we and others should take full advantage of it.

The question that needs to be put forward is what good could this position do for community colleges? The increased responsibility given to students would help to ignite a fire that could help in assisting the growth and development of the community colleges. At this time, many if not all community colleges are experiencing growth in student enrollment, but with less aid available, new solutions need to be offered. Why not listen to those who know and function within the current educational system? The student has a view of a community college from the ground level. We can look around and see whether or not changes that were made are effective and whether they helped their school to flourish. This position is about responsibility for the student to his or her community college. We have the opportunity to give the students of next year and many years to come the chance to express their concerns to people who should hear them the loudest, the members of the Board of Trustees.

As I am sure you are aware, I cannot guarantee total success if this bill is passed into law but it will stand as a progressive step forward for the students of community colleges. More, now than ever, we need to tell the future leaders and workers that they can take responsibility and have a voice in our education, our jobs and our institutions so that other states and countries can look on and say that

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Kansans and American alike are not lazy and have the initiative to create and facility change for the better within the very institutions that we constructed to make us free.

Community colleges hold almost half of all college freshmen and sophomores of higher education within Kansas and who may be this state's future leaders. The responsibility given by creating this position for community college students will help to revive the message that a United States President sent some thirty plus years ago. "Ask what your country what it can do for you, but what you may do for your country." I believe that our future will be brighter and more successful for everyone within this state and nation because the next generation's leaders will begin to understand the importance of speaking out for the ideas that they believe in and hold an optimistic view that government and its officials are merely out for themselves and their own interests. As a student and a leaders, all I am asking for is the opportunity and the responsibility to help participate within a system that effects my life and those yet to come. I would like to thank the chair and the members of this committee for your time and patience, I realize that there are many trying issues that face this state which are large and important, but I ask you to consider the message that we can send today for leaders of tomorrow who can benefit from a system that was constructed to listen and their ideas to them as well as others.

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Mr. Chairman and members of the committee:

Let me start by first thanking you for the opportunity to be here today to express my views on House Bill 2960. My name is Vikki Tobias. I am a senate- at- large member of the Johnson County Community College Student Senate. I'm here today to attempt to garner your support of this worthwhile bill.

I support this bill for many reasons. Chief among these is the belief that if this bill does indeed pass, the ties of communication between community college administrations and students can only be strengthened. With the number of non-traditional students in community colleges increasing annually, this high level of communication will become imperative if these students are to be successful. Non-traditional students face different challenges than those confronting the traditional community college student . The addition of a student board of trustees member would guarantee that the boards of trustees of Kansas community colleges would have a clearer perception of the needs of the students and the community that they serve.

Another important issue that this bill would help address is the level of student apathy experienced by community colleges. If students know that their views will indeed be expressed and heard at the board level, those students would take a more active role in their school's government. I have spoken to many people who believe that they can't make a difference because they can't be heard. This position, while it would not give students an actual vote, would, I believe, contribute to a student's feeling of efficacy.

We students at Johnson County Community College are very fortunate in that our president and board of trustees are very interested in the opinions of the student body; however, we have at various times felt some frustration at our inability to formally address the board. This position would alleviate that frustration and promote the necessary bonds between the board, the student senate, and the entire campus

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population.

This idea is not without precedent. Some colleges in the state of Illinois have created student positions on their boards of trustees and have met with success. This position can only enhance the relationship between student government and the board.

Finally, I'd like to remind the committee of the purpose of community colleges. These institutions are designed to prepare the student to become an effective, contributing member of his or her society. The experience gained from attending these colleges will be carried with the students throughout their entire lives. It is my sincere hope that each student will be fortunate enough to experience the great feelings of satisfaction and pride that I have achieved through serving as a student senator. However, if we want these students to become leaders tomorrow, we must entrust them with a degree of responsibility today. I believe that this bill proposes to do just that. If students learn today that their voices can be heard and that they can make a difference, they will be endowed with a sense of not only personal responsibility but also with a sense of political efficacy and responsibility which are very necessary characteristics for an educated, responsible citizen to possess. Therefore as you consider this issue, please remember that this position would not only benefit the students of Kansas community colleges but that it could ultimately affect society as a whole. Thank you for your time.

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There are several reasons why I believe it is imperative that community colleges in the state of Kansas include non-voting student representatives to their governing boards. First, it guarantees the fact that student rights will be considered. Secondly, a student position on the governing board of a community college would help to change the basically non-active role students now play in a great deal of their education. Lastly, I believe that adding a student representative to a community college's board of trustees adds links of communication between the college's governing board and any student organization that may exist at that community college.

In considering the many diverse issues that surround the governing of a community college, it is conceivable that students can sometime be put in the proverbial backburner of trustee member's minds. With the issues of expansion, how to spend tax dollars, and faculty issues all playing a large part in the administration of community college, it is possible that Board of Trustee (B.O.T.) members could become more interested in dealing with issues in a quick fashion without considering all sides of an issue.

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Student Position on College Board of Trustees

This would not be the case if there was a student representative on the community college's board of trustees. If a student were permanently sitting on the board of trustees the perspective of the student would be represented on all areas of voting concern.

Placing a student representative on the Kansas community college board of trustees would help foster a changing role for the student body. If the students knew that they had a permanent voice on the board of trustees they might be more likely to voice concerns, whereas in a normal situation they would not be inclined to do so. The placing of student representatives to the community college's governing board would put Kansas community college's on the cutting edge in concern of student role. To support this kind of representation would not only be beneficial to the student bodies at large, it would be good for the colleges themselves in that this could lead to a better student-faculty / administration relationship.

The final reason why I believe that student representatives should be placed on community college board of trustees is that student representatives would strengthen all student organizations within the campus. I, myself, am

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Student Position on Board of Trustees

currently the Vice President of the JCCC Student Senate.

Althgouth we may be able to do many things it is impossible for the Senate to enact an governing changes without the support of the Board of Trustees. With a liason between the students and board of trustees, it would be easier for students organizations to communicate their ideas.

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KANSAS ASSOCIATION OF COMMUNITY COLLEGES

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Executive Director

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To: House Committee on Governmental Organization
From: Merle Hill, Executive Director
Kansas Association of Community Colleges
Date: February 25, 1992
Subj: House Bill No. 2960, an act concerning community colleges;
affecting the composition of boards of trustees by inclusion
of student members

Mr. Chairman, members of the Committee, I am Merle Hill, executive director of the Kansas Association of Community Colleges. Thank you for giving board members of the Association, elected by trustees, presidents and faculty, the opportunity to express their concerns about the provisions of House Bill No. 2960.

First, a point of clarification. As executive director of the KACC, I represent students as well as trustees, administrators and faculty. I do not present a position of the entire Association, since you have already heard from Glenn Stockton, chairman of the Student Section, whom I asked to present testimony today. The position I present is the position of three-fourths of the KACC membership, as expressed by elected members of the board of directors.

The three constituencies whose position I present today do not believe it is appropriate to have a board comprised of trustees, elected by countywide constituencies, i.e., taxpayers, and a trustee mandated by the Legislature. By provisions outlined in statute (K.S.A. 71-201), elected trustees "shall have custody of and be responsible for the property of the community college and shall be responsible for the management of said college." These three groups do not believe, further, that a non-voting student trustee should be able to participate in suing or being sued, determine the educational program of a college, fix the compensation of the president, enter into contracts, etc.

Neither do they believe a non-voting student trustee should be privy to executive session discussions, especially those concerning due process and tenure. Faculty members cannot participate in such sessions, and the faculty board members with whom

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I spoke indicated their preference to have neither faculty nor students becoming a part of executive session discussions.

o They are not confident that a non-voting student will be sensitive to all the nuances and financial matters to which an elected board of trustees must be privy and, at times, keep private.

o They suggest that more than 75 percent of board discussions have little if anything to do with student interests. Also, all reported that their colleges already have provisions for student concerns to be expressed to their boards of trustees and that student requests are rarely denied. They also suggest that all student body officers, not just the president, should be encouraged to attend the open trustee meetings and that deans of students could work with these officers both before and after such meetings to make the experiences educational and meaningful.

o With almost 70 of the 117 community college trustees having been elected in the last five years, it is quite difficult to get elected trustees completely aware of the colleges' fiscal operations, the negotiation process, continuing-contract laws, rules and regulations, etc., and it would be "re-inventing the wheel" almost every month to get student trustees cognizant of what is needed for meaningful participation in trustee discussions and business.

o They believe the elected student body president is not truly representative of an entire student body. The typical student body president at a Kansas community college is rarely older than 20, while the "average" student is older than 30. Also, the typical student body president is a full-time student, while more than 70 percent of the students attend college on a part-time basis.

An example of student participation in student government activities might be the student-body-president election at Washburn University of Topeka in 1979. In a total student body exceeding 6,000, fewer than 300 votes were cast for candidates for student body president. Two faculty members on the KACC board of directors suggested that this same percentage of student participation would be typical at their campuses.

On one Kansas community college campus, by the way, the "average" student is a 32-

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year-old female who is a mother of two children and works to support her family while attending school on a part-time basis. At another college, 73 percent of the students surveyed reported they could not become involved in campus activities after 1:00 or 2:00 p.m. Earning a living, paying for a house or paying the rent, getting required courses at convenient times, and raising a family are the top priorities of the "average" community college student, not those statutory responsibilities of trustees elected in countywide elections.

The Trustee, Administrator and Faculty Sections of the Kansas Association of Community Colleges believe House Bill No. 2960 should be reported unfavorable for passage.

I shall be pleased to answer questions. Thank you.

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KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS



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TESTIMONY ON HOUSE BILL 2960
before the
House Committee on Governmental Organization

by

Cynthia Lutz Kelly, Deputy General Counsel
Kansas Association of School Boards

Mr. Chairman, members of the committee, thank you for the opportunity to appear before you today, on behalf of our member community colleges, to express our concerns with House Bill 2960.

Our association believes that the governance of community colleges should be vested in a locally elected board of trustees, and that the board should be responsive to all of the college's various constituencies: administrators, faculty, other employees, and students. Most, if not all, community colleges have established procedures which allow for open communication between boards and students, procedures which adequately address the purposes for student representation on the board stated in this legislation. We believe that this legislation is unnecessary, but, if adopted, should be permissive rather than mandatory.

Further, we believe that the legislation needs clarification in the area of rights and duties of an ex officio board member. Most importantly, we believe that such members should be legislatively excluded from discussions of the board which legitimately occur in executive session. Other open meetings law questions should also be ad-

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dressed: Can an ex officio board member violate the open meetings law? An elected official may be recalled for such violations; what is the recourse for an ex officio member?

Unless these concerns are adequately addressed in amendments to the proposed legislation, we believe that House Bill 2960 should be recommended unfavorably for passage.

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