

MINUTES OF THE SENATE COMMITTEE ON LOCAL GOVERNMENT.

The meeting was called to order by Chairperson Mark Parkinson at 11:30 a.m. on March 29, 1995, in Room 531-N of the Capitol.

All members were present except: Senators Langworthy, Ranson and Downey

Committee staff present: Theresa Kiernan, Revisor of Statutes
Shirley Higgins, Committee Secretary

Conferees appearing before the committee: Don Cooper, Shawnee County Board of Commissioners
Mike Sease, Director of Shawnee County Public works
Jim Kaup, City of Topeka

Others attending: See attached list

SB 377--Counties; providing for the issuance of general obligation bonds for certain road, bridge or culvert work

Ms. Kiernan explained that this bill amends the statute which authorizes counties to do road and culvert repair to include road construction. It also would increase the general obligation bond limits.

Don Cooper, Shawnee County Board of Commissioners, testified in support of the bill as a public safety issue. (Attachment 1)

Senator Ramirez asked Mr. Cooper why the bill was introduced so late in the session. Mr. Cooper responded that all other avenues were being explored as a first method to solve the problem. When all avenues were exhausted, it was necessary to come the Legislature.

Mike Sease, Director of Shawnee County Public Works, followed with further testimony in support of **SB 377**, using statistics and a map of bridges to aid his testimony. (Attachment 2) Mr. Sease said Shawnee County has not been keeping up with the need for replacement of bridges due to the lack of funds. Potentially, the county needs to repair eight to ten bridges a year, and the county needs a means to acquire adequate funds to do the repairs. Acquiring adequate funds has not been possible because of the statutory debt limit. This bill would alleviate this problem.

Mr. Cooper added that the bond issue has not been put to a vote because it is strongly felt that the urban residents of the county would not be willing to pay for rural road improvements and would not vote in favor. There is an immediate need for a vehicle in place which would enable Shawnee County to keep public bridges in rural areas safe.

Senator Ramirez asked where the Shawnee County Delegation stands on this bill. Mr. Cooper replied that he had notified all members regarding the bill and had received no response due to their busy schedules. However, he had not heard any objections. Senator Salisbury had the bill introduced and supports it.

The Chairman felt more time than is available is needed to allow both houses to consider the amounts of the bond limits set out in the bill. In response to questions from the committee regarding the effect of this bill on other counties, Ms. Kiernan said other counties will not be adversely affected because this bill is not uniform.

Jim Kaup, representing the City of Topeka, stood to inform the committee that one of his law partners had drafted this bill according to what was expressed as the needs for Shawnee County. Miami County has similar needs. The \$250,000 limitation in the statute at present is archaic and needs to be adjusted to the level in the bill. The problem is statewide for counties because counties do not have the same statutory authority as cities. Mr. Kaup requested that the committee pass the bill with an adjustment for inflation occurring over the years since the statute was enacted if it does not wish to pass the bill with the suggested dollar amounts. He

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON LOCAL GOVERNMENT, Room 531-N Statehouse, at 9:00 a.m. on March 29, 1995.

added that, if necessary, he would have no objection to the deletion of roads and limitation to bridges in order to get the bill passed this session. Roads could then be addressed during next session.

The Chairman acknowledged that there is a need for something to be done this session, however, he was not agreeable to passage of the bill in the Senate without the House having a chance to look at it. Senator Ramirez suggested that the committee pass the bill out as favorable for passage and let the Senate work it on the floor. The Chairman suggested that since time is limited, the bill be restricted to bridges and passed out of committee without recommendation. Senator Reynolds suggested leaving the bill as is and increasing the \$250,000 limit in relationship to inflation.

Senator Ramirez made a motion to leave **SB 377** as it is but restrict it to bridges and that it be reported without recommendation, Senator Gooch seconded, and the motion carried.

Written testimony in support of the bill had been submitted by Lawrence Guenther of the Miami County Commission (Attachment 3) and Thomas E. McBride of Wanamaker Task Force (Attachment 4).

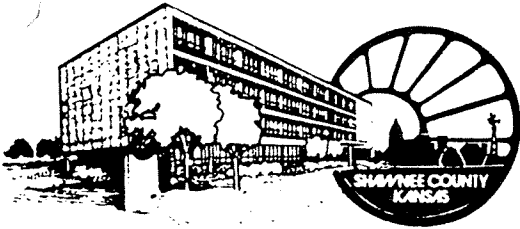
The meeting was adjourned at 12:00 p.m.

There are no further meetings scheduled.

LOCAL GOVERNMENT COMMITTEE GUEST LIST

DATE: March 29, 1995

NAME	REPRESENTING
Anne Spiess	Ks. Assoc. of Counties
Mike Sease	Shawnee Co.
DON COOPER	Shawnee County
Jim Ryzardow	K.A.C.



Shawnee County Board of Commissioners

Rm. B-11, Courthouse Topeka, Kansas 66603-3933

(913) 233-8200 ext. 4040

Winifred Kingman, 1st district

Vic Miller, 2nd district

Don Cooper, 3rd district

T E S T I M O N Y

March 29, 1995

To: Senate Local Government Committee

Fr: Don Cooper, Chairman
Shawnee County Board of Commissioners

Re: Testimony in support of Senate Bill 377.

Thank you for allowing me to testify in favor of Senate Bill 377.

This will address a very fundamental public safety issue. As county budgets grow more strained by mandates, lid limits and other escalating costs, our roads, bridges and culverts suffer. Current statutory authority limits a county to a \$250,000 bond limit per project.

The Shawnee County Public Works department has spent several months working with school districts and fire departments, prioritizing these needs. There are several bridges in Shawnee County that were constructed in the late 1800's and early 1900's that will not support the weight of a loaded school bus.

The roads, bridges and culverts most traveled close to our schools are in dire need of improvement and cannot safely handle the increasing automobile and school bus traffic.

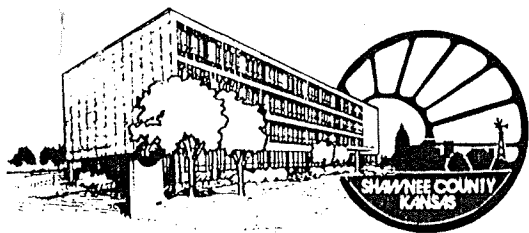
My commission district includes the Auburn-Washburn school district which is one of the fastest growing school districts in the State. There have been two incidents in the last year in this district where several students were injured and two lost their lives. These incidents involved school buses and students driving cars. These accidents took place shortly after school was dismissed. Senate Bill 377 is my attempt to help the concerned parents and citizens in the Auburn-Washburn district. It will help all school districts and counties in the state.

Senate Bill 377 would grant to all counties in the state single statutory authority to finance road, culvert and bridge improvements where necessary.

As I mentioned, this is a public safety issue and I would appreciate your consideration and support of Senate Bill 377.

DC/rg

*Senate Local Gov't
3-29-95
Attachment 1*



Shawnee County Department of Public Works

1515 N.W. SALINE STREET • SUITE 200 • TOPEKA, KANSAS 66618-2844
913-233-7702 FAX 913 291-4920

MIKE SEASE, P.E.
DIRECTOR OF PUBLIC WORKS

Shawnee County has 66 Fas Bridges and 167 off-system bridges. FAS bridges are those bridges on Federal Aid Secondary System Routes. These routes have been designated by the County and approved by the Kansas Department of Transportation and Federal Highway Administration. Off-system bridges represent all other bridges on the County road system. Listed below is a breakdown of the ages for Shawnee County bridges:

90 years	80 years	70 years	60 years	50 years	40 years	30 years	20 years	10 years	under 10
2	14	23	31	43	17	26	43	31	3


avg. design life of a bridge = 50 yrs.

*Senate Local Gov't
3-29-95
Attachment 2*

MEMO

Date: March 29, 1995

From: Lawrence Guenther, Chair
Miami County Commission

To:  Senator Mark Parkinson, Chair
State and Local Government Committee

Re: Consideration of Senate Bill No. 377

Dear Senator Parkinson:

I am writing to express the support of Miami County for Senate Bill 377. Miami County is in the process of placing weight limits on many bridges and in some cases, closing County roads. These circumstances make it increasingly difficult to provide routes for school buses, farm equipment and accommodate the motoring public. S.B. 377 would permit the County to respond to emergency situations and plan for an orderly road and bridge repair and replacement program. Any support to allow local elected official to manage local needs will be appreciated.

/jcw

Miami County
120 South Pearl, Suite 5, Paola, KS 66071
Bus: (913) 294-9500 Fax: (913) 294-9515

Senate Local Govty
3-29-95
Attachment 3

Thomas E. McBride, S.R.A.

Kyle D. Pierce

Suite 105, 631 Horne St.

P.O. Box 2305

Topeka, Kansas 66601

913-233-6003

3/14/95

Senate Local Government Committee
Room 531 North
Kansas State Capitol Building
9th & Harrison
Topeka, Kansas

Re: Amendment to House Bill 2066

Dear Committee Members,

This letter will serve as our notice of support for the above mentioned amendment.

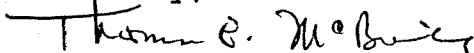
The Washburn-Auburn School District 437 is one of the fastest growing school districts Kansas. Three major schools require students, parents and school buses to drive along Wanamaker Road. This is a two lane black-topped road with no shoulders and is like driving on top of a river dike. The parents, students, staff, administrators, and bus drivers of Washburn Rural High School, Washburn Rural Middle School, and Jay Shideler Elementary School have formed a "Wanamaker Road Task Force" to work with the Shawnee County Commissioners to improve Wanamaker Road to make it safe for our children to go to school. In the past few years there have been numerous accidents and two deaths. We are hoping to avoid any further incidents, but we need your help.

Without adequate funds or the means to acquire adequate funds, the Shawnee County Commissioners cannot help us improve our roads, bridges, and culverts. This amendment will allow the county the authority to make these needed improvements.

Any parent, student, administrator, or staff person from the Washburn Rural area will be happy to testify to this need or discuss our problem with any member of your committee.

Thank you for your consideration.

Sincerely,



Thomas E. McBride
Chairman, Wanamaker Road Task Force

Senate Local Govt
3-29-95
Attachment 4