

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION & ELECTIONS.

The meeting was called to order by Chairperson Kent Glasscock at 9:00 a.m. on March 19, 1998, in Room 521-S of the Capitol.

All members were present except:

Committee staff present: Mary Galligan, Legislative Research Department
Mike Heim, Legislative Research Department
Dennis Hodgins, Legislative Research Department
Theresa Kiernan, Revisor of Statutes
Fulva Seufert, Committee Secretary

Conferees appearing before the committee: Mr. Tom Powell, Hinkle, Eberhart & Elkouri, L.L.C.
Mr. Randy Allen, Kansas Association of Counties
Mr. Ted Ensley, Shawnee County Commissioner
Mr. Mike Sease, Public Works Director of Shawnee County
Ms. Penny L. Evans, P.E., Director of Engineering Services,
Miami County, Kansas

Others attending: See attached list

Representative Cox made a motion to approve the minutes of March 18, 1998, and Representative Dillon seconded. Motion passed.

Chairman Glasscock called the Committee's attention to the fiscal note on HB 3001. The Chair announced that the Committee would be hearing testimony on the following two bills: SB 677 and SB 679. He also said the Committee would try to work HB 3000.

Chairman Glasscock opened the Public Hearing for SB 677.

SB 677 - Public improvement districts; expenditure from such certain funds of such District

The Chair welcomed Mr. Tom Powell of Hinkle, Eberhart & Elkouri, L.L.C., who spoke as a proponent for SB 677 on behalf of Oaklawn Improvement District. Mr. Powell said that Oaklawn is a governmental entity that was created in the 1950's by the Sedgwick County Board of County Commissioners under authority of the Improvement District Act (K.S.A. 19-2753.) He testified that SB 677 was specifically drafted to allow the Oaklawn Improvement District to expend excess moneys on hand in its Bond and Interest Fund for remodeling of a community building for the Oaklawn community. This bill would allow Oaklawn to expend approximately \$60,000 that it has on hand in its Bond and Interest Fund to complete Phase III of a remodeling of an existing building to serve as a community center. (Attachment 1.)

Representative Powers summarized his understanding by asking if the Oaklawn Improvement District needed this legislation in order to spend the \$60,000, and he was told "yes."

Revisor Theresa Kiernan responded that the legislation would go into the statute books until it was repealed. It does have a sunset and only applies in 1998, but would provide a vehicle if the situation ever occurs again because the statute could be amended.

Since there were no further questions, the Chair closed the Public Hearing on SB 677.

Chairman Glasscock opened the Public Hearing on SB 679.

SB 679 - County roads and bridges; construction and repair; general obligation Bonds

Chairman Glasscock welcomed Mr. Randy Allen, Kansas Association of Counties, who spoke as a proponent

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION & ELECTIONS, Room 521-S Statehouse, at 9:00 a.m. on March 19, 1998.

for SB 679. Mr. Allen said that basically SB 679 removes barriers to counties effectively maintaining their roads and bridges. He said that K.S.A. 68-1103 currently allows counties to levy taxes to build or repair bridges or culverts only when the county's share of the cost is less than \$250,000 and to issue bonds to build or repair bridges or culverts only if the cost per bridge does not exceed \$250,000. He explained that SB 679 would amend the statute to allow counties to levy taxes to build and repair roads, bridges, or culverts with no dollar limitation and would authorize counties to issue general obligation bonds to construct, repair, or reconstruct roads, bridges, or culverts if the board of commissioners provided notice. (Attachment 2.)

Representative Powers said that he understood Mr. Allen to say that basically the purpose of the amendment is to lift the cap of \$250,000, and Mr. Allen said that was correct in addition to the insertion of roads.

Representative Horst inquired about how long ago the cap was put into place, and the response was sometime back in the mid seventies the cap was \$170,000, and then in 1976, the amount was raised to \$250,000.

Representative Horst also wanted to know the philosophy behind not putting a cap on at all. Mr. Allen said that he believed the public had confidence in the ability of county commissioners making good decisions on bridge repair or replacement and that just placing a higher cap would mean having to come back later possibly to ask for it to be increased again. However, Representative Horst responded that she was not sure if she agreed with the philosophy of no caps.

Since Chairman Glasscock had to leave the meeting for page pictures, Vice Chairman Ted Powers took over the meeting.

Vice Chairman Powers recognized Mr. Ted Ensley, Shawnee County Commissioner, who spoke as a proponent of SB 679. Mr. Ensley provided no formal written testimony, but assured the Committee that Commissioners would not build bridges that are not in the best interests of the citizens. He said the only source of revenue is from property taxes, and that he could not see commissioners spending dollars for things that are not absolutely necessary. He also said that it was nearly impossible to build bridges with caps and he hoped that the caps are removed and the decisions are left up to local governments.

The Vice Chairman welcomed Mr. Mike Sease, Public Works Director for Shawnee County, who spoke in favor of SB 679. His testimony included information in 10 year increments of the age of all Shawnee County bridges. Mr. Sease said that the normal life expectancy of a bridge is 50 years and that Shawnee County has 177 bridges in excess of 50 years of age. His testimony also included two maps which were color coded to show bridges that are posted for loads of less than 10 tons and those which will carry loads greater than 10 tons. (Attachment 3.)

Representative Long asked Mr. Sease if there was a survey showing how the grade or quality of cement used in building bridges affects the longevity of the life of a bridge. Mr. Sease said that he was not aware of any such survey, but that it certainly would have some merit.

Representative Powers wondered about water lines, and Mr. Sease said that in Shawnee County if the utility is on the existing right of way, the responsibility is on the utility, but if off the right of way, it would be the county's responsibility. He also said that all rural water lines are the responsibility of the county.

Representative Cox inquired about the cost estimates and if there were matching funds. The answer was the total cost and that Shawnee County gets \$800,000 a year from KDOT.

Representative Powers said that as he understood this to be lifting the cap on bridges and construction, but also wanted to know if it had anything to do with the mill levy. He was told that it lifts the cap on mills and is statewide and not specific to Shawnee County.

Vice Chairman Powers welcomed Ms. Penny L. Evans, P.E., Director of Engineering Services, Miami County, Kansas, who spoke as a proponent of SB 679. Ms. Evans told the Committee that she was the first female engineer in the state of Kansas. She specifically mentioned that Miami County is one of the fastest growing counties in the State. She reported that Miami County was responsible for 241 bridges, 95 of which were eligible for Federal Replacement funds and that 44 of the bridges had estimated construction costs in excess of \$250,000. (Attachment 4.)

Chairman Glasscock, having returned from the page picture, closed the Public Hearing on SB 679.

The Chair asked the Committee to turn its attention back to SB 677.

Representative Tomlinson said that he had an amendment for SB 677. The balloon inserts Section 2 which

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION & ELECTIONS, Room 521-S Statehouse, at 9:00 a.m. on March 19, 1998.

says that the board of directors of Crestview County Club Improvement District in Sedgwick county is hereby authorized to disburse all moneys in the district's treasury that are in excess of those necessary to pay the expenses and obligations of the district. It has a sunset of July 1, 2003. (Attachment 5.)

Representative Tomlinson made a motion to add the balloon to SB 677, and Representative Powers seconded. Motion passed.

Representative Welshimer thanked Representative Tomlinson for watching out for Sedgwick County and told him that he was a good American.

Representative Welshimer made a motion to pass out SB 677 as amended marked favorable for passage, and Representative Horst seconded. Motion passed.

The Chair referred the Committee's attention to HB 3000, the new, improved HB 3000.

Representative Welshimer commented that this was a bipartisan bill on campaign finance and reform and that everyone with any knowledge on campaign finance reform has become a part of this. She said she did not feel that it was necessary to appoint a Commission for the purpose of redoing a lot of the research; therefore, she wanted to strike the purpose of the Commission to look at campaign practices and insert that this Commission look into legislative salaries.

Representative Welshimer made a motion to omit the charge of the Commission to look into campaign practices and to insert the charge for the Commission to look into legislative salaries. Representative Gilbert seconded. Discussion followed.

Representative Wilk spoke in opposition to the motion and suggested that this be in addition to rather than striking the campaign practices. He explained that this was not setting aside all the resources, but allowing a different group of people to look at the issue. He said that he did not incorporate pay into the bill, but thinks the concept would work. He urged the Committee not to strike Section 4 and to vote "no" on the amendment.

Representative Ray said that she opposed the amendment, too. She also said she was opposed to adding the salary issue because she thought it would weaken the bill. She commented that there might need to be a different makeup of the Commission.

Representative Horst said that she desired to see an establishment of a Commission at some point; however, when she looked at Section 3 listing the group to be sitting such as two people from Governmental Standards and Conduct, she was not sure they should be on a Commission that would deal with pay. She suggested an up front Commission instead of sneaking it in through the back door. She also said that she opposed striking Section 4 and inserting the pay issue, but would encourage looking at this in the future.

The Chair called for a vote on Representative Welshimer's motion to omit the charge of the Commission to look into campaign practices and to insert the charge for the Commission to look into legislative salaries, and seconded by Representative Gilbert. Motion failed.

The Chair announced that the Committee was now back on the bill.

Representative Haley said he wanted to speak to the last motion and the bill itself. He said that he personally has concerns that money we see and money we don't see affects who gets elected. He also said that he was excited about the bill, but has concerns with how it changes the procedures as to how the entire procedure works. He stated that no Commission should be able to change the procedure.

Chairman Glasscock commented that if he was referring to the suspension of the rules of bringing it to the legislative body, he wanted to remind him that debate would be allowed, but no amendments could be added from the floor. The vote of the body could go up or down.

Representative Wilk informed the Committee that he had put a lot of thought into this and that he did have some reservations, but that he believed this would send a clear message to the Commission that it is very serious business. He also mentioned that in his 6 years in the legislature he has observed incredible, creative ways of submarining legislation that goes before the body.

Representative Haley said that notwithstanding the eloquent comments of Representative Wilk, he had just been through an issue in Wyandotte County where no amendments were allowed, and he thought it did a disservice to the voters.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION & ELECTIONS, Room 521-S Statehouse, at 9:00 a.m. on March 19, 1998.

Representative Welshimer said that she agreed with Representative Haley. She said she objected to a whole new group of people writing legislation that might even be unconstitutional.

The Revisor, Theresa Kiernan, said there was nothing that would prohibit passing a substitute bill to correct a flawed bill, and then it could be amended.

Representative Horst said that in looking at page 3, line 5, it reads that the bill is subject to debate as well as a roll call vote. She felt that there would be ample opportunity for all legislators to express their likes and dislikes. However, she said that this would expedite the process and would not have every word scrutinized for possible amendment. She said she liked the new, fresh approach which allowed the body to discuss.

Representative Ray said that the legislature has tried and not been able to deal with campaign finance reform effectively. She also said that she views this as being similar to a conference report which has to be accepted without amendments.

Representative Welshimer commented that she could see votes turning into public perception votes.

Representative Sharp stated that as a new legislator, she had not been previously involved, but if the Commission has been recommended to improve public perception, then she wanted to defend the public perception. She said that she did not think many legislators jeopardize themselves by taking money, but rather it is the public's perception of this possibility. She commented that out of the entire group of 125 House legislators, she believed they have a great deal of integrity and that it is too bad that elected leaders even have to deal with this bill. She said if the primary purpose is to try to correct the public's perception, then she did not know if that could be accomplished. She suggested that each legislator has to do that with his or her own constituents by getting to know them and earning their trust.

Representative Wilk made a motion to pass HB 3000 marked favorable for passage, and Representative Horst seconded.

One of the committee members reminded the Chair of a correction that needed to be made in a name listed in the bill.

With the consent of Representative Horst, Representative Wilk withdrew his motion.

Representative Wilk made a motion to amend SB 3000 by changing the name to the Kansas Society Association of Executives and to pass out as amended recommended favorable for passage. Representative Horst seconded. Discussion followed.

Representative Haley read three sentences in Section 5 in which he said he felt uncomfortable and wanted the Committee to understand that he believes in the procedure established by the House. He said that he felt it was beyond the group's authority and was a concept that would usurp the legislative process. He urged the Committee to look at Section 5 very carefully.

Representative Haley made a substitute motion to strike out on page 3, lines 6, 7, and part of 8, and Representative Welshimer seconded. Discussion followed.

Representative Ray said that she supported removing the confusing sentence, but opposed the substitute motion. Theresa Kiernan clarified that the suspension of debate was supposed to be related to amendments.

Representative Horst addressed the concern of some committee members who expressed a lack of confidence in the makeup of the Commission. She reminded everyone that the same staff who staff this committee could be involved in the Commission.

Representative Wilk spoke in opposition to the motion. He said that as far as people not having experience that he strongly disagreed. He said he was confident that the Commission would be fully informed and would provide a fresh approach. He said they would have input from staff and would probably do as good, if not better than legislators.

Representative Long asked if legislators would be able to be appointed to the Commission. Representative Wilk said that active legislators would not be eligible for membership.

Representative Wells referred to line 5, page 3, and wanted to know what was the purpose of debating something that can't be changed.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION & ELECTIONS, Room 521-S Statehouse, at 9:00 a.m. on March 19, 1998.

Representative Wilk replied that the decision is yes or no and would be debated just as all other bills. He said that he felt it was necessary to have a full-fledged debate to educate and possibly sway votes.

Representative Horst commented that it suddenly occurred to her that perhaps one could look at this the way one looks at an amendment--can't amend an amendment and either like or dislike.

Representative Cox added that some states do not allow floor amendments and that Representative Ray had an excellent comment about the similarity to conference committee reports. Representative Cox said that he was against Representative Haley's amendment.

Representative Haley thanked the committee for the most engaging discourse and explained again what his motion would do.

The Chair called for a vote on Representative Haley's motion, and the motion failed.

The Chair informed the Committee that the discussion was back on Representative Wilk's motion.

Representative Wilk commented that he welcomed the healthy debate. He reminded the Committee that this bill is modeled after the hospital closing commission and the federal military base closings were built on a similar concept.

The Chair called for a vote on Representative Wilk's motion to pass **HB 3000** as amended marked favorable for passage and seconded by Representative Horst. Motion passed.

The Chair announced that the Committee would probably have to meet either Monday or Tuesday of next week. He thanked the excellent staff and secretary for doing a great job. Representative Glasscock also thanked the Committee for the wonderful work they all did. He said he appreciated all the good bipartisan cooperation and the Subcommittees' endurance in working through some contentious issues and then in fighting for them together on the floor. He said that he had a lot of fun, and members of the Committee told him that they, too, had enjoyed being on the Governmental Organization and Elections Committee which he chaired.

The meeting adjourned at 10:35 a.m.

The next meeting is on call of the Chair.

**TESTIMONY BEFORE THE
HOUSE OF REPRESENTATIVES
GOVERNMENTAL ORGANIZATION AND ELECTION COMMITTEE**

SENATE BILL NO. 677

**Presented by Tom Powell
Hinkle, Eberhart & Elkouri, L.L.C.
On Behalf of Oaklawn Improvement District**

I am here today to testify as a proponent for Senate Bill No. 677. Senate Bill No. 677 is a bill that has been specifically drafted to allow the Oaklawn Improvement District ("Oaklawn") to expend excess moneys on hand in its Bond and Interest Fund for remodeling of a community building for the Oaklawn community. Specifically, Senate Bill No. 677, if passed, will allow Oaklawn to expend approximately \$60,000 it has on hand in its Bond and Interest Fund to complete Phase III of a remodeling of an existing building that was recently purchased by Oaklawn to serve the Oaklawn community as a community center.

Oaklawn is a governmental entity that was created in the 1950's by the Sedgwick County Board of County Commissioners under authority of the Improvement District Act (K.S.A. 19-2753, *et seq.*). The homes located within Oaklawn were originally built in the 1950's to provide housing for Boeing workers. These homes that still make up a majority of Oaklawn housing were built on concrete slabs and contain approximately 700 to 900 square feet. The average appraised value of these homes, as set by the Sedgwick County Appraiser, is approximately \$20,000. Oaklawn is located southeast of the City of Wichita and southwest of the Wichita-Boeing Plant.

Oaklawn's Bond and Interest Fund exists for the purpose of paying principal and interest payments on general obligation bonds issued by Oaklawn. General obligation bonds were issued in 1990 to pay for a sewer reconstruction project. The sewer reconstruction project repaired and reconstructed sewer lines that were built to serve the Oaklawn community in the 1950's. This Bond and Interest Fund contains approximately \$65,000 more than is needed to pay this years bond and interest payments.

Oaklawn purchased a building located within the Oaklawn area in 1996. The Oaklawn Board of Directors has authorized the expenditure of approximately \$68,000 of funds on hand in its general fund account on a Phase I and Phase II remodel of this building. Approximately \$60,000 more is needed to complete the remodel project. Upon completion of the remodel project the building will be used as a community facility for the Oaklawn community. It will, in this capacity, be the headquarters and meeting place for the Oaklawn community senior citizens. Other Oaklawn community groups such as baseball leagues and boys and girls clubs will also use the facility. The facility will, in addition, be used by Oaklawn as a meeting place for its Board of Directors.

House GO and E
3-19-98
Attachment 1

The excess moneys in Oaklawn's Bond and Interest Fund are the result of a double payment of taxes that occurred in the tax year of 1993. In 1992 The Boeing Company ("Boeing") was the owner of real property and improvements including personal property that was located within Oaklawn boundaries. A tax was levied against Boeing property to pay principal and interest due on general obligation bonds for the year 1993. A levy for the 1993 taxes was not initially made against the property owned by Boeing. The reason the levy was not made was because a Sedgwick County District Court, in a lawsuit brought by Boeing against Oaklawn, enjoined the Oaklawn Improvement District and Sedgwick County from levying the taxes against Boeing. The Kansas Supreme Court, in a case entitled The Boeing Company v. Oaklawn Improvement District, 255 Kan. 847 (1994), reversed the Sedgwick County District Court ruling. After the Kansas Supreme Court rendered its decision, Boeing paid its share of the 1993 taxes under protest. The Boeing payment of the 1993 taxes was thereafter held by Oaklawn in its Bond and Interest Fund pending final resolution of Boeing's protest of the 1993 taxes. In December of 1996, the Kansas Supreme Court in a case entitled In Re Tax Appeals of The Boeing Company, 261 Kan. 508 (1997), ruled that the taxes levied against Boeing for the 1993 tax year and for several years in connection with the payment of principal and interest payments on the general obligation bonds issued to finance the sewer project were lawfully levied.

During 1997 Oaklawn, with the assistance of the Sedgwick County Appraiser's Office, notified all of its taxpayers regarding the taxpayers filing of applications to seek a refund of the double tax payments under K.S.A. 79-1702. As a result, over 800 Oaklawn taxpayers filed for refunds. The Board of Sedgwick County Commissioners unanimously recommended that refunds of taxes be made to Oaklawn taxpayers who filed for refunds. These applications are now pending before the Board of Tax Appeals. The total of the double payment of taxes equaled \$149,500. The total amount of refunds that the Oaklawn taxpayers are seeking equals \$84,245.90. This leaves approximately \$65,000 in excess taxes resulting from the double payment of taxes in 1993. If Senate Bill No. 677 is not enacted, Oaklawn can not expend this money for any purpose other than paying principal and interest due on Oaklawn General Obligation Bonds.

In closing, Senate Bill No. 677 is a bill that narrowly addresses a situation that has arisen for Oaklawn. The bill, if passed, will allow Oaklawn to expend funds from its Bond and Interest Fund that it would otherwise, under State statute, not be allowed to expend. These funds, as outlined above, are excess funds that arise from a unique situation. The community center building project that the excess funds will be used to pay for if Senate Bill No. 677 is passed is a very important project for the Oaklawn community. The Oaklawn community is a community of modest means who has, with the help of many of its citizens and the help of the Sedgwick County Board of County Commissioners, County Staff and the Sedgwick County Sheriff's Department, in recent years made great strides towards becoming a better place to live. The community building project will be another building block towards overall improvement of the Oaklawn community.

cc: Oaklawn Improvement District



**KANSAS
ASSOCIATION OF
COUNTIES**

TESTIMONY

SB 679

concerning County Roads and Bridges

Presented by Randy Allen, Kansas Association of Counties

House Governmental Organization and Elections Committee

March 19, 1998

Representative Glasscock and members of the House Governmental Organization and Elections Committee. I am Randy Allen, Executive Director of the Kansas Association of Counties. I appreciate the opportunity to testify on SB 679, a bill which removes barriers to counties effectively maintaining their roads and bridges.

K.S.A. 68-1103 **currently** allows counties to 1) levy taxes to build or repair bridges or culverts but only when the county's share of the cost is less than \$250,000; and 2) issue bonds to build or repair bridges or culverts, but only if the cost per bridge does not exceed \$250,000.

SB 679 would amend K.S.A. 68-1103 to 1) allow counties to levy taxes to build or repair roads, bridges, or culverts with no dollar limitation (except the limitations of the aggregate tax lid in counties where the lid applies), and 2) authorize counties to issue general obligation bonds to construct, repair, or reconstruct roads, bridges, or culverts, subject to the board of commissioners providing notice.

Justification:

1) According to KDOT, counties are responsible for maintaining 19,928, or 76.5% of the state's 26,021 bridges. Of the bridges maintained by counties, 6,015 or 30.1% are either structurally deficient or functionally obsolete. As such, of the 7,374 bridges statewide deemed by KDOT to be either structurally deficient or functionally obsolete, 81.6% are under the responsibility of counties. *The inattention is not purposeful; rather, it reflects a lack of financial tools to address the problem.*

2) A large, and in some cases, growing percentage of our population is in areas outside the corporate limits of cities. The following counties describe this emerging trend:

County	Total Population Outside Cities	Total Population	% of Population Outside Cities
Butler	20,880	55,736	37.5
Jackson	6,601	11,634	56.7
Jefferson	10,174	16,822	60.4
Miami	11,683	24,722	47.3
Pottawatomie	7,861	17,407	45.2
Riley	26,709	73,119	36.5
Shawnee	40,930	165,122	24.8

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House GO and E
3.19.98

Attachment 2

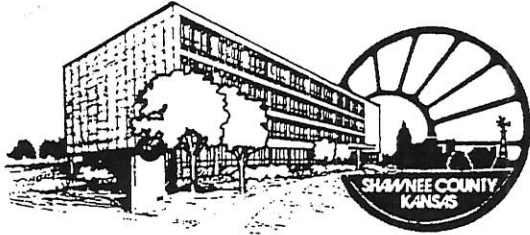
More and more counties are developing, or are seeking to develop, multiple-year Capital Improvement Programs (CIPs) to schedule orderly replacement and maintenance of roads and bridges. However, boards of county commissioners are precluded from taking advantage of the economies of scale which would likely result if a series of road/bridge projects were done at the same time.

3) Economic Development: A sound infrastructure is a prerequisite for economic development. Counties are responsible for the construction of roads and bridges adequate to facilitate and sustain residential, commercial and industrial development. The current statutory ceilings on the financing per bridge are archaic, and not consistent with modern needs.

RECOMMENDATION:

The Kansas Association of Counties urges your favorable consideration of SB 679.

The Kansas Association of Counties, an instrumentality of member counties under K.S.A. 19-2690, provides legislative representation, educational and technical services and a wide range of informational services to its member counties. Inquiries concerning this testimony should be directed to the KAC by calling (785) 233-2271.



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

MEMORANDUM

DATE: March 19, 1998

TO: The House Governmental Organization & Election Committee
The Honorable Kent Glasscock, Chair
The Honorable Ted Powers, Vice Chair
The Honorable Gwen Welshimer, Ranking Minority Member
The Honorable Committee Members

FROM: Mike Sease
Public Works Director of Shawnee County

RE: Funding for Road & Bridge Projects

My name is Mike Sease and I am the Public Works Director for Shawnee County. I have a hand out which I would like for each of you to have which helps you see the problem we have in our County. While I can not speak for other Counties, I know many if not most of the Counties in Kansas have similar problems. The first page shows in 10 year increments the age of our bridges. The normal life expectancy of a bridge is 50 years. We currently have 117 bridges in excess of 50 years old. The two maps are color coded to show bridges that are posted for loads of less than 10 tons (shown in purple) and those which will carry loads greater than 10 tons (shown in yellow). School buses and fire trucks can only use bridges which have a load capacity in excess of ten tons. We have a total of 53 that are rated at less than 10 tons.

The second page shows all of the bridges in our County that need to be replaced and a list of high priority road improvement projects that are needed at the present time to handle the increased traffic demand that new development has created. All of the roads in need of improvement are typical of County roads in that they are narrow, usually 20 - 22 feet in width with no shoulders and open ditches. At the very least some of these projects require widening the pavement to 24- 26 feet in width with shoulders. Several of these projects are to widen the existing roads to four lanes. As you see in the right hand column there is a sizable price tag for these projects.

At the present time we are limited to projects of \$250,000.00 if bonding is to be the funding source. It is not possible to levy for these projects and pay as you go because of constraints placed on us by the tax lid. With completion nearing on our jail addition and new juvenile detention facility we will be very near our maximum bonded indebtedness limit, so we really have no options for funding unless legislation such as SB679 is passed. Thank you for your time. I would be happy to try and answer any questions you might have.

House GO and E
3.19.98

Attachment 3



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:

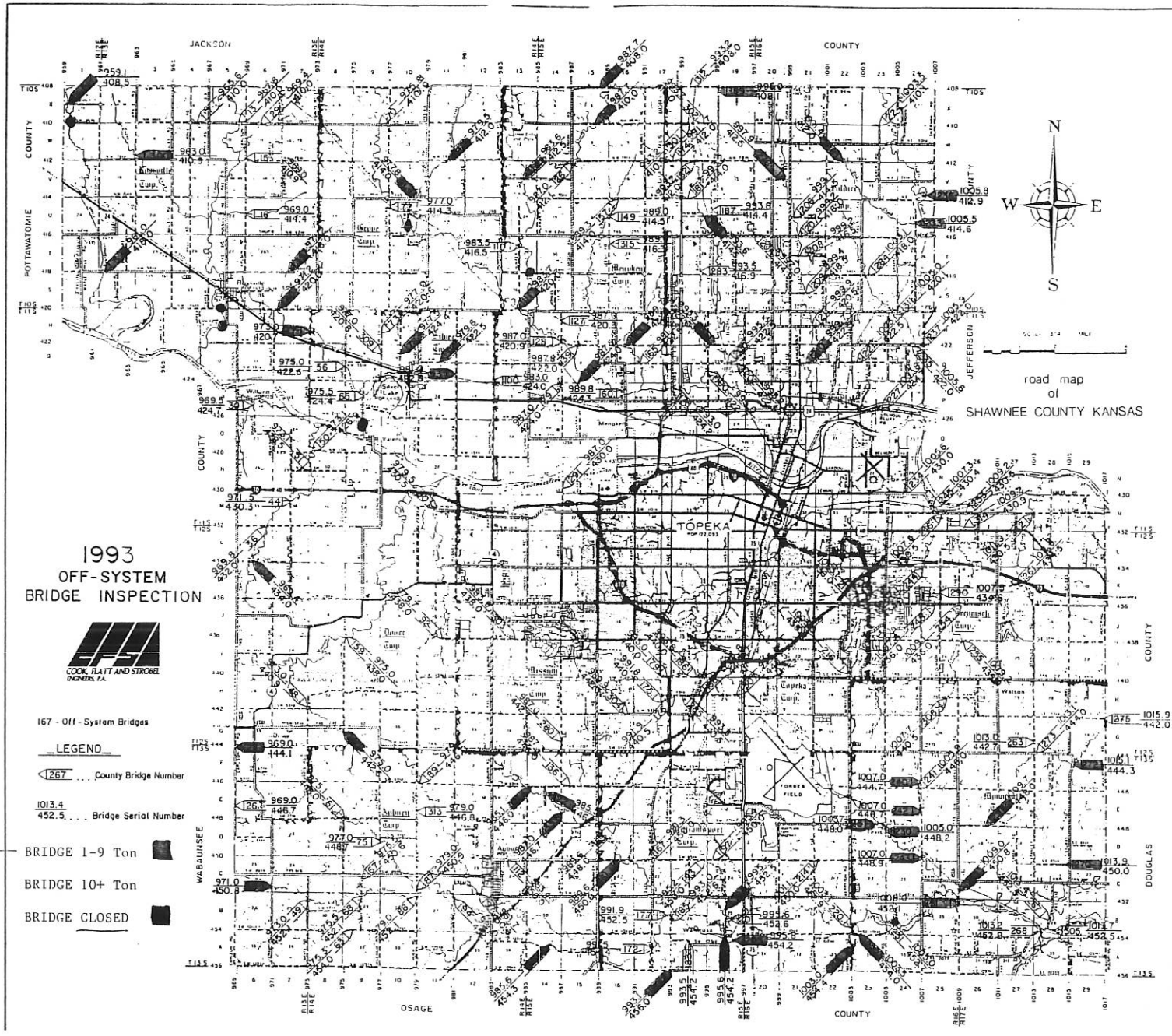
90 years	80 years	70 years	60 years	50 years	40 years	30 years	20 years	10 years	under 10
2	14	23	31	43	17	26	43	31	3

Bridge Replacements

Weight Limit	On System (66 Structures)		Off System (167 Structures)		Total (233 Structures)	
	No. of Structures	Cost Estimate	No. of Structures	Cost Estimate	No. of Structures	Cost Estimate
< 10 tons	4	\$ 2,238,000	49	\$ 12,664,000	53	\$ 14,902,000
10 < 15 tons	13	\$ 4,105,000	25	\$ 6,229,000	38	\$ 10,334,000
≥ 15, F.O.	8	\$ 1,300,000	30	\$ 6,375,000	30	\$ 7,675,000
Totals	25	\$ 7,643,000	104	\$ 25,268,000	121	\$ 32,911,000

Road Reconstruction

Route	From	To	Distance	Cost Estimate
SW Wanamaker Road	37th Street	61st Street	3.0 miles	\$ 7,500,000
SW 21st Street	K-4 Hwy (Auburn)	Topeka City Limits	2.6 miles	\$ 5,200,000
SW 29th Street	Auburn Road	Topeka City Limits	2.5 miles	\$ 5,000,000
SE 29th Street	Croco Road	Tecumseh Road	1.5 miles	\$ 3,000,000
SE 45th Street	East of Topeka Ave	California Ave	1.7 miles	\$ 3,400,000
SE 45th Street	Croco Road	Tecumseh Rd	1.5 miles	\$ 1,200,000
SE 45th Street	McMahon Ct	Stubbs Road	2.7 miles	\$ 2,000,000
SE Croco Road	45th Street	US 40 Hwy	4.0 miles	\$ 8,000,000
NW Topeka Avenue	Menninger Road	46th Street	2.0 miles	\$ 5,000,000
NW Topeka Avenue	46th Street	62nd Street	2.0 miles	\$ 3,000,000
		Totals	23.5 miles	\$ 43,300,000



1993
OFF-SYSTEM
BRIDGE INSPECTION



- 167 - Off-System Bridges
- LEGEND**
- County Bridge Number
 - Bridge Serial Number
 - BRIDGE 1-9 Ton
 - BRIDGE 10+ Ton
 - BRIDGE CLOSED

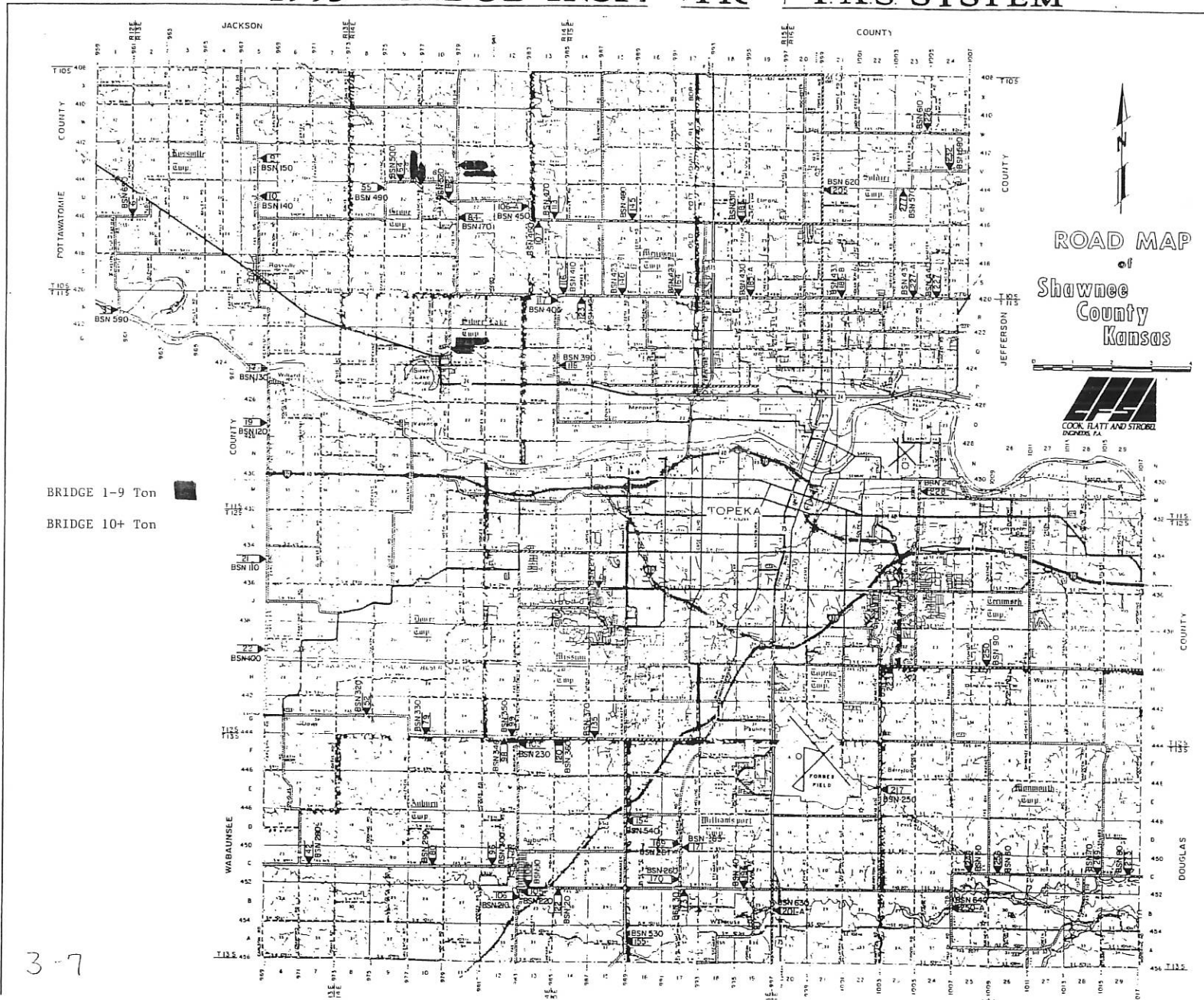
*can't support the
wt. of a loaded
school bus or
fire trucks*

H-6

3-5

3-4

1993 BRIDGE INSPECTIVE I-F.A.S. SYSTEM



3-7

3-6

3-5

**Miami County Courthouse
120 South Pearl, Suite #5
Paola, Kansas 666071**



**Office of the County Administrator
Alan Morris
Phone: 913-294-9500
Fax: 913-294-9163**

March 19, 1998

Representative Glasscock and House Governmental Organization and Elections Committee:

Thank you for permitting me to present this testimony on Senate Bill No. 679. The intent of this testimony is to request your support of this important and necessary Bill. This Bill amends K.S.A. 68-1103 by lifting the artificial \$250,000 limit placed upon counties for building or repairing bridges or culverts. Passage of Senate Bill No. 679 will be of great assistance to county commissions in addressing the needs of their constituents who depend on county roads and bridges for transportation.

Miami County is one of the fastest growing counties in the State of Kansas, with much of the population increase residing outside of incorporated cities. A 1994 County Transportation Plan determined that the County was responsible for 241 bridges, 95 of which were eligible for Federal Replacement funds. Forty-four of those eligible bridges had estimated construction costs in excess of \$250,000, with total replacement costs being 28.5 million dollars. The average projected cost of those 44 bridges is \$407,000 with 12 projected to cost more than \$500,000 and five projected to cost more than \$1,000,000.

While Miami County has adopted five and ten-year plans for replacement of such bridges, it will take decades to replace all of the bridges even without considering emergency situations. As you are well aware, unexpected circumstances may necessitate the replacement of a bridge long before its planned replacement. While not every bridge will be replaced, others must be replaced or rural residents will be left without a means of transporting their goods to market or themselves to their places of employment. Paragraph (b) of Senate Bill No. 679 permits county commissions to replace such bridges with costs in excess of \$250,000 in a timely fashion without having to defer necessary replacement for years.

Your support of Senate Bill No. 679 will be appreciated and be of great assistance in allowing locally-elected commissioners to serve the needs of their constituents.

Sincerely,

A handwritten signature in cursive script that reads "Alan Morris".

Alan Morris
Miami County Administrator

As Presented by: Penny L. Evans, P.E.
Director of Engineering Services
Miami County, Kansas

House 60 and E
3.19.98
Attachment # 4

FROM

3-19-1998 7:31AM

SENATE BILL No. 677

By Committee on Ways and Means

2-19

9 AN ACT concerning public improvement districts; relating to certain ex-
10 penditures from such districts' funds.

11

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

13 Section 1. Notwithstanding the provisions of K.S.A. 10-117, and
14 amendments thereto, any improvement district having a population ex-
15 ceeding 1,000 that is located in a county having a population exceeding
16 300,000 is authorized during calendar year 1998 to expend for public
17 improvement purposes funds being held in any bond and interest fund
18 of the improvement district that do not exceed the balance of funds re-
19 maining in such fund after payment of principal and interest from such
20 fund during calendar year 1998 has been credited and after applications
21 for refunds of taxes against such fund filed under K.S.A. 79-1702, and
22 amendments thereto, have been unanimously recommended to be re-
23 funded by such board of county commissioners on or before February
24 15, 1998, have been credited. The improvement district may authorize
25 the expenditure of such excess funds during calendar year 1998 by adopt-
26 ing a resolution that identifies the public improvement for which such
27 funds are to be expended and that prescribes the amount to be expended
28 from such fund.

29 Sec. 3. This act shall take effect and be in force from and after its
30 publication in the Kansas register.

Sec. 2. (a) The board of directors of Crestview Country Club Im-
provement District in Sedgwick county is hereby authorized to disburse
all moneys in the district's treasury that are in excess of those necessary
to pay the expenses and obligations of the district, including the costs of
retiring any outstanding bonded indebtedness of the district, as follows:
The total amount of property tax paid to the district on each parcel of
real property within the district from the date of inception of the district
shall be divided by the total amount of property tax paid to the district
on all real property within the district from the date of inception of the
district. The resulting percentage shall be multiplied by the total excess
moneys to be disbursed and the amount arrived at shall be paid to the
owner of record of such parcel.

(b) Payments authorized by this section shall be distributed before
July 1, 2003.

(c) The provisions of this section shall expire on July 1, 2003.

House GO and E
3-19-98
Attachment 5

Att 5