

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE.

The meeting was called to order by Chairperson Gary K. Hayzlett at 1:30 p.m. on March 24, 1998 in Room 526-S of the Capitol.

All members were present except: Representative Ted Powers

Committee staff present: Hank Avila, Legislative Research Department
Reed Holwegner, Legislative Research Department
Bruce Kinzie, Revisor of Statutes
J. Patterson, Committee Secretary

Conferees appearing before the committee: Lee Eisenhower, Executive Vice-President Propane Marketers Association of Kansas
Senator Tim Huelskamp
Randy Allen, Kansas Association of Counties Executive Director
Ted Ensley, Shawnee County Commissioner
Mike Sease, Director of Shawnee County Public Works

Others attending: See attached list

HB 3019 - Alternative-fueled motor vehicle property, tax credit.

Lee Eisenhower, Propane Marketers Association of Kansas, testified in favor of **HB 3019**. The bill clarifies the alternative motor fuels tax incentives that was passed three years ago by setting monetary limits on the amount expended for installation of refuelling facilities; and by allowing an individual, as well as a fleet operator, a tax incentive to install a refuelling facility. They urge the passage to the bill to encourage the use of alternative motor fuels to improve our environment and lessen dependency on foreign products.(Attachment 1)

There were no opponents or questions and the hearing on **HB 3019** was closed.

The committee worked the bill.

Representative Shore made a motion to pass the bill out favorably and place on the consent calendar. Representative Howell seconded and the motion carried.

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

Senator Tim Huelskamp opened the hearing to explain that the language of **SB 562** has been incorporated into **SB 679**. **SB 562** dealt with the resetting of cornerstones and costs.

Randy Allen of the Kansas Association of Counties testified as a proponent to the bill. The bill would remove barriers to counties effectively maintaining their roads and bridges.(Attachment 2) Representative McKinney questioned if the bonds under the provisions are subject to a protest petition. Mr. Allen said no the way the current bill is. Ted Ensley, Shawnee County Commissioner, was the second to testify in favor of the bill. Representative Howell asked Commissioner Ensley how long a road should last. He answered 10 to 12 years depending on where it is and 5 to 6 years for a chip and seal repair. Mike Sease of the Shawnee County Department of Public Works was the last person to testify in favor of **SB 679**. He provided a map of the bridges in Shawnee county in need of repair. He is aware that most counties in the state have the same problems with their bridges and roads as Shawnee County.(Attachment 3)

There were no opponents to the bill and the hearing was closed.

The committee worked SB 679.

Representative McKinney made a motion to strike the references to roads in Section 1 of the bill, Representative Aurand seconded.

Representative Ray made a substitute motion to put the roads subject to a protest petition, leave the bridges as they are, Representative Shore seconded and the motion carried.

Representative McKinney made a motion to add "subject to indebtedness statute", Representative Aurand seconded and the motion carried 10-4.

Representative Shore made a motion to pass the bill out favorably as amended, Representative McKinney seconded and the motion carried with Representative Aurand voting no.

Chair asked for approval of the minutes of March 18 and March 23.

There was a motion made to approve the minutes, it was seconded and the motion was approved.

The meeting was adjourned at 2:30 p.m.

HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: 3-24-98

NAME	REPRESENTING
JOHN C. BOTTENBERG	Ks. ETHANOL ASSOC.
Tom WHITAKER	Ks MOTOR CARRIERS ASSN
Gene & Carol O'Brien	Pawnee KS
Mike Sease	Shawnee Co.
Terl Emley	Shawnee CO
Randy Allen	Kansas Association of Counties
Sen Huelsgan	_____
Steve Lubert	Sabetha H.S.
Eik Hyl	Sabetha High School
Leshy Strahm	Sabetha High School
Delord Shore	Rep. Shore
Thom Hunsley	Ford County
Julie Hein	Hein & Weir
Janna Dunbar - intern	Rep. Feuerborn
Michael Wambold - intern	Rep. Flower
Lee Eisenhauer	PMIAK



Propane Marketers Association of Kansas

214 S.W. 6th Avenue, Suite 305

Topeka, KS 66603-3719

Phone 785-354-1749

Fax 785-354-1740

e-mail: pmak@inlandnet.net

Lee Eisenhauer
Executive Vice-President

STATEMENT

By

Lee Eisenhauer

Concerning House Bill 3019

Presented Tuesday, March 24, 1998

to the

House Transportation Committee

Representative Gary Hayzlett, Chairman

Mr. Chairman and Members of the Committee:

My name is Lee Eisenhauer; I serve the propane marketers in Kansas as executive vice-president of their association.

We thank you for your consideration of House Bill 3019, and for the opportunity of being here today to ask you to pass this measure.

Basically, this bill clarifies the alternative motor fuels tax incentives you passed three years ago by setting monetary limits on the amount expended for installation of refuelling facilities; and by allowing an individual, as well as a fleet operator, a tax incentive to install a refuelling facility.

As you know, the reasons to encourage the use of alternative motor fuels is to improve our environment and to strengthen our country's energy security by lessening dependency on foreign products, the purposes of the Environmental Protection and Clean Air acts.

One of the drawbacks to convincing Kansans to use alternative motor fuels - in our case, propane - is the lack of easily accessible refuelling stations. It is also a problem for travelers through our state who are accustomed to such accessibility. This tax incentive would help to encourage installation of such stations, using the modern equipment now available.

We urge your passage of House Bill 3109, and thank you again for allowing us this time. I would be happy to try to answer any questions you may have.

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House Transportation
3-24-98
Attachment 1



**KANSAS
ASSOCIATION OF
COUNTIES**

TESTIMONY

SB 679

concerning County Roads and Bridges

Presented by Randy Allen, Kansas Association of Counties

House Transportation Committee

March 24, 1998

Representative Hayzlett and members of the House Transportation 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

700 SW Jackson
Suite 805
Topeka KS 66603
785•233•2271
Fax 785•233•4830
email kac@ink.org

House Transportation
3-24-98
Attachment 2

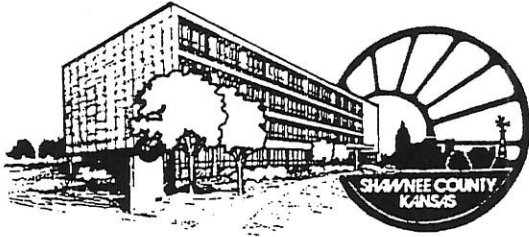
More and more counties are developing, or are seeking to develop, multiple-year Capital Improvement Programs (CIPs) to schedule orderly replacement and maintenance of roads and bridges. However, boards of county commissioners are precluded from taking advantage of the economies of scale which would likely 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 16, 1998

TO: The House Transportation Committee
The Honorable Gary K. Hayzlett, Chair Person
The Honorable Andrew Howell, Vice Chair
The Honorable Herman G. Dillon, 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 Transportation
3-24-98
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

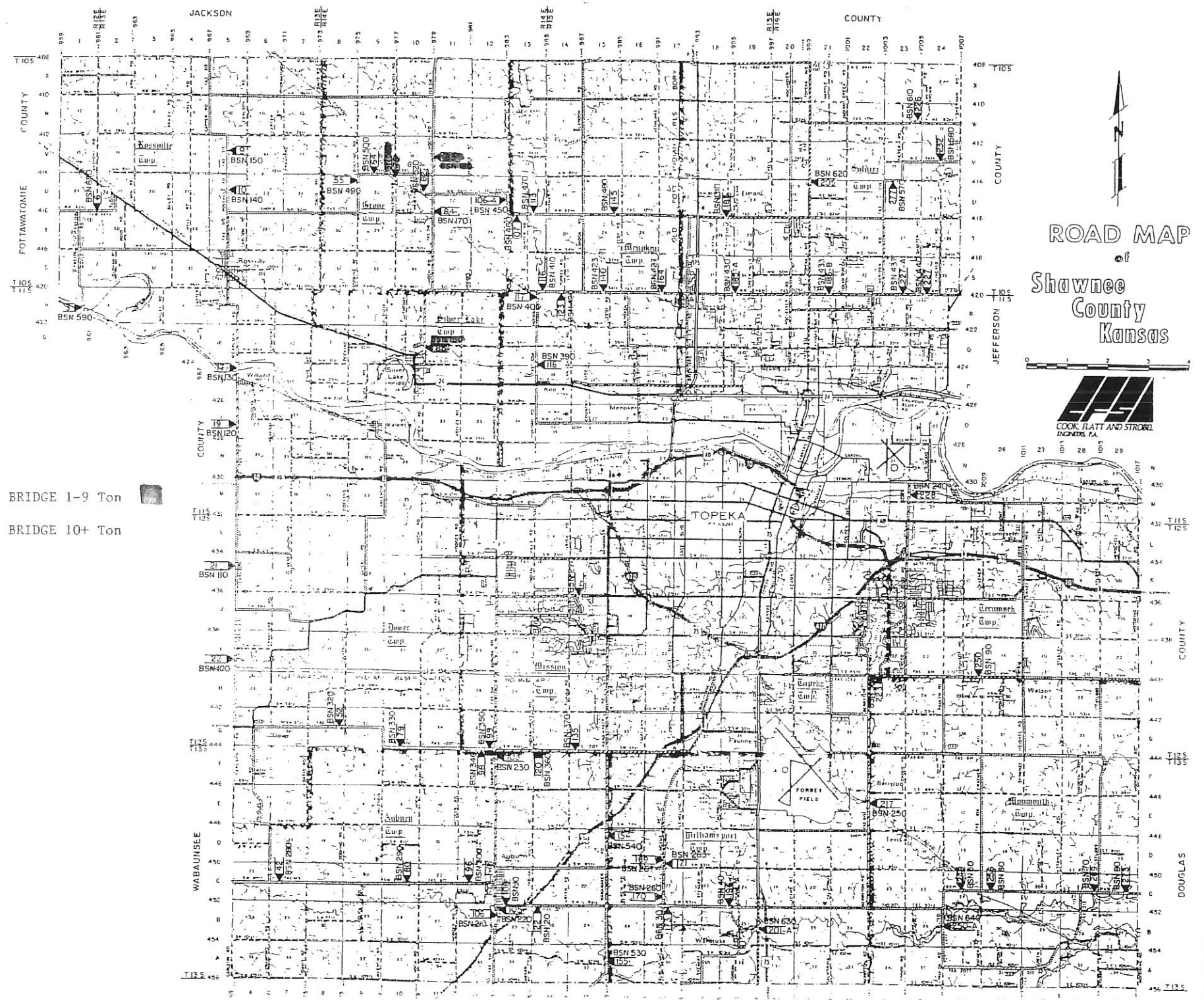
Bridge Replacements

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 BRIDGE IN PECTION - AS SYSTEM

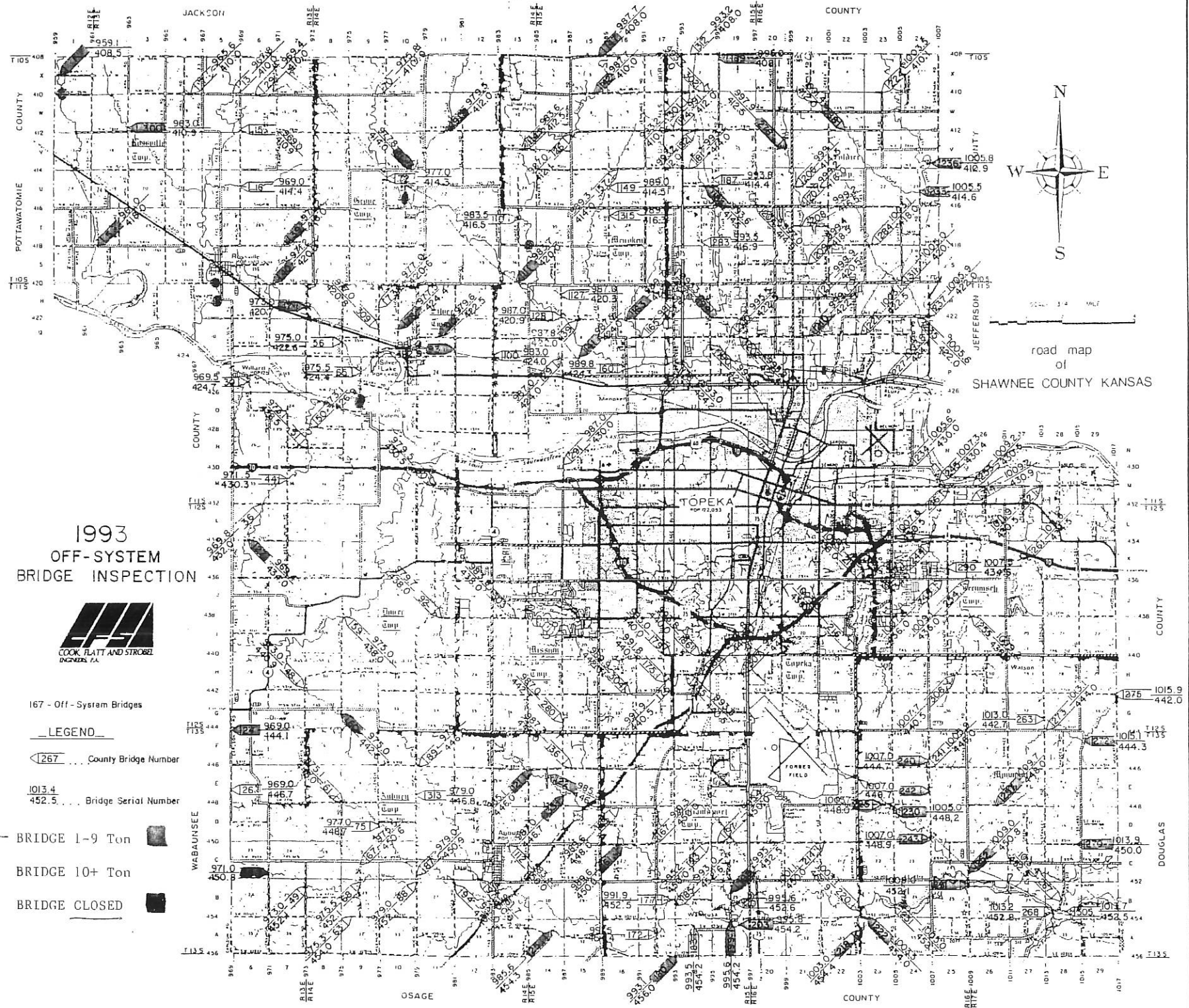


ROAD MAP
of
Shawnee
County
Kansas



BRIDGE 1-9 Ton
BRIDGE 10+ Ton

3-4



1993
OFF-SYSTEM
BRIDGE INSPECTION



167 - Off-System Bridges

LEGEND

◀ 267 ... County Bridge Number

1013.4
452.5 ... Bridge Serial Number

BRIDGE 1-9 Ton

BRIDGE 10+ Ton

BRIDGE CLOSED

*won't support the
wt. of a loaded
school bus or
firetrucks*