

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Les Donovan at 8:30 a.m. on March 18, 2004 in Room 527-S of the Capitol.

All members were present.

Committee staff present:

Hank Avila, Legislative Research Department
Bruce Kinzie, Revisors of Statutes
Marian F. Holeman, Committee Secretary

Conferees appearing before the committee:

Representative Mike Burgess
Deann Williams, DeVore Community Swimming Pool Association
Masie DeVore, Eskridge
Steve Cadue, Chairman Kickapoo Tribal Association
Dale White, Mayor of Horton
Representative Bruce Larkin
Representative Jeff Jack

Others attending:

See Attached List.

HB 2707: Designating part of K-4 highway as the Masie DeVore highway

Representative Burgess, 51st District, testified in support of this bill on behalf of one of his constituents, Masie DeVore. Hers is a well publicized story, and she serves as a reminder to all, of the difference one person can make. It seems only fitting to have her name on a portion of the highway she walked for more than 30 years, collecting aluminum cans, in order to build a swimming pool for the children in her small home town (Attachment 1). Also in support of this bill, Deann Williams, DeVore Community Swimming Pool Association described other activities undertaken by Masie DeVore to earn moneys for her project to be built. Masie DeVore continues to work at all of her fund raising projects in order to support the continued operation and maintenance of the pool. No tax dollars are received for this. She won the Jefferson Award for the State of Kansas, traveled to Washington, D.C. and was one of five national winners of the Jacqueline Kennedy Onassis awards for public service in 2002 (Attachment 2). She introduced Ms. DeVore to all present. Laura Kelly, Executive Director, Kansas Recreation and Park Association was unable to attend. She provided written testimony in "enthusiastic support" of this bill (Attachment 3). Senator Jim Barnett, 17th District, also provided written testimony in support (Attachment 4). Chairman Donovan asked Ms. DeVore for her comments. She advised that when she was about halfway to her goal in raising funds, the Eskridge City Council informed her that they did not intend to provide funding for operation and maintenance of a swimming pool and that is why she continues her fund raising efforts to this day. Hearing closed.

HB 2623: Designating part of K-20 highway as the Kickapoo Veterans Memorial highway

Steve Cadue, Tribal Chairman, Kickapoo Tribe in Kansas spoke in support of this bill. He provided historical information on the Kickapoo Veterans. They see this designation as a way to show travelers the Kickapoo people's respect for and love of this country (Attachment 5). Dale White, Mayor, City of Horton, Kansas, speaking in support of the bill, stressed the positive effects that he feels would result from passage of this bill (Attachment 6). Representative Larkin, District 62, did not have written testimony, but had testified in support of the bill on the House side. He reported that statistics presented to the House included the fact that 70% of the male tribal members have served in the U.S. armed forces and he urged the Senate pass this bill. No other conferees were present. Hearing closed.

HB 2136: Designating a portion of U. S. Highway 400 as the 930th Ordnance Ammunition Company Bypass

Representative Jeff Jack, District 7, speaking in support of the bill provide historical background and

CONTINUATION SHEET

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE at 8:30 a.m. on March 18, 2004 in Room 527-S of the Capitol.

information regarding this Reserve unit's impact on the community and the sacrifices made by these men. Furthermore, they see implementation of this bill as a way to show support to troops who are once again serving overseas (Attachment 7). Representative Jack introduced some members of the 930th Ordnance Ammunition Company who traveled to Topeka for this hearing today; Charley Chenoweth, Ray King, Manual Bayless, and Gerald Bowman. Mr. Bowman's son was also present. In the general discussion that followed their introduction, the unit members stressed how very much they would like to have this bill passed. Representative Jack pointed out there are letters of support from the Board of Commissioners, Labette County, Kansas (Attachment 8); and Mayor Westervelt, City of Parsons, Kansas (Attachment 9). Hearing closed.

Staff explained one more proposed amendment to be included in a highway designation bill. It deals with what is now called the "Hutchinson by-pass", or the new K-96 alignment, which would be named the Senator Bob Dole by-pass. It has the current reimbursement language plus the additional 50% language to defray future maintenance and replacement costs of such signs. An example of the expiration clause is shown in Section (b), if the committee wishes to include it. Members discussed this sunset clause and decided not to include it in this amendment. Senator Schodorf moved to recommend Section (a) only be include in an overall highway designation bill. Senator Salmans seconded the motion. Motion carried. Following further discussion, Senator Salmans moved to amend the 50% language into all the highway designation bills. Senator Schodorf seconded the motion. Motion carried. Members discussed the highway designation bills. In order to simplify the legislative process, it was decided that HB 2833 would be an appropriate vehicle for all of these bills because it amends a particular section of KSA. The Divisions discussed in this bill are now reserve divisions, but some of them go back to World War I era. Senator Salmans moved to amend HB 2707, HB 2623, HB-2136 and the additional amendment on the Senator Bob Dole by-pass designation into HB 2833. Senator Goodwin moved to recommend HB 2833, as amended, favorable for passage. Senator Schodorf seconded the motion. Motion carried.

HB 2143: Distinctive license plates, regulations

Hearings were held on this bill March 11, 2004. At that time the essential language of **SB 68**, regarding helping schools special plates, was amended into it. Also passed a technical amendment striking the use of signs and punctuation marks on personalized plates. Senator Pugh proposed an additional amendment, which really came from the House side, to add a new section to present K.S.A. regulating distinctive license plates that would allow bronze or silver star recipients who are residents of the State of Kansas to be issued distinctive license plates. All the usual rules and regulations dealing with veterans plates would be applicable in these instances. Discussion revealed that surviving family can keep the plates, but not display them on a vehicle. Senator Pugh moved adoption of this amendment. Senator Goodwin seconded the motion. Motion carried. Senator Jackson moved to recommend HB 2143, as amended, favorable for passage. Senator Schodorf seconded the motion. Motion carried. Senator Pugh will carry the bill.

HB 2235: Sun screening devices, decals, exception

Hearings on this bill were held March 11, 2004. Members felt there were many problems needing to be resolved before this bill could become effective law. It is perfectly understandable why the Highway Patrol desires it for the safety and well being of their canine partners. However, it needs more work before being enacted into law. Senator Salmans moved to recommend HB 2235 be not passed. Senator Lyon seconded the motion. Motion carried.

HB 2709: Regulating traffic, motorized skateboards

Hearings were held on this bill March 16, 2004. It attempts to define motorized skate boards. It is really a much bigger issue than just skateboards. More and more of these motorized "toys" are showing up. At some point we probably need to deal with the entire area rather than passing one law at a time when an obvious problem comes up. The committee took no action on this bill.

The meeting adjourned at 9:25 a.m. No more meeting are scheduled for this session.

**SENATE TRANSPORTATION COMMITTEE
GUEST LIST**

DATE: March 18, 2004

NAME	REPRESENTING
Dr. Harold C. Bennett	Maize & Vore - Eskridge, Ks.
Marvin L. Wilcox	Eskridge Kansas
Robert King	Cherryvale, Ks 930 th
Ray King	Cherryvale, Ks 930 th
Jerry Bowman	930 th
Tommy	DOT
Charles E. Chenoweth	930 th
Yerald Bowman	930 th Parsons
Manuel Boyers	930 th
Emily Conkling	Kickapoo Tribe in KS
Kyra Conkling	Kickapoo
Ashlyn Conkling	Kickapoo
Kyle Holt	HEW Law Firm
Dewann Williams	DVORE Swimming Pool
Whitney Dameron	Kickapoo Tribe
Steve Cadue	Kickapoo Tribe
Dale White	Mayor of Horton
Milce Burgess	51 st District
Frank Zuh	Rep 62
Jeff Zuh	District #7

STATE OF KANSAS
HOUSE OF REPRESENTATIVES

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MIKE BURGESS

Testimony in Support of House Bill 2707

By Representative Mike Burgess

Before the Senate Transportation Committee

March 18, 2004

Honorable Chairman Donovan and Committee Members,

The Maisie DeVore story is one of the best examples of the difference one person can make. She was on a mission (for more than 30 years) to build the children of Eskridge a swimming pool.

On July 14, 2001, Maisie's Community Swimming Pool opened across the street from her home. The CBS Sunday Morning TV crew covered this event and featured her story on their program on July 22, 2001.

Maisie has walked the shoulders of K-4 highway through Wabaunsee highway numerous times over the past 30 plus years picking up aluminum cans. Naming that section of the road after her seemed like a logical way to commemorate her efforts and serve as a reminder to people everywhere of the difference one person can make.

SEN. TRANSPORTATION COMMITTEE
DATE 03-18-04
ATTACHMENT: 1

Legislative Testimony
Before the
Senate Transportation Committee
Senator Les Donovan
Thursday, March 18, 2004

**MR. CHAIRMAN AND MEMBERS OF THE
SENATE TRANSPORTATION COMMITTEE:**

I am Deann Williams from Eskridge appearing before you today on behalf of the DeVore Community Swimming Pool Association in support of House Bill 2707.

Maisie DeVore, founder of Maisie's Community Swimming Pool in Eskridge has demonstrated the integrity and sheer determination to make a dream become reality. For more than 30 years and raising \$100,000 Maisie collected aluminum cans (many along K4 highway), she made afghans, jams, jellies, had numerous bake sales and rummage sales with all proceeds going toward the swimming pool project.

In January of 2001 a \$73,000 Parks and Wildlife local government grant was received by the city of Eskridge. So with Maisie's portion and the grant the pool project began. Maisie's Community Swimming Pool opened July 14, 2001.

Maisie continues her aluminum can collection regiment weekly and is eager to help with any other fundraising efforts in order for the pool to be a success, as no tax dollars are received for operating expenses.

After Maisie's success with the swimming pool she was nominated and won the Jefferson award in Kansas. Therefore, Maisie had the opportunity to travel to Washington, DC and was named as one of five national award winners of the Jacqueline Kennedy Onassis award program for public service in 2002.

We would like to thank you for the opportunity to appear before you today and we would be please to respond to any questions you may have.

SEN. TRANSPORTATION COMMITTEE
- DATE 3-18-04 -
ATTACHMENT: 2

KRPA

KANSAS RECREATION AND PARK ASSOCIATION

Senate Committee on Transportation
March 18, 2004

Testimony Supporting HB 2707
Laura Kelly, Executive Director
Kansas Recreation and Park Association

Chairman Donovan and members of the committee:

On behalf of the 900 members of the Kansas Recreation and Park Association, I stand before you in enthusiastic support of HB 2707.

As Executive Director of KRPA I first learned of Maisie DeVore through an article in the Topeka Capitol Journal in the summer of 2000. The article told of Maisie's determined and persistent effort to raise money to build a swimming pool for the children of her hometown.

I contacted Maisie to let her know of the matching grant programs available through the State at that time (the Local Government Outdoor Recreation Grant Program).

Maisie, and others in Eskridge, submitted a grant request in September, 2000. The grant award was a slam dunk. Maisie's dedication had inspired many others in Eskridge to pitch in to help match a \$75,000 grant, and build the pool for the kids.

Since then Maisie has not rested on the bench with her name on it outside the swimming pool. She continues, on a day to day basis, to collect cans and contribute the proceeds to maintain and operate the pool.

Maisie DeVore is a true community hero, an inspiration for those whose lives she's touched. Those who know her best adore her. She is a national award winner. It is most appropriate that her home state recognize her as well.

KRPA encourages this committee to vote in favor of HB 2707 to name a portion of K-4 the Maisie DeVore Highway

SEN. TRANSPORTATION COMMITTEE

DATE 03-18-04

ATTACHMENT: 3

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TOPEKA . KANSAS . 66603-3737
785.235.6655 Fx

WWW.KRPA.ORG

3-1

JIM BARNETT
SENATOR, 17TH DISTRICT
CHASE, COFFEY, GEARY, GREENWOOD
LYON, MARION, MORRIS, OSAGE, AND
WABAUNSEE COUNTIES



TOPEKA

SENATE CHAMBER

Testimony

House Bill 2707

COMMITTEE ASSIGNMENTS
CHAIR: HEALTH INSURANCE ISSUES
WORKING GROUP
VICE CHAIR: PUBLIC HEALTH AND WELFARE
VICE CHAIR: FINANCIAL INSTITUTIONS AND
INSURANCE
MEMBER: FEDERAL AND STATE AFFAIRS
HEALTH CARE STABILIZATION
FUND OVERSIGHT

Chairman Donovan and other distinguished members of the Senate Transportation Committee, I am privileged to write in support of HB 2707.

The amazing Maisie DeVore has won the hearts of Kansans due to her steadfast dedication to the children of our state and to her community. I write in full support of HB 2707 and strongly encourage the Legislature to adopt the language of this bill, thus recognizing K-4 highway in Wabaunsee county as the Maisie DeVore Highway.

We are indeed fortunate to have the quality of people such as Maisie DeVore living in our state. I thank you for considering HB 2707 and ask for your favorable vote.

Signed:

Senator Jim Barnett

JAB/gkp

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SEN. TRANSPORTATION COMMITTEE

DATE 03-18-04

ATTACHMENT: 4

Chairman Les Donovan and Members of the Senate Committee on Transportation
Good morning: My name is Steve Cadue, Tribal Chairman of the Kickapoo Tribe in Kansas and I appear before you today in support of House Bill 2623 to designate a portion of K-20 between Highway 75 and Horton as the "Kickapoo Veterans Memorial Highway".

I am a United States Air Force military veteran and honored to present testimony to give recognition to past, present and future military veterans. "I...do solemnly swear that I will support and defend the Constitution of the United States against all enemies, foreign and domestic,"... This passage is from the enlistment oath of the U S military into the Armed Forces. America is the greatest country on earth due to the principle of democracy, our quest for freedom and our love of country.

In America, from border to border, shore to shore, a traveler can see and visit military memorials commissioned in respect and in appreciation for our military veterans. Travel in any direction in our great state of Kansas and you will also see our states' gratitude for our military veterans. Kansas is home to several major military installations and is the final resting place for former President Dwight Eisenhower and former allied supreme commander in World War II. Kickapoo Veterans served under the command of General Eisenhower. We are proud of our service to our country.

Today, we ask for your special consideration, support and passage of a portion of the K-20 highway to be designated as the "Kickapoo Veterans Memorial Highway" to provide to the traveler the Kickapoo people's respect for and love of country.

Thank you.

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HB-2623

Kickapoo Veteran's Memorial Highway

Chairman Donovan and Members of the Senate Committee on Transportation; I thank you for the opportunity to speak to you today in favor of HB-2623 designating a portion of K-20 between Highway 75 and Horton, KS as the **Kickapoo Veteran's Memorial Highway**. This request while modest is one that will have important positive effects in years to come. As Mayor of Horton and friend to the Kickapoo tribe in Kansas I would like to briefly review my thoughts on this matter with you.

The Kickapoo are celebrating their 150th year here in Kansas. They are a proud and honorable people who it has been my good fortune to get to know over the last 9 years. We have worked closely together over my short time as Mayor to improve relations between our communities. I have learned much from them and I hope they from me. Despite being neighbors for more than 100 years I was surprised at the figurative distance there was between our communities. I like to say that Chairman Cadue and I are working to shorten the distance of the highway between the reservation and Horton. One thing I have learned through this process is that we need to take time to recognize and honor the accomplishment and contributions that have been made. As I have said the proposal before you is in and of itself a modest request but if we think about what it means I feel sure you will agree that it is one of the most important things you can accomplish this session. Native Americans have served this country from its inception in and for our military. They have guided and fought and died on behalf of our Nation in the past and on to today. There is no greater gift that one can give than their service to their country. If we do not remember a gift then it loses its value over time and becomes worthless. As Christ said "what good is salt if it loses its saltiness?" The simple act of the designation and placement of signs proclaiming to the world that we remember and appreciate the sacrifices of those on our behalf; by members of the Kickapoo Tribe we are assuring that the salt remains tasty and fully worth its value. Those who pass through the reservation will if only for a brief moment think of the contribution of these fine individuals. The Elders of the tribe will see the signs and know that they are remembered and appreciated. The young adults will look and see that their efforts to contribute to the good of the community and nation will not go unnoticed. The children will see and believe that their dreams can come true. Today our children need good examples.

So: remembrance and appreciation, recognition and hope, and finally honor, all for the cost of a few signs. Not a bad return on investment. And in some small way you will also help shorten the highway between the Kickapoo reservation and the rest of the county.

I thank you for your time and consideration in this matter.

Dale A. White Mayor
Horton Kansas
March 18th 2004

SEN. TRANSPORTATION COMMITTEE

DATE 03-18-04

ATTACHMENT: 6

6-1

6

JEFF JACK
 REPRESENTATIVE, SEVENTH DISTRICT
 LABETTE COUNTY
 P.O. Box 1166
 PARSONS, KANSAS 67357
 (620) 820-9269

STATE CAPITOL, ROOM 182-W
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HOUSE OF
 REPRESENTATIVES

COMMITTEE ASSIGNMENTS
 MEMBER: JUDICIARY
 TAXATION
 TRANSPORTATION
 SELECT COMMITTEE ON KANSAS
 SECURITY

Testimony regarding HB 2136

18 March 2004

On August 14, 1950, over two hundred men of the 930th Ordnance Ammunition Company, United States Army Reserve, Parsons, Kansas was activated for federal service in the Korean conflict. Most of the men were from Parsons and Labette County, and all but 18 of these men had previously heard the call and had served in World War II. The unit was sent to Korea in January, 1951, where it performed its hazardous logistics mission honorably and well, spending over a year in country.

Over fifty years have passed. I am here today in support of HB 2136, which would name the new US Highway 400 by-pass around Parsons the 930th Ordnance Ammunition Company by-pass. I believe this is a small gesture to recognize the large sacrifice these men made in leaving their homes and families in service to their country.

By memorializing this unit, we do not mean to exclude all veterans of all wars who have served; instead, we are simply recognizing the significant impact this unit and their mobilization and service had not just on the members of the unit, but on the entire community.

In December I attended the farewell ceremony for another Army Reserve unit from Parsons. Once again, our soldiers are being sent to serve their country in a dangerous place far from home. I can think of no better way to show our support to these troops than to promise them that we will never forget their sacrifice, by showing that we remember and cherish the sacrifice of those who have gone before them.

7-1

SEN. TRANSPORTATION COMMITTEE

DATE 3-18-04

ATTACHMENT: 7



KANSAS

Organized
March 10, 1867

BOARD OF COMMISSIONERS

LABETTE COUNTY

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(620) 795-2138 Or 421-5255

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District 2
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District 3
JERRY D. CARSON
3434 Dirr
Parsons, Ks 67357
620-421-2476
jdcarson@swbell.net

Representative Jeffrey L. Jack
State House
Topeka, KS 66612

February 10, 2003

RE: The 930th Ordnance Ammunition Company

Dear Representative Jack:

The 930th Ordnance Ammunition Company consisting of 194 enlisted men and six officers from the Parsons vicinity shipped out on August 25, 1950, on their way first to Fort Sill, OK and eventually to Korea in defense of our country. These men and all of those before and after have paid a great price for the benefit of us all with little or no recognition for their sacrifice.

It is the privilege of this Board to recommend to you that the soon to be completed US 400 bypass north of Parsons, Kansas be named the 930th Ordnance Ammunition Company Bypass.

What better way to display our recognition and pride of these men to the public and them? We thank you in advance for your kind consideration and support of this request.

Board of County Commissioners of Labette County, Kansas

Jerry D. Carson, Chairman

Lonie R. Addis, Commissioner

Brian C. Kinzie, Commissioner

8-1

SEN. TRANSPORTATION COMMITTEE

DATE 03-18-04

ATTACHMENT: 8

CITY HALL
P.O. BOX 1037
112 SOUTH SEVENTEENTH ST
PARSONS, KANSAS 67357-1037



PH 620 421 700
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www.parsonskansas.com

February 17, 2003

Representative Jeff Jack
Room 182 W
Statehouse
Topeka, Kansas 66612-1504

Dear Jeff:

The City of Parsons wishes to support naming the 400 Bypass or a portion of the Bypass in honor of "The 930th Ordnance Ammunition Company" from Parsons.

Any help and support from you will certainly be appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anita Westervelt".

Anita Westervelt
Mayor

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SEN. TRANSPORTATION COMMITTEE

DATE 03-18-04

ATTACHMENT: 9