

MINUTES OF THE SENATE COMMERCE COMMITTEE

The meeting was called to order by Chairperson Nick Jordan at 8:25 A.M. on March 16, 2005 in Room 123-S of the Capitol.

All members were present.

Committee staff present:

Kathie Sparks, Kansas Legislative Research Department
Helen Pedigo, Revisor of Statutes
Jackie Lunn, Committee Secretary

Conferees appearing before the committee:

Raymond Irwin, President, Heartland Park
Terry Ozment, Director, Club Racing for Sports Car Club of America
Jim Ludwig, Greater Topeka Chamber of Commerce (Go Topeka)
James McClinton, Mayor of Topeka
Shirley Wishom, Resident of Topeka

Others attending:

See attached list.

Chairperson Jordan opened the meeting by introducing Scott Frank from Post Audit to complete his presentation on the Post Audit Performance Report on STAR bonds. Mr. Frank referred the Committee to the Theater Project on page 36 of the Post Audit Report. Mr. Frank stated the Unified Government told Post Audit that Kansas City, Kansas was the only city of it's size without a movie theater. Because its citizens had expressed a desire for a theater, officials told Post Audit they wanted to incorporate a theater within the Village West development adjacent to the Kansas Speedway. Attempts to induce private theater operators to build a theater in this area were unsuccessful. Therefore, the Unified Government decided to build its own theater and have a private company manage the day to day operations.

The building will cost \$20 million to build. Rough estimates provided by theater experts suggested a theater of this size typically costs about \$13 million to \$15 million to construct and equip. The Unified Government stated this is not a typical theater. It will include special amenities, such as spacious seating and a special balcony level where alcoholic beverages will be served.

Because the Unified Government wasn't able to attract a private company to locate the theater in the Village West development district, it has committed to spend \$20 million in STAR bond moneys to build an upscale movie theater itself. That decision has raised questions about the appropriateness of competing with private theaters in the region, the cost and profitability of the theater, the lease-back arrangement that will help Cabela's recoup the cost of building its store, and the management agreement that will give Phoenix Theaters a significant share of the profits without assuming any significant financial risk. These questions again highlight the need for improved State oversight to ensure that the deals being made with STAR bond moneys are allowable and reasonable, and the State's interests are adequately represented.

Upon completion of Mr. Frank's presentation a discussion followed regarding the use of the STAR bond moneys for the Kansas Speedway and the Village West Tourism District. The Committee feels that the STAR bonds were not used appropriately and addressed the need to put a plan in motion for checks and balances to be able to track STAR bond programs and monitor the use of the STAR bonds.

Chairperson Jordan stated that possibly the Committee could put the Post Audit recommendations into the Heartland Park bill. He called the Committee's attention to the balloons on the Heartland Park bill stating he would like for them to take the time to review them before they worked the Heartland Park bill, which would be one day next week.

Chairperson Jordan opened the hearing on **HB 2144** by introducing Raymond Irwin, President, Heartland Park, Topeka to testify as a proponent on the bill. Senator Wysong excused himself from the hearing since his family was involved in the original developing of Heartland Park #1.

Mr. Irwin offered written testimony. (Attachment 1) and gave a brief history on the development of Heartland

CONTINUATION SHEET

MINUTES OF THE Senate Commerce Committee at 8:25 A.M. on in Room 123-S of the Capitol.

Park. Mr. Irwin and his family purchased Heartland Park in the spring of 2003 to keep it from closing. He stated that Heartland Park Topeka has a proven record of success of being able to create tourism and economic stimulus for Kansas. Now that the track is stable, and the SCCA Runoffs is creating racing industry-wide awareness of Heartland Park, Kansas, and Topeka, a great opportunity awaits us to finally achieve the status of being a World Class Motorsports and Entertainment complex.

In closing Mr. Irwin urged the Committee to support this bill for Heartland Park Topeka.

Upon completion of Mr. Irwin's testimony there was discussion with the Committee regarding the safety issues involved with Motorsports. Mr. Irwin assured the Committee Heartland Park has taken every precaution to make this track a safe place, always improving to meet the future needs for a safe environment for Motorsports. There was also discussion on the costs of the project. Mr. Irwin stated the cost of the project would be \$15 million dollars. He also stated he had placed private money into Heartland Park and would continue to put private money but needed the help of STAR bonds to complete the funding for this project. During the discussion, Mr. Irwin stated the SCCA National Championship Runoffs would be coming to Topeka in 2006. This event will be bringing race drivers, race teams and families, workers, and spectators to Topeka for a 10 day period of time. These people will be spending money in restaurants, shops, and for lodging. This would not just be in Topeka but in surrounding areas. Some of these people will be spending their vacations here. Mr. Irwin made an estimate of 4,000 people coming in for teams with an additional 400 more workers, approximately 750 manufacturers setting up and manning displays, and approximately 10,000 spectators. The discussion continued with Mr. Irwin stating at the end of 50 years when all obligations are paid back Heartland Park will go to Mr. Irwin's family.

Chairperson Jordan introduced Terry Ozment, Director of Club Racing for the Sports Car Club of America (SCCA). Ms. Ozment offered written testimony. (Attachment 2) Ms. Ozment stated the SCCA chose to relocate in Topeka from Colorado three years ago. They chose Topeka because they viewed the city and state to be proactive in the world of motorsports. They believe the SCCA National Championship Runoffs being held in Topeka beginning in 2006 will have a positive economic impact to the community and support this bill.

Chairperson Jordan introduced Jim Ludwig, Greater Topeka Chamber of Commerce representing the Go Topeka project. Mr. Ludwig offered written testimony. (Attachment 3) Mr. Ludwig stated racing is big business and brings significant tourism to locations across the nation. The SCCA National Championship Runoff will bring more attention and increased activity to Heartland Park as drivers, their teams and racing-related businesses utilize the track to become more experienced in driving on the championship roadway in the next national runoff. In closing Mr. Ludwig urged the Committee to support **HB 2144**.

Chairperson Jordan introduced the Honorable James McClinton, Mayor of Topeka to give his testimony in support of **HB 2144**. Mayor McClinton offered written testimony. (Attachment 4) Mayor McClinton stated the provisions of this bill would provide Heartland Park Topeka with some of the financial tools it needs to continue its development into a world-class racing facility. The city and state would benefit greatly from the improvement of Heartland Park Topeka. This facility has annually provided the city and state with significant economic benefits. In closing Mayor McClinton stated **HB 2144** is an opportunity to solidify Kansas as the heart of motor racing. On behalf of the city of Topeka, he urged the Committee to give favorable consideration of this bill.

Chairperson Jordan introduced Shirley Wishom, testifying as an opponent of **HB 2144**. Ms. Wishom offered written testimony. (Attachment 5) Ms. Wishom voiced her opposition to **HB 2144** stating Mr. Irwin should secure the moneys needed for Heartland Park Topeka from investors and not STAR bonds. She feels that STAR bond money should be left alone unless it is proposed for projects to those in the poorest areas of the state. She urged the Committee to vote in opposition of this bill.

A discussion followed with the Committee and the Mayor. The Mayor stated that the City Council voted unanimously to support this project. He stated that the City Council was made up of representatives from all parts of Topeka. The discussion moved to Heartland Park having more events not just racing. Mr. Ludwig stated he had increased the number of event days by 40 days with plans to increase that even more in the future. The Heartland Park facilities could also be used for events other than racing and is making future plans for that. He realizes the need to have events going on year round at Heartland Park. Senator Brownlee

CONTINUATION SHEET

MINUTES OF THE Senate Commerce Committee at 8:25 A.M. on in Room 123-S of the Capitol.

joined the discussion asking Mr. Ludwig if he would have a problem in reporting annually to the Committee revealing their tax information. Mr. Ludwig stated he would not have a problem with that. The discussion moved to some of the statements Ms. Wishom made concerning Butch Felker being an employee of Heartland Park. Mr. Ludwig stated that at one time Mr. Felker was head of the Heartland Park Foundation. He was given that position because of his knowledge of Topeka. Mr. Ludwig stated Heartland Park would receive bed tax funds as other projects such as Overland Station would be receiving based on a portion on the Council's estimate is of what they bring into town.

With no further questions or comments on **HB 2144**, Chairperson Brownlee taking the meeting over from Chairperson Jordan during testimony, closed the hearing on **HB 2144**.

The meeting was adjourned at 9:30 a.m. with the next scheduled meeting being tomorrow, March 17, 2005 at 8:00 a.m. in 123S.

Senate Commerce Committee

Guest List

Date: 3-16-05

Raymond IRWIN	HEARTLAND PARK TOPEKA
Mayor James A. McClinton	City of Topeka
Tom A. Bond	Sport Cm Club of America
Jeff Preisner	City of Topeka
Chris Bovis	Heartland Park Topeka
Jamie Overacker	Heartland Park Topeka
Sarah Schoeberl	City of Topeka
Christy Caldwell	Topeka Chamber of Commerce
Nancy Irwin	Heartland Park Topeka
JOHN C. BOTTENBERG	Heartland Park
Gar Hubbell	" "
John Frieder	" "
Leo Napier	Legislative Post Audit
Ivan Williams	" " "
Scott Frank	Leg Post Audit
BART SPRAGUE	KENSINGER & ASSOCIATES
DICK CARTER	MARC
David Kensinger	Kensinger & Associates
Jimmy L Bullocks Jr	Standasters
David Corbin	K DOR
James Bartle	dept. of Revenue
Kathleen Smith	KDOR
Janelle Nueszen	Hein Law Firm
Erik Sartorius	City of Overland Park
Matt Jordan	Commerce



The Heart of American Racing

Activity: Testimony before the Senate Commerce Committee

Subject: House Bill 2144: Special Obligation Bonds for a Major Commercial Entertainment and Tourism Development Area which is a Motorsports Complex.

Date: March 16, 2005

By: Raymond Irwin
President & Owner
Heartland Park Topeka

Members of the Committee,

My name is Raymond Irwin and I operate Heartland Park Topeka, a multi-use motorsports facility built on property owned by the City of Topeka. I would like to request your support of HB 2144 which will provide for usage of special obligation bonds to fund the completion of Heartland Park Topeka making it a world class motorsports entertainment complex.

I am a mechanical engineer by degree, but more importantly I have been a racer for 30 years, as well as an owner of another race track in Illinois for 18 years. My wife and I moved to Topeka in the spring of 2003 to purchase Heartland Park Topeka and keep it from closing.

As some of you may already know, Heartland Park Topeka was originally built in 1988 at a cost of over \$20 million as a joint city/private project. Although the original goal for Heartland Park Topeka to become a world-class multi-use motorsports complex was not achieved, operations during the early years were successful for both the track and our community, primarily due to National Hot Rod Association (NHRA) national events. However, by 2002 Heartland Park Topeka was facing imminent closure due to bankruptcy. Several factors created this dismal result: absentee ownership, almost complete dependency on high-risk events, and lack of development and utilization of all assets of the facility.

In March of 2003 I purchased the Management Agreement of Heartland Park Topeka. Before the end of the year, our new management team was able to reverse the financial difficulties, as well as pay off over \$1.1 million in unpaid bills left by the previous owner. A study by Washburn University in 2004 determined that Heartland Park Topeka creates over \$45 million per year in economic impact for the community of Topeka and the State of Kansas. Of that \$45 million, over \$30 million is spent directly with businesses in our community by fans and competitors who have come to attend events at Heartland Park. For every dollar spent at Heartland Park Topeka, over \$13 is spent in community retail outlets. Routinely we fill hotels, motels, restaurants, retail stores, and create opportunity for businesses that support the tourism industry.

Senate Commerce Committee

3-16-05

Attachment 1-1

In the fall of 2004 the City of Topeka committed \$5 million in assistance for the specific purpose of repairing the Heartland Park road course in order to hold the premier event of amateur road racing, the SCCA National Championship Runoffs. Through this commitment Heartland Park Topeka was able to become the next host of this event for a minimum of three years.

Receiving the Runoffs Bid has kick-started the ascension of Heartland Park Topeka toward finally achieving the originally conceived status of being a world class racing and entertainment complex. Within 48 hours of the Runoffs press conference, Heartland Park began receiving inquiries from major motorsports companies regarding HPT events, facilities and even inquiring about relocation of racing operations to the Kansas area.

Racing entertainment is not the same anymore; fan friendly and convenient environment and facilities, first class recognizable events and fan welcoming communities are the norm for successful venues. The City of Topeka's commitment of \$5 million provided only the first step in launching Heartland Park Topeka toward becoming a first class motorsports complex. Additional funding must now be obtained to renovate and develop the rest of the facility in order to be able to compete for fans, competitors and manufacturers that will come to Topeka and Kansas; for events and for business.

Increasing the number and improving the magnitude of motorsports events at Heartland Park Topeka will create significant increases in city, county and state tax revenues from event sales at the track. But, more importantly, our fans who are attending Heartland Park events spend over 13 times more money in our community than they do at the track. This influx of retail trade from tourism provides an even greater benefit to our community and to the State of Kansas.

Utilization of Special Obligation Bonds to renovate Heartland Park Topeka is a logical and proper use of economic development funds:

- The activities at Heartland Park do not compete with other local business.
- Bond funds will only be utilized to develop infrastructure and renovate facilities that will support events conducted by Heartland Park Topeka.
- There is a direct return not only in increased retail sales tax from Heartland Park events, but an even larger increase from regional sales tax on tourism retail spending in Topeka, Shawnee County and the State of Kansas.

Heartland Park Topeka has a proven record of success of being able to create tourism and economic stimulus for Kansas. Now that the track is stable, and the SCCA Runoffs is creating racing industry wide awareness of Heartland Park, Kansas, and Topeka, a great opportunity awaits us to finally achieve the status of being a World Class Motorsports and Entertainment complex.

This opportunity is only awaiting actuation and completion of the Heartland Park Topeka facility in order for our community to reap the economic benefit from motorsports entertainment in Kansas.

Thank you for your consideration and assistance in this vital project.

Senate Commerce Committee

3-16-05

Attachment

1-2



The Heart of American Racing

Contact: Jamie Overocker, (785) 862-4781

**Heartland Park Topeka
Media and Public Relations
1805 SW 71st Street
Topeka, Kansas 66619
Fax: (785) 862-2016**

For Immediate Release
January 6, 2005

Heartland Park Topeka Awarded Bid to Host SCCA National Championship Runoffs® in 2006

TOPEKA, Kansas – The signature event of the Sports Car Club of America, the SCCA National Championship Runoffs®, will be coming to Heartland Park Topeka in 2006. With today's announcement Heartland Park Topeka will become just the fifth track to host the SCCA National Championship Runoffs in the 41-year history of the event.

"Heartland Park Topeka was originally built with the goal of hosting the SCCA Championship Runoffs," said Heartland Park Topeka Owner Raymond Irwin. "We now look forward to showcasing our community and facility to SCCA drivers, crew and workers from across the nation as we host the next era of this prestigious event."

The National Championship Runoffs have been hosted by Mid-Ohio Sports Car Course in Lexington, Ohio since 1994. As a result of a December vote by the SCCA Board of Directors, Heartland Park Topeka will host this prestigious event for the 2006 through 2008 seasons. For the first time in over 30 years the event will be held west of the Mississippi River.

Heartland Park Topeka was constructed in the capital city of Kansas at a cost of nearly \$23 million and opened in 1989. In its first ten race seasons, Heartland Park hosted major events for the National Hot Rod Association (NHRA), International Motor Sports Association (IMSA), SCCA Pro Racing, and the NASCAR Craftsman Truck Series.

NHRA drag racing has remained a consistent part of the Heartland Park Topeka schedule, but high-profile road racing at the facility has lagged since the late 1990's.

Irwin purchased the facility in March of 2003, and earlier this year received a \$5 million commitment from the Topeka city government for road course upgrades, as part of a major property renovation. Several improvements will be made prior to the 2006 SCCA National Championship Runoffs, including a complete repaving of the road course and changes to the track layout, new road course garages, a road course control tower and timing facility, showers and bathrooms, additional concession areas, improved spectator viewing areas, and an expansion of the current paddock to accommodate additional participants.

Heartland Park Topeka, a multi-purpose racing facility located in Topeka, Kan., annually hosts NHRA POWERade drag racing, Championship Off-Road Racing (CORR), and the Sports Car Club of America (SCCA) in addition to many other events throughout the race season.

###30###

Senate Commerce Committee

3-16-05

Attachment 1-3



**Heartland Park Topeka
Media and Public Relations
1805 SW 71st Street
Topeka, Kansas 66619
Fax: (785) 862-2016**

History of Road Course Racing at Heartland Park Topeka

The idea of a motor sports facility in the Topeka area began to gain momentum in 1985. Around that time, city officials and residents formed a committee to look at possible facilities that would attract new residents, especially young people. Shortly thereafter, the city of Topeka passed a \$7.5 million bond issue to fund a motor sports facility. Track planners recognized that the bond issue would not completely fund the project, so they turned to private donations and raised nearly \$15 million more. The final project, constructed with public and private backing, totaled nearly \$23 million.

Construction took more than a year, and on August 11, 1989, four years after a motor sports facility was proposed, Heartland Park Topeka hosted its first race, the Camel Grand Prix, introducing world-class racing to the heart of America. The track put itself firmly on the racing map early on in its existence. The construction of Heartland Park Topeka was the biggest news in the world of racing in 20 years. At the time, it was the first major racetrack to be built in North America since 1968.

Ten racers on NASCAR's "50 Greatest Drivers" list have either raced or visited Heartland Park Topeka. They include Richard Petty, A.J. Foyt, Darrell Waltrip, and the late Dale Earnhardt. Terry Labonte, Ken Schrader and Jeff Burton are just a few of the NASCAR Nextel Cup stock car regulars who have raced on the Heartland Park Topeka road course through the years.

Road racing at Heartland Park Topeka began in 1989, and that continued with an International Motor Sports Association (IMSA) and Sports Car Club of America (SCCA) Pro Racing Weekend in 1990. The Sportscar Vintage Racing Association (SVRA) and Formula USA Motorcycles also raced at Heartland Park that season.

1991 brought the first-ever Stock Car race to the Heartland as the facility hosted the ARCA series.

As the nation saw the popularity of stock cars rise dramatically through the early 1990's, Heartland Park Topeka capitalized with stock car racing events from 1991 through 1994's American Speed Association (ASA) Mello Yellow 300.

Despite having several NASCAR-affiliated drivers racing at the facility through the years, it wasn't until 1995 that Heartland Park Topeka joined the NASCAR family. The track was the first road course on the schedule for the inaugural NASCAR Craftsman Truck Series.

Over the past several seasons, road course racing has seen an increase in event days without the high-profile events of years past. Several car clubs, in addition to SCCA Club Racing and motorcycle schools have taken on the various road course configurations at Heartland Park Topeka.

###30###

Senate Commerce Committee

3-16-05

Attachment 1-4

SportsCar®

OFFICIAL PUBLICATION OF THE SPORTS CAR CLUB OF AMERICA

ULTIMATE BUYERS GUIDE



LOADED WITH GEAR
SAFETY WEAR 2005



CAR BUYERS GUIDE
THE LATEST IN RACE CARS



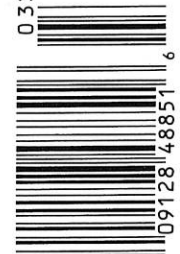
FLAMEOUT
FIRE SYSTEMS



JAPANESE GT
HISTORY IN THE MAKING



www.scca.com

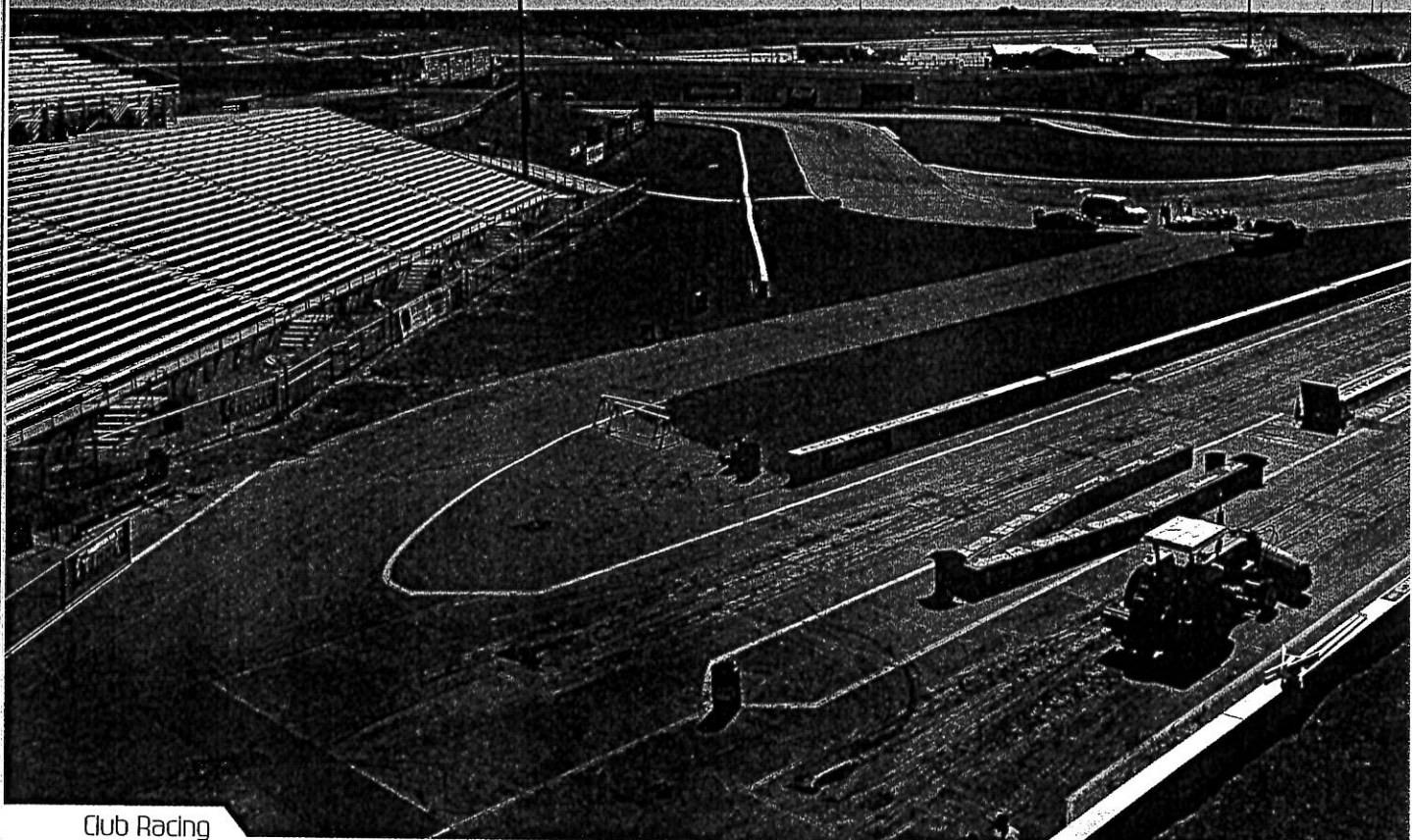


Senate Commerce Committee
3-16-05
Attachment 1-5

BREAKING

OFFICIAL PUBLICATION OF THE SPORTS CAR CLUB OF AMERICA

Long known to the drag racing crowds, Heartland Park will once again be familiar to road racing fans when it hosts the Runoffs in 2006.



Club Racing

The Runoffs moves to the Heartland

HEARTLAND PARK TOPEKA SECURES THREE-YEAR CONTRACT FOR 2006

In 1989, Heartland Park Topeka opened with a goal of hosting the SCCA Runoffs. In 2006, that goal will become a reality.

At a Jan. 6 news conference in Topeka, Kan., Sports Car Club of America President and CEO Steve Johnson announced that the Club Racing National Championship Runoffs® would move to Heartland Park in 2006.

"The SCCA Board of Directors believes the event is due for a change," Johnson said, "and

Heartland Park Topeka put together a proposal that earned the next contract of the Runoffs by best meeting the criteria of creating a positive experience for all participants."

Heartland Park will become just the fifth venue to host the Runoffs in its 41-year history and the first west of the Mississippi in more than 30 years.

Mid-Ohio Sports Car Course near Lexington, Ohio, has been the home of the Runoffs since 1994. They submitted the only other proposal to receive serious consideration by the SCCA.

According to Johnson, the

major factor in the Board's decision was the "incredible support of the local community, the city and the state." This was also the deciding factor for the SCCA in moving their headquarters to Topeka in 2002.

"Heartland Park Topeka is proud to be the new host for the next era of the SCCA National Championship Runoffs," said Raymond Irwin, who acquired the operating rights to Heartland Park in 2003. "We believe that the Topeka community and Heartland Park will present not only a world class championship event, but

also will provide our SCCA competitors and fans a hometown, friendly atmosphere, second to none."

Heartland Park was designed to be a world-class racing facility. It has been a popular stop on the NHRA circuit, while the Kansas and Kansas City Regions of SCCA put on several Club Racing events each year.

Topeka has hosted the SCCA Solo National Championships since 1995 and, in 2002, the SCCA moved their headquarters to Forbes Field, just north of Heartland Park.

Randy Fisher



Heartland Park Topeka will be a different place come next fall.



news



Plans for Heartland Park include a new section of track and spectator amenities.



Kansas Governor Kathleen Sebelius and Topeka Mayor James A. McClinton.

Heartland tailored to Runoffs

Now the real work begins – preparing Heartland Park Topeka to host the 2006 SCCA National Championship Runoffs.

Raymond Irwin, who owns the operating rights to the track that sits on city-owned property, has already started the most extensive and costly renovation of this 750-acre facility since it opened in 1989.

The City of Topeka recently approved \$5 million to completely repave the entire road course, including sections not used for several years due to deterioration. Irwin hopes to have the repaving done by this fall, along with the construction of new bathroom and shower facilities for competitors.

Other projects set for completion this year include

constructing a new maintenance building, expanding the south paddock area, new fencing, new entry points into the facility, repaving the paddock and pit areas, a new tech inspection building and a new credentials building and entrance.

Next year's finishing touches will see a new concession/souvenir building, a new garages/suites complex and new spectator berm areas.

"This will be the first facility to host the Runoffs that was specifically tailored for the Runoffs," Irwin says.

"We've got a lot of work to do to build this facility," he adds. "We have a year-and-a-half to get the renovations done and we will get them done, I assure you."

Randy Fisher

Pit Bits

City of Topeka welcomes Runoffs
The city of Topeka is on board with the SCCA National Championship Runoffs moving to Heartland Park Topeka, recognizing it as the satisfaction of a long goal.

"This is a dream come true," said Jack Porteus, president of Go Topeka, the economic development arm of the Topeka Chamber of Commerce. "We've been lobbying at the PRI (Performance Racing Industry) show since 1992, trying to bring a major road racing event to Topeka."



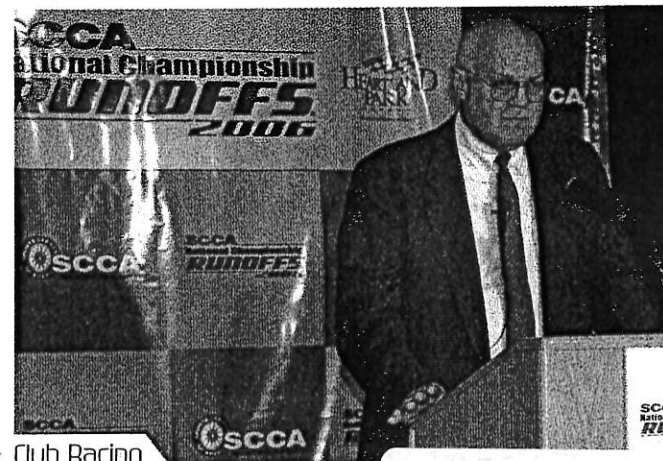
Summit Racing will offer money to GT-1 racers.

Summit Racing offers contingency
Summit Racing Equipment will offer a contingency program for SCCA competitors in Touring 1 and 2, GT-1 and American Sedan at Nationals and the Runoffs. Registration forms are available at www.scca.com.

Irwin knows SCCA and motorsports

Raymond Irwin has been around cars and racing all of his life. The owner of Blackhawk Farms Raceway in Rockton, Ill., he was introduced as the new owner of Heartland Park Topeka in the spring of 2003. He graduated from General Motors Institute in 1974 with a Bachelor's Degree in Automotive Engineering. Irwin has raced in SCCA's GT-1 class and the Trans-Am series, plus endurance racing. He founded and continues to operate Auto Concepts, Inc., which designs and builds road racing cars.

Randy Fisher



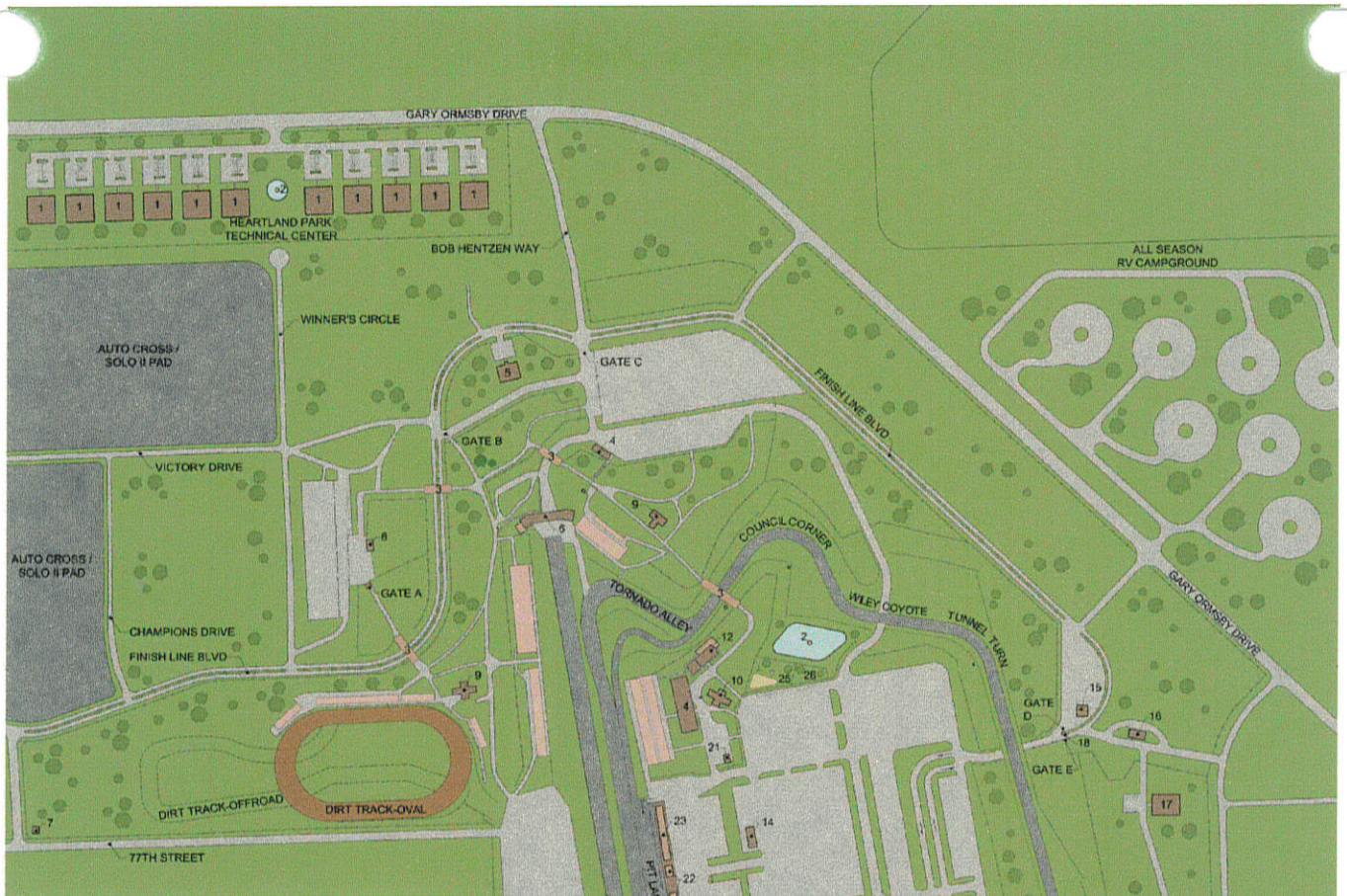
Club Racing

Senate Commerce Committee

3-16-05

www.scca.com

Attachment 1-7



LEGEND

1. INDUSTRIAL PARK BUILDING
2. POND/FOUNTAIN
3. WALKWAY BRIDGE
4. PAVILION
5. HEARTLAND PARK OF TOPEKA OFFICE
6. DRAG RACING TOWER
7. DIRT TRACK CREDENTIAL BUILDING
8. TICKET OFFICE
9. RESTROOMS/CONCESSIONS
10. RESTROOMS
11. RESTROOMS/SHOWERS
12. CONCESSIONS/PICNIC AREA/SOUVINEERS
13. RESTROOMS/CONCESSIONS/SHOWERS
14. MEDICAL BUILDING
15. CREDENTIAL BUILDING
16. RV DUMP STATION/SHOWERS
17. MAINTENANCE BUILDING
18. GUARD STATION
19. TECHNICAL INSPECTION BUILDING
20. FUEL STATION
21. WAREHOUSE
22. SUITES/GARAGES
23. ENTERTAINMENT DECK
24. RACE CONTROL
25. PLAYGROUND
26. DOG PARK
27. STARTER'S BRIDGE



HEARTLAND PARK TO

Senate Commerce Committee

3-16-05

Attachment 1-8



HEARTLAND PARK T O P E K A



HEARTLAND
PARK
TOPEKA

The Heart of American Ra

Senate Commerce Committee
3-16-09
Attachment 1-9



The Center of America's Motorsports

HISTORY OF

HEARTLAND PARK TOPEKA

The idea of a motor sports facility in the Topeka area began to gain momentum in 1985. Around that time, city officials and residents formed a committee to look at possible facilities that would attract new residents - especially young people. Shortly thereafter, the city of Topeka passed a \$7.5 million bond issue to fund a motor sports facility. Track planners recognized that bond issue would not completely fund the project, so they turned to private donations and raised nearly \$15 million more. The final project, constructed with public and private backing, totaled nearly \$22 million.

Construction took more than a year, and on August 11, 1989, four years after a motor sports facility was proposed, Heartland Park Topeka hosted its first race, the Camel Grand Prix, introducing world-class racing to the heart of America. The track put itself firmly on the racing map early on in its existence. The construction of Heartland Park Topeka was the biggest news in the world of racing in 20 years. At the time, it was the first major racetrack to be built in North America since 1968.

Ten racers on NASCAR's "50 Greatest Drivers" list have either raced or visited Heartland Park Topeka. They include Richard Petty, A.J. Foyt, and the late Dale Earnhardt. The track's oldest and largest event is the NHRA Nationals. Since its inception, Heartland Park Topeka has been a showcase to world record performances in drag racing.

A TRACK OF FIRSTS...



- **Sept 29, 1990** - Gary Ormsby becomes first driver to break 4.9 second and 295 MPH barrier.
- **Sept 29, 1991** - Pat Austin becomes first driver to win 2 classes at one NHRA event (Top Fuel, Top Alcohol Dragster.)
- **June 1, 1993** - NHRA Western Auto Nationals becomes first motor sports event televised coast-to-coast from the State of Kansas.
- **Oct 1, 1993** - Chuck Etchells becomes first funny car driver to break five second barrier (4.987 seconds).
- **Oct 3, 1993** - Jim Epler becomes first funny car driver to break 300-MPH barrier (300.40 MPH).
- **June 1995** - Western Auto Nationals becomes first NHRA event to be held primarily at night.
- **July 1995** - Heartland Park Topeka is the first road course on the schedule for the Inaugural NASCAR Craftsman Truck Series.
- **Oct 1995** - Scott Kalitta records quickest run in NHRA history (4.66 seconds).
- **July 6, 1996** - Blaine Johnson records quickest run in NHRA history (4.592 seconds).
- **July 6, 1996** - John Force becomes first funny car driver to break 4.9 second barrier (4.889 seconds).
- **Sept 28, 1996** - Warren Johnson records first six second pass in Pro Stock Category (6.991 seconds).
- **1999** - Heartland Park Topeka becomes first facility to construct temporary dirt track over existing drag strip.

Senate Commerce

3-16-05

Attachment 1-10



BY THE NUMBERS

- 10,000,000**
Yearly browser hits at www.hpt.com
- 250,000**
Average yearly spectator attendance
- 25,000**
Seats with drag strip view
- 6,500**
Seats with dirt track view
- 1,080**
Feet above sea level
- 752**
Acres of land at Heartland Park Topeka
- 120**
Event Days in 2004
- 23**
Suites in HPT corporate tower
- 17**
Years of continuous operation
- 14**
Turns on the road course
- 5**
State marketing area
- 4**
Major cities within marketing area
- 3**
Racing venues

Limitless Marketing Opportunity

Senate Commerce Committee
3-16-05
Attachment 1-11



Drag Racing at



Heartland Park Topeka Bracket Drag Race Series

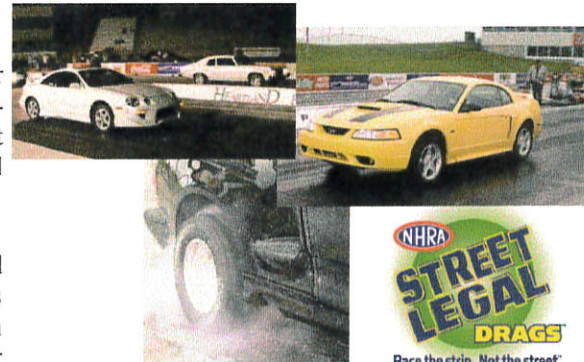
Just about any vehicle, from a dragster to a muscle car or grocery-getter, can compete in the Heartland Park Topeka Bracket Drag Race Series. Even motorcycles can compete for payouts in certain classes, and take part in the season points race.

NHRA Summit Racing Series racers compete for points and cash awards in a number of qualifying events at 140 NHRA member tracks throughout North America. Drivers who gain the most points are eligible to compete for individual and team honors at the Summit Racing NHRA Division E.T. Finals in each of NHRA's seven divisions—individual winners receive a division trophy and travel expenses to attend the Summit Racing NHRA National E.T. Finals, where they compete for a national championship, \$5,000, a national champion's trophy, and bragging rights for the year.

Heartland Park Topeka Street Legal Racing Series

In 1994 the NHRA began a high-profile and closely scrutinized program of events for street-legal cars and motorcycles in Southern California. Since then, thousands of potential illegal street racers throughout the country have turned to Street Legal programs at NHRA member tracks, where as many as 700 racers may attend an event. Heartland Park Topeka began implementing the Street Legal program in 2003.

Only street-legal machines are permitted to participate. Fully rigged race cars are turned away. Though it varies from track to track, most Street Legal venues feature time trials and grudge racing only, which gives each racer the opportunity to make the maximum number of passes. Grudge racing permits participants to choose their competition rather than participate in an organized eliminator. Win or lose, participants may return to the staging lanes for more time trials or grudge runs.



Heartland Park Topeka Junior Drag Series

The NHRA O'Reilly Auto Parts Jr. Drag Racing League offers kids ages 8-17 a chance to race half-scale dragsters in a controlled environment at many of NHRA's 140 member tracks throughout the United States and in Canada long before they can obtain a state driver's license. The cars that Jr. Drag Racing League competitors race are called Jr. Dragsters and are half-scale versions of Top Fuel dragsters. Using a five-horsepower, single-cylinder engine, a Jr. Dragster can go as fast as 85 mph and as quick as 7.90 seconds in an eighth-mile.

Competition in the Jr. Drag Racing League is equalized by a handicapped starting system, and classes are usually split into age groups, which helps keep racers of the same skill level together.



Senate Commerce
3-16-05

Attachment 1-12

O'Reilly Summer Nationals

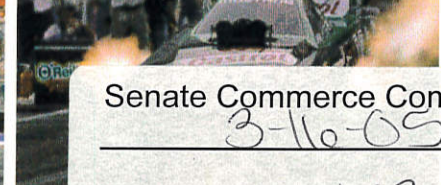
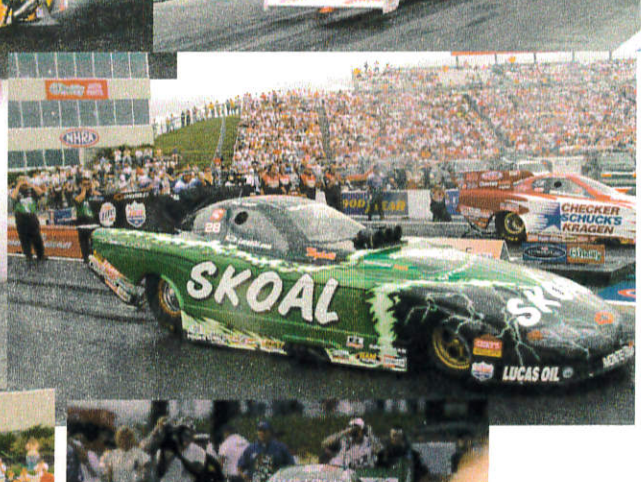
Presented by 



HEARTLAND PARK

TOPEKA

16 Consecutive Years of Exciting NHRA Racing in Topeka



Senate Commerce Committee
 3-16-05
 Attachment 1-13



3/8-Mile Banked Oval Dirt Track

Constructed 2001

After an experiment with a temporary dirt track in 1999 and 2000, Heartland Park Topeka constructed a permanent dirt oval facility which was completed in the spring of 2001. On April 21 the first-ever race was contested during a NASCAR Weekly Racing Series event.

The oval, which is located west of the world-famous Heartland Park Topeka 1/4-mile drag strip, is specifically designed for high-performance spring cars and has state-of-the-art, television-quality lighting with 4,500 permanent seats and 7,500 seats for special events.

The World of Outlaws, World of Outlaws Gumout Series, National Flat Track Racing Association, and the NASCAR O'Reilly Auto Parts All-Star Latemodel Series were special events that raced during the inaugural season on the permanent dirt track.

Since that first season the Heartland Park Topeka Motor Speedway has hosted Championship Off-Road Racing and the Extreme Monster Truck Challenge.



Senate Commerce Committee

3-16-05

Attachment 1-14



For seven years, Championship Off Road Racing has been recognized as the "Place to Race Off Road". CORR's success continues to evolve around a simple formula, combining close, fender-to-fender racing on a course designed to allow fans in the stands to see all the action on the track, while allowing television viewers at home to live vicariously through their favorite driver.

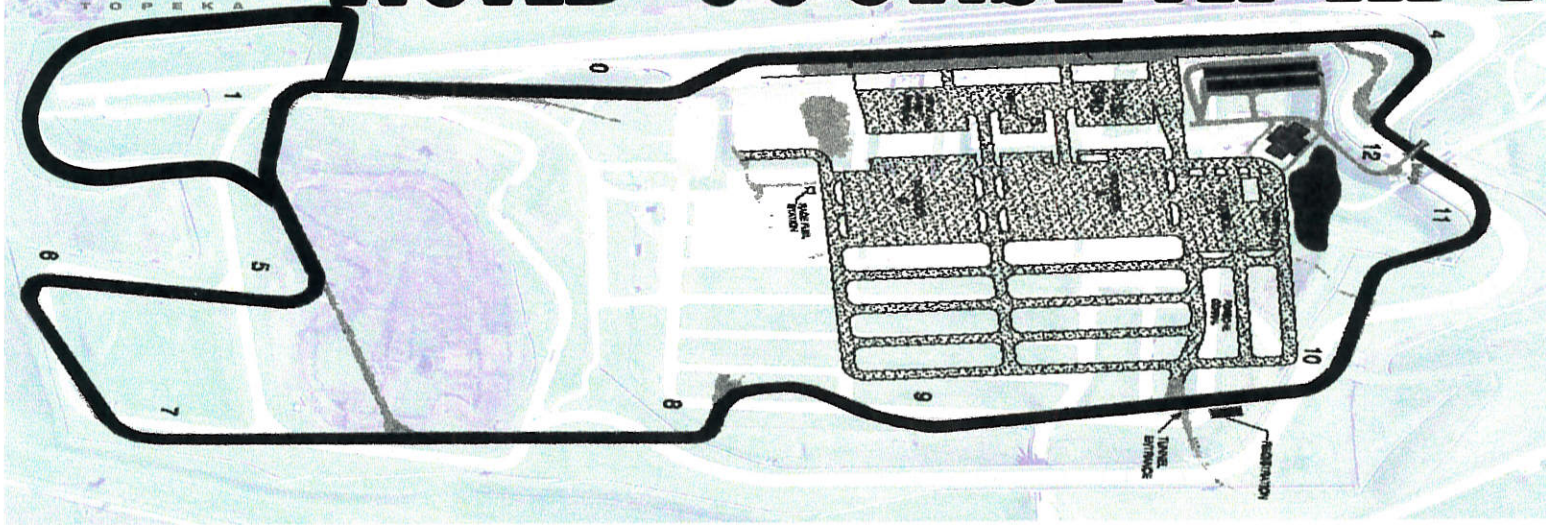
Speed Channel is the television home of Championship Off Road Racing, covering 84 hours of racing action from the Lucas Oil Pro and Sportsman Series. The Speed Channel network is in 61.2 million homes, covering 56.5% of the U.S. (A.C. Nielsen Media, March 2004). This delivers a tremendous amount of coverage for racers and sponsors alike. In 2004, Speed Channel and CORR provided six hours of nationally televised racing from Heartland Park Topeka.

Senate Commerce Committee

3-16-05



ROAD COURSE AT HPT



Heartland Park Topeka has a versatile road racing course that allows for five distinct and challenging layouts which can be tailored to various types of events. From the short course configurations of 1.5 to 1.8 miles to the full 2.5 mile Grand Prix layout, Heartland Park Topeka can offer a track suited to a varied level of experience.



Sports Car Club of America

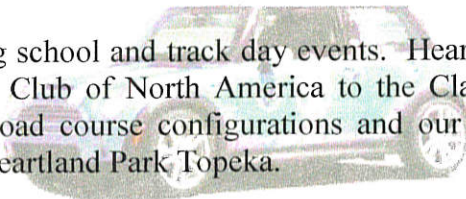
Heartland Park Topeka has hosted SCCA road racing events since the road course was constructed in 1989. The SCCA is the largest road racing sanctioning body in North America, and the track enjoys an excellent reputation within the SCCA community for providing great racing.



Car Clubs

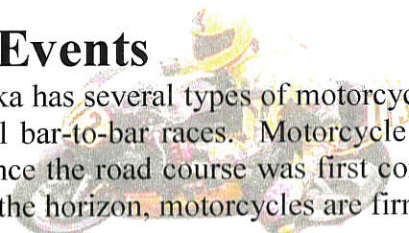


Many marque-specific car clubs offer driving school and track day events. Heartland Park Topeka works with car clubs from Porsche Club of North America to the Classic Fiero Owners Club International. Between our road course configurations and our drag strip home for virtually every type of car club at Heartland Park Topeka.



Motorcycle Events

Heartland Park Topeka has several types of motorcycle races from the most basic riders' schools to full bar-to-bar races. Motorcycle events have been an integral part of the facility since the road course was first constructed. With more riding schools and races on the horizon, motorcycles are firmly a part of our future as well.



Karting Events

One of the hottest activities in the racing business today is kart racing. Virtually every current professional race driver began their interest in racing with a kart. With some very small road course configurations available, karting is a new and important addition to the Heartland Park Topeka schedule.

Senate Commerce Committee

3-16-09

Attachment 1-16

Testimony before the Senate

Regarding HB 2144

March 16, 2005

By Terry Ozment, Director of Club Racing, Sports Car Club of America

Chairman and Committee:

My name is Terry Ozment; I am the Director of Club Racing for the Sports Car Club of America. It is an honor and a privilege to stand in front of you and call the great state of Kansas my home and the home of the leading motorsports organization in the world...the Sports Car Club of America. I am representing our organization today, on behalf of our President Steve Johnson. Steve couldn't join us today because he is in Sebring, Florida launching the 2005 season for the Professional Racing arm of SCCA, with the World Challenge Series.

SCCA chose to relocate our organization to the State of Kansas from Colorado three years ago. We could have gone anywhere and we were courted by many cities. We chose Topeka, Kansas because we viewed your city and state to be proactive in the world of motorsports, a state on the move and a place we would be proud to call home.

I am proud to say that you have exceeded our expectations. Because of that, the State of Kansas, the City of Topeka and Heartland Park Topeka Race track have been awarded the SCCA National Championship Runoffs beginning in 2006. You have seen and heard the positive economic impact to the community. What you may not be aware of is the impact and visibility your city and state will have within the industry.

It is our feeling that after all the attendees of the event from the oil companies, car manufacturers, tire companies, sponsors, race teams, media and countless spectators experience the state of Kansas and the city of Topeka, many are going to do what I did. Call the state of Kansas home.

Steve said it three years ago and it got many smirks. I say it today and it is a reality. Indianapolis, Daytona, and Topeka are the hotbeds and capitals of racing.

On behalf of SCCA, I support and ask for your support of ^{House} ~~Senate~~ Bill HB 2144.

Senate Commerce Committee

3-16-05

Attachment 2-1

Testimony before the Senate Commerce Committee
Regarding HB 2144 – Special Obligation Bonds for a Major
Commercial Entertainment & Tourism Area Which is a Motorsports Complex
March 16, 2005
By: Jim Ludwig, Board of Directors, Vice Chair of Government Relations
Greater Topeka Chamber of Commerce

Madam Chairman and Committee:

My name is Jim Ludwig; I am here today as a board member and vice chair of government relations for the Greater Topeka Chamber of Commerce. I would like to ask for your support of HB 2144 which will allow the City of Topeka to utilize special obligation bonds, retired by sales taxes, as provided for in the bill, for Heartland Park Topeka.

The citizens of Topeka were visionary back in the 1980's when they voted to build Heartland Park Topeka; Topekan's saw the potential draw a racing facility in the center of the U.S. can have in attracting racing enthusiasts from across the country to a world class facility, just as the citizens of Wyandotte County and the State of Kansas have experienced more recently. Racing continues to be a growing economic engine for our state.

Two years ago, our community was successful in attracting the headquarters of Sports Car Club of America to Topeka, they built a new headquarters building at Forbes Field where they have been holding the SCCA Solo Finals for 10 years, where over 1200 drivers and 5000+ spectators become part of our city's landscape for several days each year.

In January, 2005, Topeka was chosen as the site of the 2006 SCCA National Championship Runoffs which will involve hosting 1000 racing teams, 750 volunteers from around the nation, and over 30,000 spectators from across the country. Up until this decision was made, in the last 43 years this race has only been hosted at Mid-Ohio, Daytona, Road Atlanta, and Riverside, CA. Topeka, Kansas will soon stand side-by-side with some of the great racing communities across our nation. We need to assure this standing and make certain we retain this national race and attract others.

Last September Topeka community leaders went to Mid-Ohio to see the Championship Runoffs to determine what impact this race can have. They learned that this event will have a significant economic impact on our region and state. It is estimated to bring approximately \$15 million to our community, almost equal to the entire leisure tourism impact for one year in Topeka. Due to championship status for 24 different amateur classes, many of these drivers and their teams are heavily supported by national sponsors. You need to envision a field with 1000 teams and their crews, the 750 volunteers working the event, bringing their families to enjoy the atmosphere, and almost 30,000 fans from around the country; all of this taking place for a two week period of

Senate Commerce Committee

3-16-05

time. Hotel rooms in Topeka will be full; many will drive an hour or more to find lodging in other communities in order to enjoy this nationally televised race.

As you know, racing is big business and brings significant tourism to locations across the nation. The SCCA National Championship Runoffs will bring more attention and increased activity to Heartland Park as drivers, their teams and racing-related businesses utilize the track to become more experienced in driving on the championship roadway in the next national runoff. There are many drivers who have launched their careers as professional race car drivers by participating in the SCCA Runoffs.

Heartland Park is publicly owned by the City of Topeka. This asset was initiated through a city bond issue of \$7.5 million and further private investment, totaling \$20 million invested in this racetrack in 1988. Last fall the City of Topeka re-committed itself to Heartland Park by approving \$5 Million in additional investment to repaving the track and making other infrastructure improvements.

Today we are asking you, the legislature, to continue your support for Kansas motorsports by approving HB 2144. Including "major motorsports complex" as eligible to utilize STAR bonds will allow our community to bring this facility to the level that we need to retain the runoffs and attract other similar races. The bill clearly delineates that the bonds issued by the city are "only for" the racing facility, not other developments such as hotels, restaurants, or retail that is not directly-related to the operation of the racetrack but might be built in the designated area. This protection assures other businesses in Topeka do not experience unfair competition from local government.

All Kansans have seen the positive economic impact the Kansas Speedway has provided our state, please allow Heartland Park the same opportunity to become one of the premier racing facilities in the nation; one that will bring major races and additional tourism to our city and the associated tourism dollars to our state. We ask that you vote favorably for HB 2144.
Thank you.

Senate Commerce Committee

3-16-05

Attachment

3-2



CITY OF TOPEKA

James A. McClinton, Mayor
215 S.E. 7th Street, Room 352
Topeka, Kansas 66603
Phone 785-368-3895
Fax Number 785-368-3850

Testimony of Mayor James A. McClinton HB 2144

I am here today to express the support of the City of Topeka for HB 2144. As you know, the provisions of this bill would provide Heartland Park Topeka with some of the financial tools it needs to continue its development into a world-class racing facility.

In the mid-1980's, the City of Topeka invested approximately \$7 million (along with \$15 million in private investment) to build and develop Heartland Park Topeka. While the track has provided a substantial economic benefit to this community and the state since its inception, mismanagement of the facility in recent years threatened its future.

Fortunately, Heartland Park Topeka has been rescued by people who love and know how to grow the sport of motor racing. Over the past two years, Raymond Irwin and his staff have rejuvenated this facility back into the regional and national destination attraction that was envisioned when it was first developed. He has solidified the track's relationship with NHRA and developed a solid foundation of local, regional and events throughout the year.

Most recently and importantly, as you've already been told, Heartland Park Topeka has secured the crown jewel of sports car racing in this country, the SCCA National Runoffs, beginning in 2006. The City of Topeka participated in the effort to attract the Runoffs when the City Council last year unanimously approved the expenditure of \$5 million for the reconstruction of the track as well as other need improvements. Clearly, the City of Topeka considers this facility and its continued viability a key part of our economic future.

The city and state will benefit greatly from the improvement of Heartland Park Topeka. This facility has annually provided the city and state with significant economic benefits. The SCCA National Runoffs as well as other events planned for the track will increase these benefits several fold. The presence of complementary world-class racing facilities and events at Kansas Speedway and Heartland Park Topeka will provide the national racing community and the public with motor racing facilities that are unmatched in this country. HB 2144 is an opportunity to solidify Kansas as the heart of motor racing.

On behalf of the City of Topeka, I ask for your favorable consideration of this bill.

Senate Commerce Committee

3-16-05

Attachment 4-1

Shirley Wishom
Resident Topeka, Ks

Kansas Senate Committee:

I am a Topeka Taxpayer opposed to the House Bill 2144

In the 1980's there was a delegation, which included the Topeka Mayor Wright, Chamber of Commerce, Heartland Park Owners and Butch Felker, who promoted the construction of Heartland Race Track. A delegation similar to the one before the Senate Today, and saying basically the same things: Claiming to create a world class entertainment engine, create significant increases in city, county and state sales tax revenues, an influx of retail trade from tourism to provide a great benefit to the community . . . A key part of Topeka's economic future. . .

In the 1980s this delegation came to even the poor section of Topeka, with claims of economic Development, if voters would approve 7.5 million to construct the Race Track. Topeka voters approved the funds and the track opened in 1989.

Over a decade and half later and after Topeka residents paid back these funds the track was suppose to convert over to private ownership, which would then participate in paying property taxes to the City of Topeka. This never happened, the track went bankrupt once maybe two times, and never produced the grand economic outcome that was sold to the Topeka voters.

What did happen during this time was Butch Felker became Topeka's Mayor, served two and a half terms, and was convicted of ethics violations by the Kansas Ethics Board and fined the largest fine in Kansas history. In 2004 Mayor Felker was forced to resign as Topeka Mayor, and recently lost his license to practice law. If I understand it correctly, Mayor Felkers violations involved City Bed Tax funds awarded to a Downtown Topeka Organization, which was submitting fraudulent expenditures, then contributing the funds to the Mayors Election Campaign. The Mayor used white out to cover up the identity of the donor and wrote in fraudulent donors on campaign reports.

The Heartland Park racetrack had its problems too; the track failed and was bankrupt. Before Mayor Felker resigned his office his budget included 185,000 of Bed Tax Money going annually to Heartland Parks New Owner, Mr. Irwin for annual operating expenses. After Mayor Felker resigned in 2004 he went to work for Heartland Park Race Track.

Recently, Mr. Irwin and Ex-Mayor Butch Felker came before Appointed Mayor McClinton and the Topeka City Council asking for 5 million dollars to provide maintenance to Heartland Park's track. I spoke in opposition at this meeting, as Heartland park is a business which by passed all competitive applications, committee processes etc. In addition, Topeka taxpayers have supported the increase of sales taxes to fund economic development and should not be burdened with another 5 million plus in property taxes to subsidize Heartland Park. This motor sports complex has had 16 years and is still a burden on taxpayers.

Senate Commerce Committee

3-16-05

Attachment

5-1

Now the delegation is here before the Kansas Senate, looking to get state sales tax revenues of \$10 million for the track. A facility, which appears to be a haven for down politicians and a business owner, whose 5 million maintenance expense, 185,000 annual operating expenses, and now 10 million of Track enhancements are and will be paid on the backs of Topeka and now Kansas Tax payers.

This Topeka Delegation introduced House bill 2144 and are telling legislators that this racetrack has and is an economic benefit to the City of Topeka and even the State of Kansas.

Members of this same Topeka political delegation provided testimony to Kansas legislators regarding City and County Consolidation and presented maps showing how the County's wealth has fled to the suburban areas along Topeka's fringe, calling it Urban decay. Their saying Deep pockets of poverty cover much of the city center, surrounded by low-to moderate income families elsewhere.

House Representative Lane of Topeka, words on the consolidation were that he knows about the economic deterioration of Topeka's core. The Former member of the Topeka City Council is stated as representing a swath of East Topeka that is among the poorest in the city.

It is clear that these politicians are aware that Heartland Park has no economic impact on at least the core areas of the City of Topeka. However, core property residents will participate in the repayment of these taxes, through property tax, sales tax and wages.

Representative Lanes News from the House says: the school funding bill that passed the House represents one of the largest property tax increases in the history of the state.

This is not a time to give away 10 million dollars, if what this Topeka Political delegation is saying is true and a sports race track is so wonderful, then Heartland Park Owner, Mr. Irvin will have no problem sharing his profits with some investors who must be waiting to be a part of his 10 million project, and all the great contracts he has for future events can be used to leverage bank financing as other genuine businesses do.

Give the 10 million to the states employees, since you legislators are claiming you need ways to scrap together new money for public schools, leave the Star Bond Financing alone unless there is a proposal to limit the projects to those in the poorest areas of the state.

And if you do pass this, knowing there is no benefit to poor areas in the state, then it is only fair that myself and others whom live in these areas of the state that just can't get economic development benefits should be annexed out of the tax base and let the politicians and affluent businesses that are benefiting pay the taxes.

Thank you for your time and review of my opposition to this House Bill 2144.

Sincerely, Shirley Wishom Topeka, Ks.

svoice247@yahoo.com

Senate Commerce Committee

3-16-05

Attachment 5-2