

MINUTES OF THE HOUSE TAXATION COMMITTEE

The meeting was called to order by Chairman Kenny Wilk at 9:00 A.M. on February 17, 2006 in Room 519-S of the Capitol.

All members were present except:

Representative Pat George- excused
Representative Mario Goico- excused
Representative Kasha Kelley- excused

Committee staff present:

Chris Courtwright, Legislative Research Department
Martha Dorsey, Legislative Research Department
Gordon Self, Revisor of Statutes
Rose Marie Glatt, Committee Secretary

Conferees appearing before the committee:

Proponents:

Representative David Huff
David Warm-Exec. Mid-American Regional Council
Marge Vogt, Olathe City Council, KS Co-Chair, MARC Total Transportation Policy
John Segale, Johnson County Commissioner
Irene French, KC Area Transportation Authority Board Member (KCATA)
James White, KCATA Commissioner
Chuck Ferguson, Deputy Director, Johnson County Transit
Steve Klicka and Mark Greene, Chair. and Member of the Transportation Council of
the Johnson County Bd of County Commissioners
Janis McMillen, United Community Service of Johnson County
Greg Lever, Executive Director, Regional Transit Alliance
Mike Taylor, presenting statement by Mayor Reardon, Unified Gov., Wyandotte County
*Ron Butts, KS Public Transit Association
*Sandy Braden, Civic Council of Greater Kansas City
*Lauri Henry, Tri-County Paratransit Council, Inc.
*Written only

Neutral:

Senator Steineger

Opponents:

Wayne Flaherty, Kansans Against Bi-State
Karl Peterjohn, KS Taxpayer's Network
Tracy Thomas, Citizen - Shawnee

The Chairman called for bill introductions.

Representative Mike Burgess requested a bill introduction regarding income tax exemptions for military personnel stationed overseas. Chairman Wilk moved that request and Representative Carlson seconded the motion. The motion carried.

Representative O'Malley made a motion to introduce two bills concerning work force development. Representative Gordon seconded the motion. The motion carried.

The minutes from the January 12, 18, 19, 20, 25, and 26, 2006 Taxation Committee Meetings were approved by consensus of the Committee.

HB 2751 - Enacting the Kansas and Missouri regional investment district compact.

Gordon Self said that the bill creates a compact between Kansas and Missouri that allows the Kansas City metro area to pool funds across the region to pay for improvements that are regional

CONTINUATION SHEET

MINUTES OF THE House Taxation Committee at 9:00 A.M. on February 17, 2006 in Room 519-S of the Capitol.

in nature, benefitting residents throughout the metro area. This compact is an agreement or contract between Kansas and Missouri that provides benefits and requires certain duties of both parties.

The Chairman opened the public hearing on **HB 2751**.

Proponents:

Representative Huff explained that the Greater Kansas City area is made up of Leavenworth, Wyandotte and Johnson Counties in Kansas and Clay Platte, Johnson, Cass and Ray counties in Missouri. The population of this area will be over two million in the next few years and transportation in the greater Kansas City area will become more of a problem with each passing year. He urged the Committee's support of the bill (Attachment 1).

Neutral:

Senator Steineger testified that he supports the concept of providing one good mass transit system for the Kansas City metro area, however he suggested three changes were needed to accomplish this goal:

- The governance and management structures of the various mass transit agencies in the metro must unite and consolidate.
- Buses, bus operators, fuel, and routes are the core essence of bus mass transit, thus no administrators, consultants, lawyers, offices, etc. may be funded with a bi-state tax.
- Additional reference to Oversight Committees or programs other than mass transit shall be stricken from the bill. Suggested language was provided (Attachment 2).

Proponents, Con't:

David Warm, Executive Director, Mid-American Regional Council, commonly referred as MARC, explained that the association is made up of city and county governments in the Kansas City area and is also the Metropolitan Planning Organization and as such has a legal role in transportation planning for the entire region. He cited five reasons that the legislature should consider **HB 2751**.

- Public transit is critical for workers to have access to jobs that are increasingly dispersed across the region.
- Public transit is an important, cost-effective strategy for managing congestion.
- Public transit is a lifeline for the disabled, the transit dependent, and for many elderly people.
- Public transit saves money, saves fuel, and saves the environment.
- Public transit is necessary to support destination tourism locations such as those developing in western Wyandotte County.

He summarized by saying that the legislation would enable their region to begin developing a modern, comprehensive public transit strategy. Attached to his testimony were pamphlets on "*Smartmoves*", a regional transit plan (Attachment 3).

Marge Vogt, Olathe City Council, KS Co-Chair, MARC Total Transportation Policy, testified that **HB 2751** was the result of years of technical study and unprecedented public participation. By passing the bill the region could move forward and ultimately allow citizens the right to vote on the local transportation issue (Attachment 4).

John Segale, Johnson County Commissioner, said **HB 2751** is about giving the people of their

CONTINUATION SHEET

MINUTES OF THE House Taxation Committee at 9:00 A.M. on February 17, 2006 in Room 519-S of the Capitol.

counties and the regional community additional local control over their transportation by giving citizens the opportunity to choose a transportation future that meets their high standards ([Attachment 5](#)).

Irene French, KCATA, said a regional funding mechanism that supports seamless, transportation services across jurisdictional boundaries was the missing link in the Kansas City metro area. She introduced James White, a fellow KCATA Commissioner who spoke of the ongoing coordination and collaboration of the three transit agencies, an excellent framework from which to build a regional system ([Attachment 6](#)).

Chuck Ferguson, Deputy Director, Johnson County Transit, said his position enabled him to hear what the bus riding public said day in and day out. In many surveys county residents overwhelmingly want improved transit options, which a regional system would provide, and he urged passage of **HB 2751** ([Attachment 7](#)).

Steve Klicka, Chairman, Johnson County Transportation Council, said that the council supports the proposed legislation because Johnson County citizens desired the development of a regional program that would provide access to the residents of the whole metropolitan area through an integrated public transportation system ([Attachment 8](#)).

Mark Greene, Johnson County Commissioner, testified that no group of people in the metropolitan area would see a bigger and better improvement in their quality of life than the people with disabilities who rely on a mass public transportation system. The implementation of the Regional Transportation District would give a greater sense of freedom and mobility for hundreds of people that are limited in their ability to get around the city ([Attachment 9](#)).

Janis McMillen, United Community Services of Johnson County, said that as the population in Johnson County continued to increase, as existing companies expand and new companies locate in the area, addressing public transit is integral to economic development and quality of life issues of the future ([Attachment 10](#)).

Greg Lever, Executive Director, Regional Transit Alliance, rose in support of **HB 2751**, on behalf of 4,000 plus advocates in the Kansas City region network. He said it was time to move forward and allow the people at the local level to show their resolve on the issue ([Attachment 11](#)).

Mike Taylor, Unified Government Public Relations, said that Mayor Joe Reardon and the United Government Board of Commissioners supported the concept of regional cooperation, metro transit and the opportunity for citizens to voice their opinions at the polls ([Attachment 12](#)).

Written testimony was received and distributed from: 1) Ron Butts, KS Public Transit Association ([Attachment 13](#)); 2) Sandy Braden, Civic Council of Greater Kansas City ([Attachment 14](#)); 3) Lauri Henry, Tri-County Partransit Council, Inc. ([Attachment 15](#))

Opponents:

Wayne Flaherty, Kansans Against Bi-State, briefed the Committee on the history of **HB 2751**, which was developed in March 2005. In August 2005, upon his analysis of the proposal, he expressed his concern to community members, who then tried to obtain information on the proposal from MARC. He said that it was MARC's intent to exclude the public from any involvement in the project and that intent continues throughout the bill. He described the makeup of the MARC board and expressed concern that all the authority is given to MARC, without voter input.

Mr. Flaherty concluded that while Kansas is \$4 billion in debt, this is not the time to fund another big project and if **HB 2751** became a reality, Kansas would lose control over three quarters of a billion dollars to fund a regional transit system in which the three principal Kansas counties carry only 9% of the riders. He urged the Committee to consider the negative impact to citizens of the region before they pass out the legislation ([Attachment 16](#)).

CONTINUATION SHEET

MINUTES OF THE House Taxation Committee at 9:00 A.M. on February 17, 2006 in Room 519-S of the Capitol.

Karl Peterjohn, KS Taxpayer's Network, testified that their interest is tied to the sovereignty of Kansas. The Constitutional authority for the bill is troubling since there is no provision in the Kansas Constitution that authorizes cross-border agreements that create new units of government and establishes a new layer of governance. The bill is based upon a flawed concept that bigger is always better and if consolidation is truly needed then a more thorough and comprehensive basis for consolidation should occur (Attachment 17).

Tracy Thomas, PR & Advertising, Shawnee cited her past experience with citizens organization, and based on historic facts, offered five common characteristics of all Bi-State proposals:

- They are created without citizen involvement.
- With all Bi-State proposals, there is a lack of true accountability to ordinary citizens.
- With all Bi-State proposals, there is little or no definition of how Kansas money is to be spent.
- Johnson County tax revenues are always the target.
- Under Bi-State I, II, and III, most Kansas tax money winds up being controlled by, and spent in, Jackson County.

She voiced concern that if voters rejected this specific tax at the polls, the bureaucrats have inserted enabling legislation in **HB 2751**, Section 7-1 of the bill that would permit local counties to proceed to levy new taxes and fees to pay for mass transit. She urged the Committee to kill the bill (Attachment 18).

Discussion followed regarding; bonding authority, make-up and definition of the new "MARC Oversight Committee," current sales tax structure, goals and objectives of the proposal, possibility of consolidation of ruling authorities and the fiscal note.

Chairman Wilk requested that Mr. Warm provide a flow chart on the organizational structure of the new committee, as drafted, and he agreed to do so. Representative Davis asked staff for additional information on Section II and III regarding extension of the tort claim act protection and expense reimbursement. Gordon Self agreed to provide that information.

The Chairman closed the public hearing on **HB 2751**.

A memo was distributed, from Tony R. Folsom, in response to a previous Committee inquiry on **HB 2767** regarding BOTA membership and information on the number of informal appeals held at the county level(Attachment 19).

The meeting was adjourned at 11:00 A.M. The next meeting is February 21, 2006.

HB 2751 KS-MO Compact

Chairman Wilk, Ranking Minority Member Thull, and Vice Chair in Training Owens.

Mr. Chairman the greater Kansas City area which is made up of Leavenworth, Wyandotte and Johnson counties in Kansas, Clay, Platte, Johnson, Cass and Ray Counties in Missouri. In the next couple of years this area will have over 2 million in population.

Transportation In the greater Kansas City area is becoming more of a problem each year. Highway 35, a main artery north and south through Kansas City can not be expanded unless we double deck or stack the roadway with alarming costs. Johnson County which gains 10,000 in population each year uses this north - south main artery daily. It is a problem getting some workers to jobs in the Greater Kansas City area.

Kansas City is a unique city unlike most metropolitan areas with the state line. We must look at

Transportation as one issue to be addressed by both states and not 2 different state issues.

A recent Kansas City star article shows support through their survey of over 60% for a transit tax to improve overall transportation in the Kansas City area.

Mr Chairman, I would like to defer questions at this time because there will be experts on this subject to follow my presentation on HB 2751.

Rep. David Huff

MARC DEVELOPING PROPOSAL

TRANSIT TAX PLAN IN WORKS

Poll indicates many in area would support levy on sales

Toward a more mobile Kansas City

THE THREE-PART PLAN

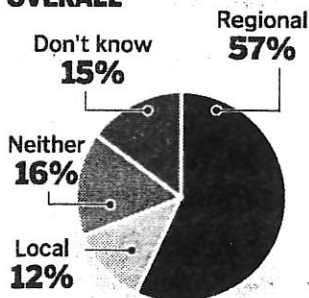
Smart Moves: An upgraded mass transit network with expanded bus service connecting different parts of the area. The system would include rapid bus lines, similar to the MAX in Kansas City, where vehicles generally run in designated lanes and make fewer stops than a typical bus. The plan also could include commuter rail from Olathe to Union Station to Grain Valley.

Estimated cost: \$155 million a year.

THE POLL

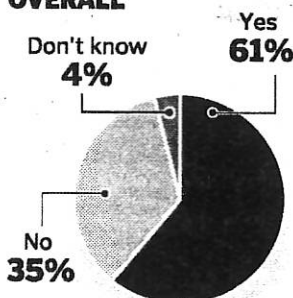
Would you be more willing to support a regional or local tax for these three initiatives?

OVERALL



Would you be willing to support a regional sales tax for mass transit even if you would not use the service?

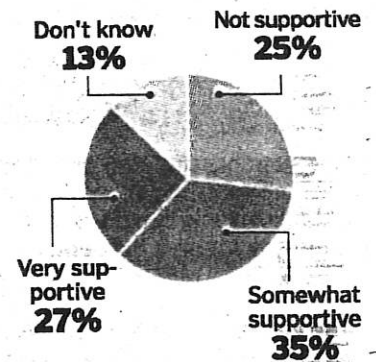
OVERALL



THE POLL

How supportive would you be of a regional sales tax for mass transit, coordinated traffic signals and more bike/hike trails?

OVERALL



See the entire survey and learn more about Smart Moves in a report by Dave Helling.

Source: ETC Institute, Mid-America Regional Council

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Bi-State Commission and Mass Transit Proposal

Every big league city has **one** good mass transit system. Metro Kansas City needs one too.

To accomplish this worthy goal, the Bi-State Commission legislation needs to be **more focused** and **less bureaucratic**. Needed changes for the Bi-State Commission legislation focus on two points.

First, the governance and management structures of the various mass transit agencies in the metro must unite and consolidate. One unified leadership is a hallmark of every big league city transit system. Language similar to the following should be adopted.

The Commission shall neither receive nor appropriate bi-state tax revenue unless and until a complete and total merger and consolidation of the governance structures and management structures of the existing mass transit agencies in the District, including but not limited to the Area Transit Authority, Unified Government Transit, and Johnson County Transit

Second, buses, bus operators, fuel, and routes are the core essence of bus mass transit. Therefore, language similar to the following should be adopted.

A bi-state tax can only be expended for vehicles, operator compensation, and fuel. No administrators, consultants, lawyers, offices, etc. may be funded with a bi-state tax.

Additional references to Oversight Committees or programs other than mass transit shall be stricken from the bill.

Testimony from David Warm
for the Kansas House of Representatives Taxation Committee
on behalf of Mid-America Regional Council
February 17, 2006

Dear Chairman Wilk and Honorable Members of the Committee:

Good morning, my name is David Warm and I am the Executive Director of Mid-America Regional Council, commonly known as MARC. MARC is the association of city and county governments in the metropolitan Kansas City area. MARC is also the Metropolitan Planning Organization for the region and as such has a legal role in transportation planning for the entire Kansas City metro region.

The states of Kansas and Missouri have designated MARC as the agency responsible for developing long-range transportation plans under federal law. The organization is controlled by and directly responsible to local elected official across the entire region. MARC has a long history of consensus building and, most importantly, neutrality in its work.

I would like to offer my comments today in two parts: first, the need for public transit and second, an overview of the proposed legislation.

The Kansas City region has a great transportation system and a strong history in transportation, and the state of Kansas has played a central role in that success. But one area where we *have* fallen behind is public transit. While we have good service providers, we simply do not have the kind of system we need to meet our economic potential.

At its core, public transit is an issue of competitiveness —

- Public transit is critical for workers to have access to jobs that are increasingly dispersed across the region, and for employers to meet the wide variety of workforce needs.
- Public transit is an important, cost-effective strategy for managing congestion, which is growing every year. From 1989 to 2003, the number of the region's roadways that were congested at peak hours rose from 17 percent to 42 percent. Peak hour congestion has more than doubled in that 15-year period. Currently, the labor force loses \$570 million in productivity each year while sitting in traffic.

- Public transit is a lifeline for the disabled, the transit dependent, and for many elderly people. In our region, 12 percent of adults do not own a car. The population over 65 years of age will increase by 72 percent in the next 10 years. Our transit and paratransit services today meet only one-half of the demand for people with disabilities. Smart Moves will add enhanced door-to-door and dial-a-ride services.
- Public transit saves money, saves fuel, and saves the environment — all of which promote economic health by allowing us to use limited resources more productively.
- Public transit is necessary to support destination tourism locations such as those developing in western Wyandotte County. Airports, hotels, restaurants and other support services are not always conveniently located close to our attractions. Linking these sites and support services is critical to a vibrant tourism industry.

Currently, the transit system on the Kansas side of the region provides significantly less service than on the Missouri side. The reasons are many, but certainly the fact that Kansas City, Missouri, has provided an ongoing ½-cent sales tax for many years in support of mass transit and a recently passed emergency sales tax in the amount of an additional 3/8th cent has allowed more comprehensive service in Missouri. In Kansas, current services are largely limited to commuter services during peak weekday hours from fixed points within Johnson to downtown Kansas City, Missouri, and services throughout the day in Wyandotte County.

We know we have underinvested in public transit, especially compared to the investments made in most other major metropolitan areas with which we compete, even low-density areas like Salt Lake, Sacramento, Phoenix, Dallas, Denver, Minneapolis and St. Louis.

Over the past few years, the Kansas City region has developed a new vision for public transit to help us begin to catch up. The plan is known as Smart Moves. It has been developed through extensive community input led by our elected and business leaders and involving public meetings with hundreds of citizens and groups over the few years.

Smart Moves is a new, comprehensive, integrated system that addresses the needs I've just described. It offers a visionary yet practical strategy around a wide range of services tailored to the needs of specific communities and specific corridors.

Our studies indicate that in the first year of full build-out of the Smart Moves plan, ridership in Johnson County, for example, would rise from the current level of slightly more than 1,000 trips a day to somewhere between 16,000 and 17,000 trips a day. In Wyandotte County, nearly 10,000 trips a day would be taken. The system would provide new night and weekend services, it would allow for suburban to suburban movements that are not possible today, it would improve circulation within Kansas counties, and it would allow access from all parts of the region to the expanding job base throughout Leavenworth, Johnson and Wyandotte counties. Most of the current service is designed for commuters who work downtown, which is no longer the main focus of the workforce—the new system will reorient services to meet the needs of current and future transportation patterns.

While the Smart Moves plan will continue to be refined by input from the community, we are committed to creating a system that is built on the principles of comprehensive regional connection, seamless service delivery, diversity in service types, and local responsiveness.

And now, let me address the legislation.

As you know, legislation has been proposed and introduced in the legislature — HB 2751 — that would enable local communities in Johnson, Leavenworth and Wyandotte counties to cooperatively raise funds to invest in public transit. Identical legislation in the Missouri Legislature would allow the Missouri-side counties in the region to also raise funds for this purpose. The legislation would create a special district among these counties and would enable voters, on a county-by-county basis, to levy up to a ½ cent retail sales tax for a regional public transit plan.

This legislation has been written so as to ensure a very high level of accountability at all phases.

- At the outset, it requires the plan to be submitted to the elected officials of each county and approved by a 2/3 majority of each county's governing body before final ballot language is put before the voters in their counties.
- It would be up to a vote of the citizens of each county to approve the proposal for a county tax dedicated 100 percent to public transit.

- Every person designated by the legislation to participate in development of a final plan must be an elected official, assuring that they are accountable to the voters who elect them.
- No plan can be put into effect until approved by the voters of Wyandotte, Johnson and Jackson counties.
- Once voters approve a plan, the legislation mandates further oversight, including the creation of an Oversight Committee composed of elected officials from the counties that have approved the plan.
- The legislation calls for mandatory reports to the elected officials of the region including the state legislatures.
- The legislation specifies a cap of ½ cent and requires a sunset of 15 years. Continuation of the tax beyond that time would require a new ballot proposal and a new vote by the citizens of the participating counties.

The legislation lays out a limited role for MARC, which has no desire to operate a new regional transportation system. The elected officials who govern MARC's role would act as a new regional commission upon passage of the law in both Kansas and Missouri. The primary function of the commission would develop the final plan, in consultation with local governments and their elected bodies, and recommend the plan to the governing bodies of the counties, who would put it on a ballot to be submitted to the voters. The legislation requires that the recommended plan lay out specifics about the services to be provided-- the amount of the tax, when the tax would sunset, what services would be provided, how they would be implemented and other details essential to voters.

In short, this legislation authorizes a county tax that can be levied in accordance with a regional plan developed by the region's elected leaders. It is anticipated that this entire process to develop a plan for counties to put on the ballot could take between 18–24 months after passage in both states and involve significant input from across the metropolitan area, so an election is still some ways off.

We are aware that HB 2751 as filed will require further technical revisions in order to accurately reflect changes obtained through community feedback, not all of which are reflected in the current version of the bill. Both the Smart Moves plan and this pending legislation have been the product of significant public input from elected officials, civic leaders and ordinary citizens. As such, we feel it truly represents the will of the citizens of our region.

Along with the development of the Smart Moves plan, the Kansas City Area Transportation Authority and the separate local government transit operations in Johnson and Wyandotte counties have been holding talks about how best to provide seamless and fully coordinated services across the region. Issues such as equitable representation, governance and reconfiguring service responsibilities have been part of these discussions.

This legislation enables our region to begin developing a modern, comprehensive public transit strategy. This goal simply cannot be met by one county alone. This legislation will give local communities a tool to cooperatively create a system that connects all parts of our region in ways that will make us more efficient and more competitive with our peer regions.

Thank you for your attention and I will be happy to answer any questions now or at whatever time the Chairman indicates.

David A. Warm
Executive Director
Mid-America Regional Council

SENSIBLE TRANSPORTATION



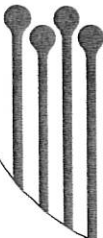
With Smart Moves, over 75% of area residents would have access to transit within ¼ mile during peak periods on weekdays.

SMART TRANSPORTATION



One family member who commutes to work by transit can eliminate the need to buy a second or third car and can save \$3,000 to \$8,000 per year.

SOUND TRANSPORTATION



A bus removes up to 60 cars from the region's highways and is twice as fuel efficient.

Smart Moves is a plan and it will change, perhaps significantly, before being presented to voters on a ballot.

time to face facts.

- ✓ The Kansas City region's **labor force loses \$570 million in productivity** each year while sitting in traffic.
- ✓ In the metro Kansas City region, **12 percent of adults don't own a car.**
- ✓ **Rush-hour congestion grew nearly six times greater** on the region's roadways between 1983 and 2003. Trips in congested conditions grew from 6 percent to 35 percent of peak-period travel.
- ✓ Based on current travel trends, **in 10 years the region will need** eight more square miles of parking, **275 more freeway lane miles** and 1,900 more lane miles of other roads to keep up with growth.
- ✓ **People ages 65 and over will increase by 72 percent** in the next decade and must maintain access to community services.
- ✓ **Current transit service only meets half the demand** for transportation for people with disabilities.

a new way to go.

We've listened to the community's transportation needs and ideas. Through years of research, planning and public input with elected officials, civic leaders and citizens, MARC and the region's transit providers have developed the Smart Moves regional transit plan.

Smart Moves would transform our fragmented and undersized transit system into one that seamlessly connects people with the places they need to go when they need to get there. More than better bus service, the plan adapts service to users and needs in each of the region's seven counties.

moving more people to more places.

- With cross-region routes and express services to downtown and suburban job sites, Smart Moves would **connect more employees to jobs and promote greater economic opportunities** for employees and businesses alike.
- Smart Moves would **help people with disabilities and older adults live more independently** by giving them access to medical and social services.
- Smart Moves would **link area attractions to each other for out-of-town visitors**, making travel relaxing, convenient and affordable, and our region a more appealing tourist destination.
- Smart Moves would connect the region's residents to the activities they participate in, whether they **enjoy an urban or suburban lifestyle.**
- Smart Moves would provide benefits to those who use transit and those who don't. New services — like commuter rail — and improved existing routes would **increase ridership and reduce peak-hour urban traffic volumes.** A 5 percent reduction in traffic volumes on a congested highway could increase average vehicle speeds by 10 to 30 percent for other commuters.

smartmoves

REGIONAL TRANSIT PLAN

One seamless system, accomplished by service consolidation and building on existing routes.

how the system works:

Think of a subway system in a large city, an interlocking grid of trains that travel along fixed paths and have stations along the route. Most subway systems are fed by local buses and by high-speed commuter rail or express trains for suburban commuters. While Smart Moves is not a subway system, it tries to function like one. It is tailored for the Kansas City region to be cost effective and flexible over the long term. The system has multiple components:

1. rapidriders use bus and high-technology vehicles to cover the region with frequent service along major corridors. Speedy, with limited stops and traffic signal coordination, Rapid Riders connect all the major attractions along the following corridors:

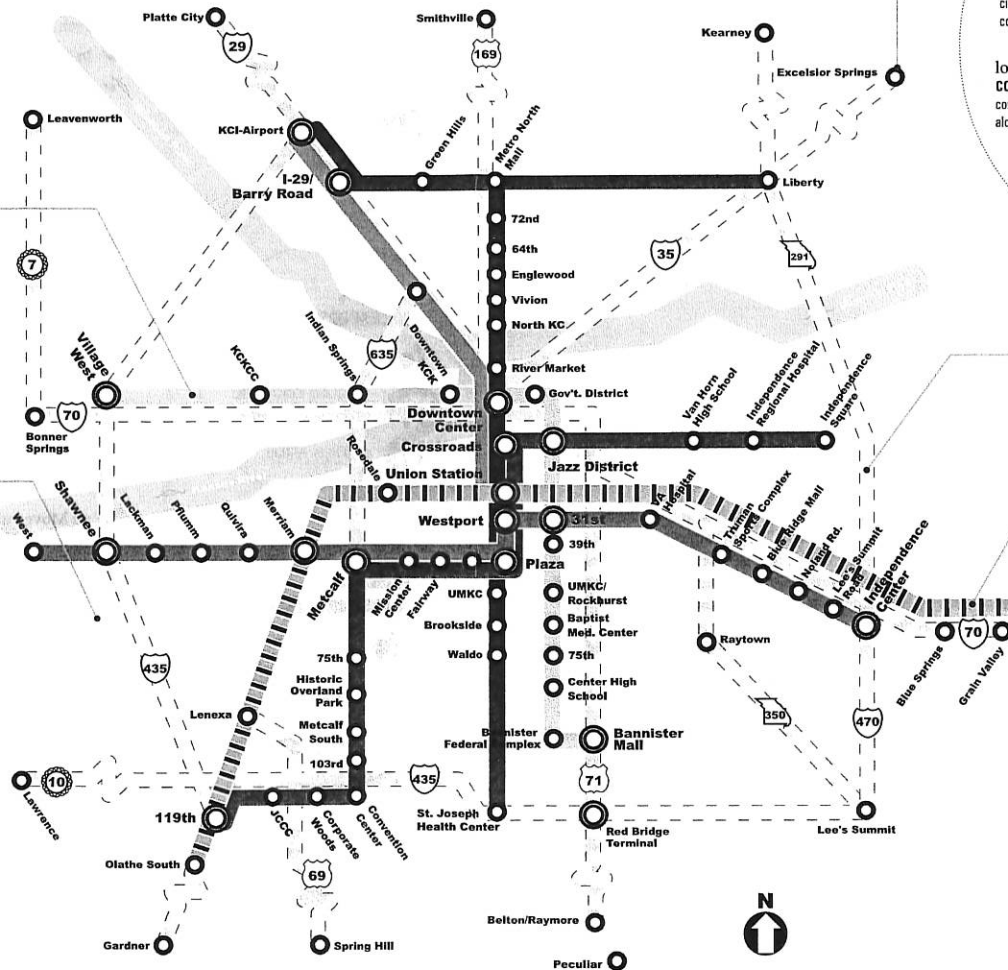
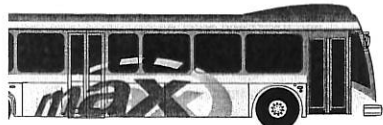
- redline ● barry road east-west to st. joseph health center
- greentline ● shawnee west to independence center
- blueline ● 119th to independence square
- orangeline ● kci airport to downtown center/union station
- yellow ● village west to bannister

2. localinks provide local bus service that connects homes, offices and neighborhoods to each other and to transit centers. Local Links offer access to more than 100 routes in the region — connecting neighborhoods to the larger system.

- Regularly scheduled service connects local destinations and transit centers on new and existing fixed routes.
- Flexible services are on call to make connections where stops may be too far away for some riders or where fixed routes are not needed every day.

STRATEGIC TRANSPORTATION

Phase one of Smart Moves began in July 2005 with the launch of MAX, the KCATA's new bus rapid transit service. MAX runs from the River Market to the Plaza along what could become Smart Moves' Red Line.



transitcenter HUB & SPOKE SYSTEM

Transit centers and small local community stations connect one Smart moves service to another and promote local development.

localink
COMMUNITY CIRCULATORS
circulate within communities and connect to transit centers/stations

localink
CONNECTOR ROUTES
connect transit centers/stations along major streets.

park&ride
secure lots to park and connect

3. freewayflyers are designed for longer commutes from the suburbs. These comfortable, high-capacity express buses and trains connect the outer suburbs to the system, getting people to work and home again during peak hours. High-comfort, largely non-stop services — commuter rail, coaches and airport service — are accessed at park-and-ride lots and transit centers. Services connect:

- Downtown and the suburbs
- Suburb to suburb
- Workers to jobs

4. specialservices are designed to meet the needs of seniors and persons with disabilities — including wheelchair lift-equipped vehicles, more low-floor/easy-to-board buses and, where needed, flexible service that can eliminate travel to transit stops. Smart Moves increases service levels and expands the area of coverage. The call-ahead feature brings transit service even closer to riders' home and their destinations.

additional services

Special Events Expresses to sports, cultural and family activities available for contract service for activity sponsors.

Rack-n-Ride allowing you to take your bike on the bus, safely park it at a stop, and coordinate bike and transit trips across the region.

area residents on board with smart moves.

According to recent surveys conducted by the ETC Institute:

- Smart Moves is a public priority and is supported by people in all seven counties.
- 78 percent think the Kansas and Missouri legislatures should pass legislation to allow citizens to vote on this issue as a region.
- 73 percent are either very or somewhat supportive of expanding public transportation services in the region through the Smart Moves plan.
- Residents were twice as likely to choose public transit as their top transportation priority as they were to choose adding new lanes or widening existing roads/highways.
- 61 percent said they would support a regional sales tax for transit even if they would never use the service.
- Residents prefer regional funding strategies to local ones by a margin of five to one.

SMART TRANSPORTATION

73% support Smart Moves

61% in favor of a regional transit tax even if they won't use the system



Residents prefer regional funding strategies by a 5-to-1 margin

HOW DOES KC COMPARE?

Transit spending per person*

Dallas/Ft. Worth \$128.05

Denver \$100.87

Minneapolis/St. Paul \$125.92

St. Louis \$101.14

Kansas City (Current) \$76.76

Smart Moves \$102.10

Peer Regions' Average \$114 per person

*2004 figures for bus demand response and commuter rail

investing in the future.

As with any project that will make a major change in the community, the key is determining how to pay for the improvements.

In 2003 the projection of funds needed from all sources to fund the Smart Moves plan for the seven-county area was \$155 million per year. This amount included federal grants, state funds, the Kansas City, Mo., ½-cent sales tax, and fare box revenues, in addition to proposed new regional funds. Final costs will depend on the outcome of studies underway to determine fixed-guideway options in the I-35 and I-70 corridors; phasing of the system; and inflation rates. Putting Smart Moves into full service could take 10 to 20 years to complete.

Local elected officials and civic leaders have considered many strategies to raise and administer regional funding for Smart Moves. Legislation is being proposed in Kansas and Missouri that would create a regional investment district in the metro area to allow local communities to jointly raise funds for a regional transit system.

This proposal was developed through extensive conversation and public input across the Kansas City region. The legislation would enable area counties to levy up to a ½-cent sales tax in accord with the Smart Moves regional transit plan. It includes strong accountability and oversight by local governments and elected officials.

For more information visit Smart Moves on the Web at: www.marc.org/kcsmartmoves

THE SMART MOVES PLANNING TEAM

Smart Moves is a cooperative initiative of the Mid-America Regional Council (MARC), the Kansas City Area Transportation Authority (KCATA), Johnson County Transit and Unified Government Transit.

The planning team has conducted over 70 public meetings to gather input on how best to design and fund a regional transit system.



Fact Sheet on the Regional Investment District Compact

Proposed legislation in Kansas and Missouri would create a regional investment district in the Kansas City metro area to allow local communities to invest together in a public transportation system that connects the region. This legislative proposal has been the subject of extensive conversation in the Kansas City region. As a result, many questions have arisen. Following are answers to those questions presented in a factual and unbiased manner.

Why do we need this legislation and what would it do?

Legislation in both Kansas and Missouri is necessary to allow local governments to jointly raise funds. It is proposed that the legislatures of Kansas and Missouri create, by compact, a special regional district. The district would:

- Initially include an eight-county area: Johnson, Leavenworth and Wyandotte counties in Kansas; and Cass, Clay, Jackson, Platte and Ray counties in Missouri.
- Create a mechanism to raise and distribute funds on a metropolitan basis for public transportation.
- Authorize voters, on a county-by-county basis, to approve a retail sales tax capped at ½ cent for up to 15 years. Individual ballot initiatives might be for a lesser amount and lesser time.
- Ensure regional support for the initial ballot measure by requiring multiple counties (Jackson, Johnson, and Wyandotte) to pass the tax before it becomes effective.
- Allow the region to tailor ballot initiatives around specific transit proposals that are based on the long-range Smart Moves plan. Each proposal would be required to define details like:
 - Services to be provided or implemented
 - Amount and duration of tax, including sunset
 - Counties to be included in each measure
 - Counties that would have to approve it for the proposition to take effect
 - How transit services would be delivered
 - Oversight and allocation process.

Who does this legislation designate to oversee the funds raised?

An Oversight Committee of elected officials from each county where voters have passed a regional ballot issue would have primary oversight of funds raised. To ensure full accountability to voters, the legislation would require that committee members:

- Be identified in advance as part of each ballot measure
- Include city and county elected officials representing counties that approve a tax
- Have equal representation from Kansas and Missouri if counties from both states approve a tax (both state delegations must agree to any actions)
- Be endorsed by the chief elected official of counties considering the ballot measure.
- Be approved by the chief elected official of the city or county from which they are elected.

What would the Oversight Committee do?

The committee would:

- Ensure that funds are used to support voter-approved plans
- Oversee appropriations of regional funds
- Adopt an annual budget and financial report
- Oversee the development of contracts and agreements
- Make any policy decisions affecting the use of funds.

What role would MARC (Mid-America Regional Council) play?

MARC is currently responsible for developing long-range transportation plans for the region. The MARC Board of elected officials oversees both professional transportation planning and citizen involvement in decision making. For this reason MARC was chosen to play a limited but important role in the management of the district as described in the following:

- The commission would consist of the elected officials comprising the board of the Mid-America Regional Council (MARC). All of the commission's members would be elected officials, since all MARC Board Members are elected in their jurisdictions.
- The commission would:
 - Propose plans for the regional programs to be submitted to voters as agreed to by each state delegation
 - Provide an ongoing corporate and administrative structure for the district
 - Provide leadership and build consensus for ballot measures
 - Set the election date for each ballot and recommend that participating counties place an issue on the ballot. [Note: A super majority of each county governing body would be needed to place measures on a county's ballot.]
 - Establish the Oversight Committee in cooperation with local governments
 - Ensure professional administration of funds and secure independent financial audits
 - Provide a corporate contracting structure and staff support under the direction of the Oversight Committee
 - Prepare annual reports to participating jurisdictions and the general public
 - Ensure coordination with regional plans, including transportation plans required for use of federal funds.
- Oversight of regional funds would be separate from the management of public agencies that implement programs and services. The Kansas City Area Transportation Authority, Johnson County Transit, and Wyandotte County Transit are working together with MARC in a collaboration study that will recommend a strategy for seamless operations and representative accountability.

Does the legislation ensure accountability for the funds and for the project outcomes?

- The statute would also provide that:
 - Full openness and public accountability would be part of all district processes
 - The district would not be authorized to incur debt
 - Funds used for administrative expenses could not exceed 1 percent. The commission could select governmental or non-governmental entities for staff support.
 - Annual reporting to state legislators on the financial affairs of the district and the operating status of the implemented regional transit system would be made.

Have community leaders, elected and civic, and the general public had input into this legislation?

- Since 2004, more than two hundred discussions and presentations have been made to civic groups, city councils, chambers of commerce, and residents throughout the region.
- During October and November 2005, 12 public forums were held across the metro area, with hundreds of citizens attending to share their opinions on how the legislation should look.
- More than 13,000 people visited an informational website, www.OneKCVoice.org, and some 700 people voted in the site's online poll.
- In a scientific survey of more than 1,600 residents, over 78 percent said that the Kansas and Missouri legislatures should pass legislation to allow citizens to vote on this issue.

PUBLIC TRANSIT – A SMART MOVE FOR ...

Job Access:

Access to jobs and employees is crucial to economic development in our sprawling region.

- Transit links workers to employment centers across the metro area, and offers an expanded labor pool to companies who find it tough to recruit and retain employees due to transportation barriers.
- Access to workforce is attractive to major corporations looking to relocate.
- In Kansas City, the region's labor force loses \$570 million in productivity each year while sitting in traffic. (The 2001 Urban Mobility Report.) An integrated transit system with multiple service options for riders helps commuters make "working use" of their transit time.

Congestion:

Public transit provides benefits both to those who use it and those who don't.

- Congestion is increasing. In 1989 only 17 percent of Kansas City's roadways were congested at peak hours. By 2003, that number had risen to 42 percent.
- Small reductions in peak-hour urban traffic volumes can result in a proportionately larger delay reduction. A 5 percent reduction in traffic volumes on a congested highway may cause a 10–30 percent increase in average vehicle speeds. Modeling indicates that a percentage reduction in urban vehicle mileage tends to produce about twice the percentage reduction in traffic congestion delays." (Source: Victoria Transport Policy Institute)
- In 2003, Kansas City area drivers lost 17 hours each to congestion, at an overall cost of \$235 million dollars in time and excess fuel consumption. (Source: Texas Transportation Institute's 2005 Urban Mobility Report)

The Regional Economy:

Public transit saves riders and taxpayers millions annually, which is reinvested in the region's economy.

- One family member who commutes to work by transit can eliminate the need to buy a second or third car and can save the family between \$3,000 and \$8,000 per year.
- For every dollar earned, the average American household spends 18 cents on transportation, 98 percent of which is for buying, maintaining and operating cars. The cost is higher in areas with few transportation choices, and will continue to rise as the gas prices increase.
- According to data from the Consumer Price Index, the average price of a gallon of unleaded gas has risen from \$1.15 in 1995 to \$2.11 in 2005, an increase of 84 percent. The average Kansas Citian drives about 53 miles per day. Commuting on the bus just one day a week can save over \$4 in gas — more than \$200 in the course of a year — not to mention saving wear and tear on a car.
- Fixed-guideway transit works especially well at fueling local development, which directly impacts property values. Developers in peer cities like Dallas and St. Louis have invested millions in corporate buildings, sports facilities and entertainment complexes around transit centers. Between 1994 and 1998, the increase in taxable value of properties near Dallas Area Rapid Transit stations was 25 percent higher than elsewhere in that metro area.

Mobility:

Public transportation increases independence and mobility for many people, including commuters, youth, tourists, the elderly, people with disabilities, and those who don't have access to cars.

- The Smart Moves plan connects the region's residents to the activities they participate in, whether they enjoy an urban or suburban lifestyle. Over 75 percent of the region's residents will have access to transit within $\frac{3}{4}$ mile during peak periods on weekdays.
- Ten percent of the Kansas City area population that is of driving age does not have access to an automobile. (Source: U.S. Census 2000)

- The number of people ages 65 and over will increase by 72 percent in the next 10 years. So will their need to maintain connections to vital community services using expanded paratransit service options, wheelchair lift-equipped vehicles and low-floor, easy-to-board buses.

Neighborhoods:

Transit supports healthy urban and suburban neighborhoods by:

- Helping to create strong neighborhood centers that are focal points for economic and social activities.
- Decreasing the land area devoted to parking lots and roadways, making it available for green space or development.
- Providing redevelopment opportunities at transit stops and stations.
- Allowing for different population densities throughout the metropolitan area, thus offering greater choice in housing and lifestyles, making the region more attractive for relocation and to young people.
- Making shops, offices, homes and community facilities more accessible to pedestrians and bicyclists.

Tourism:

Public transit can enhance the tourist experience and encourage subsequent trips to our region.

- Easy-to-use transit encourages tourism in the region by making travel more relaxing, convenient and affordable. Smart Moves mimics the subway systems of large cities, providing frequent service and fixed stops along major streets.
- The Airport Arrow, for example, would link tourists at KCI Airport to the Downtown KCMO corridor hotels, convention center, and other hubs throughout the region.
- Tourist destinations would be served along Rapid Rider corridors with stops at restaurants, entertainment and shopping districts, sports facilities, and arts and cultural attractions at places like Village West, Overland Park Convention Center, the River Market and the Country Club Plaza.
- Transit would also help our region reduce the economic and aesthetic cost of providing visitor parking and help build a vibrant regional tourism industry.

The Environment:

Investment in and use of public transportation provides direct environmental benefits.

- Public transportation can help reduce dependency on gas — for a person who commutes 60 miles daily, an estimated 1,888 gallons of gas can be saved each year.
- Public transportation helps promote cleaner air by reducing smog-producing pollutants, greenhouse gases and runoff from paved surfaces.
- For each mile traveled, fewer pollutants are emitted by transit vehicles than by a single-passenger automobile. Buses emit 80 percent less carbon monoxide than a car. Each year in the metro region, transit reduces volatile organic compounds emitted by 100 tons, and nitrogen oxides emissions by over 130 tons.
- Transit routes can be linked to regional greenways and bikeways.

Individual Health & Safety:

- According to National Safety Council data, riding public transit is nearly 170 times safer than automobile travel.
- Public transit trips in the U.S. result in 190,000 fewer deaths, injuries and accidents annually than trips by car.
- Public transportation can lessen health risks for Kansas Citians by reducing polluting emissions, providing a safer alternative to automobile travel, and helping reduce commute stress.
- Greater access to medical care, including preventive care trips that might otherwise be forgone, results in a healthier population.

TO: HOUSE COMMITTEE ON TAXATION
FROM: COUNCILMEMBER MARGE VOGT,
SUBJECT: HOUSE BILL 2751
DATE: 2/17/2006

Chairman Wilk and members of the Committee, thank you for this opportunity to share with you my support of HB 2751 allowing the citizens of Johnson, Wyandotte, and Leavenworth counties the opportunity to vote on a comprehensive regional transit plan servicing eight counties throughout the greater Kansas City Metro area.

As Co-Chair of the MARC Total Transportation Policy Committee representing the Kansas side of the Metro area, it has been my pleasure to see how citizens, business owners, and public officials have come together to tackle the issue of public transportation in order to provide greater access for the transit dependent, alternate modes of transportation for the automobile dependent, alleviation of congestion, and protection of air quality. Additionally, a regional transit system increases our economic development opportunities as companies seeking to locate in Kansas look for efficiency in moving resources, goods and the people needed for a vital workforce.

HB 2751 is the result of years of technical study and unprecedented public participation. It has been developed with extensive input from local governments, community organizations and scores of public forums and meetings across the region. Thousands of people visited the project web site to learn about the proposal and hundreds have provided comments.

A recent survey performed by ETC Institute in November 2005 confirmed what citizens voiced in public meetings. Seventy-eight percent of the citizens surveyed in Kansas and Missouri wanted their state legislatures to allow them the opportunity to vote on this regional transit issue. This is a powerful statistic if we truly believe that government is "of the people, by the people and for the people."

The process undertaken to date is the first phase in moving the concept of a regional transit system forward. There is no doubt that there remain questions about services to be provided, amount of taxation, distribution of funds, governance, and accountability. This bill allows local governments to collectively work out these issues so that the ballot question reflects the desires of their citizens. It is my request that this distinguished body support HB 2571 enabling the process to move forward and ultimately allow the right for our citizens to vote on this local transportation issue.

Thank you.

February 17, 2006

Testimony of John Segale, Johnson County Commissioner District 2 on House Bill 2751.

Distinguished Members of the House Taxation Committee it is my honor and pleasure to appear before you to testify in support of House Bill 2751 to enable the voters of Johnson, Wyandotte and Leavenworth Counties to directly choose their destiny as it relates to public transportation in the Kansas City Region.

I appear before you today as a member of the Johnson County Board of County Commissioners representing the Second District containing the communities of Shawnee, Lenexa and Lake Quivira. It is also my privileged to represent Johnson County on the Total Transportation Policy Committee and the Kansas Chairperson of the Public Transportation Committee at MARC having formerly represented Johnson County Cities on the same committees while a member of the Shawnee City Council.

Just last week the Johnson County Commission reviewed the language of the bill before you during an afternoon work session and asked questions of David Warm the Executive Director of Mid-America Regional Council. At the conclusion of our questioning it was the consensus of the County Commission that we support goals and objectives of the HB 2751. The commissions' latest support for the Regional Investment District solidified our legislative platform position. Nearly a year ago the commission endorsed the SMART Moves Transportation Program that will be made a reality if the voters are allowed to decide their transportation destiny through the provisions of HB2751.

HB2751 is truly about giving the people of our counties and the regional community additional local control over their transportation choices.

HB 2751 is about local control. Supporting HB2751 is about supporting local control.

With HB 2751 as law the elected representatives of each county will be able to craft a ballot question that will outline a public transportation network and the accountability system that will ensure that our hard earned tax dollars are spent to enhance the quality of life and economic opportunity in the community.

Finally, the program and accountability will have to satisfy the wisdom of the voters. As witnessed in November 2004 with what was known as bi-state II the voters will look closely at any proposal put before them and not shy away from denying a program that does not satisfy their high standards.

Each of us who have stood for election has respect for the wisdom and authority of the voters, HB 2751 will have to pass this same high test.

Please move HB2751 on to the floor for final action in this session so that the voters of three counties in Kansas can consider choosing a transportation future that meets their high standards and local community values.

I will stand for any questions you have.

Thank you.

House Taxation
2-17-06
Attachment 5

**Hearing on HB 2751
Topeka, Kansas
February 17, 2006
Room 519 - S**

Good Morning, My name is Irene French and I am a member of the Board of Commissioners of the Kansas City Area Transportation Authority (KCATA), appointed by the Johnson County Chairman. I would like to confirm our support for regional transit in the Kansas City metropolitan area.

Transportation is a critical issue for all residents. Those of us who drive, think nothing of crossing city, county and even state lines, sometimes several times per day. Yet, because of how we fund public transportation in Kansas City, we've made it problematic and best, and nearly impossible at worst, to live in Missouri and seek employment in Kansas, or to move efficiently between Johnson and Wyandotte Counties. Kansas City is one of only two large metropolitan areas in the country where the only form of dedicated funding is from the largest city –in our case, Kansas City, Missouri. Most urban areas have at least a county-wide funding mechanism, many cases a multiple county funding mechanism, and in some cases, dedicated funding in different states. If we are going to have a public transportation network that truly meets the needs of our region's citizens, provides mobility for the elderly and those unable to drive, and promotes economic vitality by providing access to employment, we must fund transit in a different manner, and that means on a regional basis. KCATA adamantly supports regional funding and thanks you for your consideration of this important legislation.

I would like to take just a few minutes to share a little information with you about KCATA. First, it is a Bi-State compact, approved by Congress, and governed by 5 Commissioners each from Kansas and Missouri. Kansas representation includes Johnson, Wyandotte and Leavenworth Counties. Nearly 50,000 trips per day are made on KCATA's buses, operating in 10 municipalities throughout the region. KCATA employs 850 transit professionals and has a FY'06 operating budget of approximately \$70M.

While the majority of KCATA service is in Missouri, a substantial amount of service is provided in Kansas. In fact, more people ride KCATA buses in Kansas, than ride buses provided by Johnson County Transit and Unified Government Transit combined. This by no means is intended to slight the important operations of those two agencies, but rather to highlight the significant presence of KCATA in Kansas.

KCATA and Johnson County Transit collaborate on a number of items, including vehicle acquisitions, technical maintenance work, bus stop coordination in downtown Kansas City and regional planning. What is missing is a regional funding mechanism that supports seamless, transportation services across jurisdictional boundaries. This legislation lays the groundwork for that kind of service, and we ask for your careful consideration.

I'd now like to introduce my fellow Commissioner on the KCATA Board from Wyandotte County, James White.

Good Morning, I am James White, appointed to the KCATA Board by then-Mayor Marinovich of the Unified Government of Wyandotte County. I have been on the KCATA Board for three years and have found KCATA to be very responsive to the needs of Wyandotte County residents.

Over 3,200 times per day a Kansas resident boards an ATA bus. Most are traveling to employment locations in downtown Kansas City, Kansas, downtown Kansas City, Missouri or the dynamic Village West complex in Wyandotte County.

KCATA and Unified Government Transit have a long history of collaboration and cooperation. This includes KCATA cleaning and maintenance of Unified Government Transit shelters in Wyandotte County, grants coordination, vehicle acquisition, and support for federal funding requests. KCATA even serves as the Regional Call Center providing trip planning and transit information not only for KCATA customers, but for customers of Johnson County Transit and Unified Government Transit as well.

Given the sheer magnitude of KCATA's operations, as well as the ongoing coordination and collaboration of the three transit agencies, we believe that there is an excellent framework from which to build a regional system. What is keeping the Kansas City region from developing the type of public transit network that is seen in those regions that we compete against daily for economic development, is a means to found transit regionally. This legislation helps get us there and we urge your support.

Submitted by:

Irene French
Johnson County

James White
Wyandotte County



***Kansas House Tax Committee Hearing
House Bill 2751
February 17, 2006***

Good Morning Chairman and Committee Members. My name is Chuck Ferguson and I am the Deputy Transportation Director for Johnson County Transit. Johnson County Transit is one of three transit providers in the metropolitan Kansas City region. Along with the Kansas City Area Transportation Authority, Unified Government Transit division, and the Mid-America Regional Council (MARC), Johnson County Transit has been working on a regional transit proposal for several years.

I am here today representing Johnson County Transit. You have heard, and will hear from, individuals representing a variety of agencies, jurisdictions, communities and causes. I believe I can most fittingly represent my transit agency and the bus riding public. I'm in a position to hear day in and day out what bus riders have to say. In Johnson County, many of our bus riders are choice riders. They ride the bus because they are tired of driving, because they want to save some money, or because they support an environment-friendly commute option. Unfortunately, not very many Johnson Countians make the choice to ride the bus. It's tough to ride the bus in Johnson County. Why? Because in a region where there are more highway miles per person than any other metropolitan area of its size, our fragmented transit system mostly fails suburban riders.

Many people believe that suburban residents and transit riders are an oxymoron. Yet, in survey after survey, county residents overwhelmingly want the improved transit options that a regional system will provide. I hear from the bus-riding public every day. I also hear from residents who want to ride the bus, but are dissatisfied with their lack of transit options. Johnson County bus riders, Johnson County residents – Kansas residents – want the opportunity to have a choice in how they commute to school and work, how they move from home to attractions and events. I'm a Kansas resident and I want that option as well.

The region has put a great deal of energy, time and money into creating an enviable road network. By automobile, the Kansas City region is extremely accessible. As the region grows, residents face more and more obstacles to mobility. Every transportation professional will tell you that you cannot build yourself out of congestion. You cannot keep widening highways and arterials to accept more and more automobiles. Will public transit solve congestion issues? No. But transit is one side of a multi-faceted solution to dealing with growth. As we looked around the nation to metropolitan areas the size of the Kansas City region, we saw plenty of examples where transit plays an important role in the rush hour commute, in the convention and tourism industry, in economic development, in the ability of an aging population to maintain an independent lifestyle.

Johnson County Transit
a division of Johnson County Infrastructure and Transportation
1701 West 56 Highway, Olathe Kansas 66061
(913) 782-2210 www.TheJO.com fax (913) 782-6952

Johnson County
House Taxation
2-17-06
Attachment 7

I'm a life-long resident of the Kansas City area. I've spent more than half my life in Johnson County. I've spent most of my post-college life working in the public transit industry. In those years, I've been a transit rider, a transit manager, and a transit supporter. As a Johnson County resident, I want a community that values a high quality of life. As a Johnson County employee, I work towards creating a high quality of life for our residents. As a son, I want my parents to have options when they can no longer safely operate an automobile. As a father, I want my kids to live in an area where mobility options are valued.

I'm not here asking for more state funding for public transit. I'm here requesting that Kansas residents in the Kansas City area be allowed to make a decision on whether or not they want a regional transit system.

Thank you.

Johnson County Transit
a division of Johnson County Infrastructure and Transportation
1701 West 56 Highway, Olathe Kansas 66061
(913) 782-2210 www.TheJO.com fax (913) 782-6952



**KANSAS HOUSE OF REPRESENTATIVES
HOUSE BILL 2751
TESTIMONY OF STEVEN C. KLIKA
CHAIRMAN, JOHNSON COUNTY TRANSPORTATION
COUNCIL**

GOOD MORNING. I AM STEVEN C. KLIKA, OVERLAND PARK RESIDENT AND CHAIRMAN OF JOHNSON COUNTY'S TRANSPORTATION COUNCIL. OUR COUNCIL SERVES THE JOHNSON COUNTY COMMISSIONERS HAVING TWO SPECIFIC RESPONSIBILITIES. THESE INCLUDE FIRST, MANAGEMENT OF THE COUNTY'S PUBLIC TRANSPORTATION SYSTEM AND SECOND, SERVE AS THE COUNTY'S REPRESENTATIVE IN THE DEVELOPMENT OF A NEW REGIONAL PUBLIC TRANSPORTATION DISTRICT.

ON BEHALF OF THE COUNCIL AND JOHNSON COUNTY, I ASK YOU TO PLEASE SUPPORT THE PASSAGE OF HOUSE BILL 2751.

THE COUNTY, THROUGH OUR COUNCIL IS RESPONDING TO THE DESIRE OF OUR CITIZENS TO DEVELOP A REGIONAL PROGRAM THAT WILL PROVIDE FOR ACCESS TO THE RESIDENTS OF THE WHOLE METROPOLITAN AREA THROUGH AN INTEGRATED PUBLIC TRANSPORTATION SYSTEM. PRESENTLY, UNLIKE OUR ROAD SYSTEM, OUR BUS OPERATIONS ESSENTIALLY END AT COUNTY AND STATE LINES. THIS HAS RESULTED IN LIMITED RESOURCES TO BE FURTHER STYMIED BY OUR INABILITY TO INTEGRATE OUR FIXED ROUTE BUS SYSTEM AS WELL AS DEVELOP ADEQUATE REVERSE COMMUTE PROGRAMS TO MOVE PERSPECTIVE EMPLOYEES THROUGHOUT THE METROPOLITAN AREA. FURTHER, WITHOUT AN ADEQUATE METRO SYSTEM, WE ARE UNABLE TO MEET THE GROWING NEEDS OF OUR SPECIAL POPULATIONS SUCH AS THE DISABLED AND ELDERLY.

FROM A FINANCIAL PERSPECTIVE, BY MARRYING OUR CURRENT OPERATIONS AND DEVELOPING ADDITIONAL FUNDING WE CAN REDUCE DUPLICATION OF ADMINISTRATIVE COSTS AND WORK TO GET MORE SERVICE ON THE STREETS.

IT IS TIME TO JOIN OUR COMPETING PEER METROPOLITAN COMMUNITIES SUCH AS MINNEAPOLIS, MILWAUKEE, ST. LOUIS, DENVER, DALLAS, FT WORTH AND EVEN SAN ANTONIO IN DEVELOPING A PUBLIC SERVICE THAT CAN MEET THE NEEDS OF THE ENTIRE METROPOLITAN AREA. AS WE ARE ABOUT 20 YEARS BEHIND THESE COMMUNITIES, IT IS TIME TO LET THE METROPOLITAN COMMUNITY WORK TO DEVELOP A PROGRAM THAT WILL ADDRESS URBAN AS WELL AS SUBURBAN NEEDS IN AN INTEGRATED MANNER. PUBLIC TRANSPORTATION IS AND SHOULD BE CONSIDERED IMPORTANT TO THE ECONOMIC AND SOCIAL WELL BEING OF OUR COMMUNITIES.

OUR COUNCIL HAS EXPENDED NUMEROUS HOURS TO BEGIN THE DEVELOPMENT OF A REGIONAL SYSTEM THAT RECOGNIZES THE UNIQUENESS OF OUR COMMUNITIES - ON BOTH SIDES OF THE STATE LINE. WE ARE NOT DEALING STADIUMS OR THE RENOVATION OF A HISTORICAL FACILITY...WE ARE DEALING WITH A PUBLIC SERVICE THAT SHOULD BE ACCESSIBLE TO EACH AND EVERY ONE IN THE METROPOLITAN AREA - JUST LIKE OUR ROAD SYSTEM. IN THIS SPIRIT, WE ARE PREPARING OPTIONS FOR GOVERNANCE, OPERATIONS AND THE FURTHER SPECIFICS TO SMART MOVES - THE REGIONAL TRANSIT PLAN. IN FACT, THE JOHNSON COUNTY COMMISSIONERS WERE THE FIRST GOVERNING ENTITY TO RECOGNIZE AND APPROVE THE PLAN IN CONCEPT.

WE RECOGNIZE THERE HAVE BEEN A FEW QUESTIONING THE BILL AND IT MERITS. AS STATED, OUR COUNCIL HAS BEEN WORKING WITH OTHER REGIONAL ENTITIES TO DEVELOP A MECHANISM TO BEGIN THE PROCESS. FIRST, WE WILL ALWAYS HAVE TO DEAL WITH THE ISSUE OF TRUST BETWEEN TWO STATES. I CAN NOT ADDRESS AND CHANGE EVERYONE'S MIND, BUT FOR THE COMMON GOOD AND OUR

NEED TO RESPOND TO THOSE WE REPRESENT WE NEED TO REALIZE THAT JOINING FORCES FOR TRANSIT IS VITAL FOR ALL OUR COMMUNITIES. WITH BOTH JOHNSON AND WYNDOTTE COUNTIES BEING LEADERS IN THIS AREA, WE HAVE THE ABILITY TO INSURE OUR COUNTIES' EXPECTATIONS ARE AT THE FOREFRONT AS THE LOCAL INITIATIVE IS DEVELOPED.

ADDITIONALLY, SOME ARE QUESTIONING MARC'S ROLE. WE SEE THEM FOR WHAT THEY ARE - A METROPOLITAN PLANNING ORGANIZATION RESPONSIBLE TO FACILITATE THE COORDINATION OF THE LOCAL GOVERNMENTS AND THE CONSENSUS BUILDING PROCESS FOR THE DEVELOPMENT OF A LOCAL REFERENDUM. THIS LOCAL REFERENDUM WILL REQUEST THE COUNTIES AND THEN VOTERS TO CONSIDER THE ESTABLISHMENT OF A NEW TRANSIT AUTHORITY - AND ITS DETAILS RELATED TO GOVERNANCE, FUNDING AND OPERATIONS.

AS YOU WRESTLE WITH THIS BILL, THE EASY PATH IS TO LET IT DIE IN ONE COMMITTEE OR ANOTHER. ON THE OTHER HAND, A VISIONARY APPROACH WOULD BE TO SUPPORT JOHNSON AND WYNDOTTE COUNTIES AND THEIR DESIRE TO TAKE A LEADERSHIP ROLE AS THEY REPRESENT THE PEOPLE AND THEIR DESIRE TO DEAL WITH TRANSIT ON A METROPOLITAN BASIS. LET THE PROCESS BEGIN THROUGH YOUR ENABLING LEGISLATION AND GIVE THE RIGHT TO THE PEOPLE TO DECIDE HOW THEY DESIRE TO RESOLVE THE TRANSIT NEEDS.

THANK YOU.

Mr. Chairman and Members of the Taxation Committee,

My name is Mark Greene and I am here today to speak in support of HOUSE BILL No. 2751. As someone who would greatly benefit from the passage of this Bill I want to say that I see nothing but positive results from you allowing this bill to go forward from Committee and then seeing to it that it becomes Law.

If passed, the respective counties would pose the Question to their voters. If the voters pass it, then the counties would join together and expand transportation service in Metropolitan Kansas City. Not only would this expanded service be available to those who depend on Public Transportation to function in their daily lives, but this would also expand the service for those who would prefer to use public transportation; whether it be for environmental or public health and safety reasons, or maybe just for piece of mind knowing that they are doing what they can to relieve the traffic issues in the Kansas City area.

Clearly, many groups of people stand to benefit, most of all the disabled. The bill itself states its purpose as to, and I quote, "improve the metropolitan area quality of life." and I can say with certainty that no group of people in the metropolitan area would see a bigger and better improvement in their quality of life than the people of Kansas City who have disabilities. Many disabled people in Kansas City, for whatever reason, do not drive and have to rely on a Mass Public Transportation System to reach the places they need or *want* to go. The implementation of the Regional Transportation District makes this reliance one of convenience.

To wrap things up, I would like to say that with the passage of this Legislation would come a greater sense of freedom and mobility for hundreds and possibly thousands of people in Metropolitan Kansas City. No longer will people have a feeling of dependency. No longer will people feel they are trapped and limited in their ability to get around the City. Trapped by *when* they can't go, trapped by *where* they can't go, or trapped by *why* they can't go.



UNITED COMMUNITY SERVICES OF JOHNSON COUNTY

Drug & Alcoholism Council of Johnson County • Johnson County Children's Coordinating Council

Mission: To identify human service needs in Johnson County, Kansas and marshal public and private resources to meet those needs.

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February 17, 2006

Chairman Wilk and members of the committee:

Thank you for the opportunity to speak in support of HB 2751. I am Janis McMillen, Chair of the Public Policy Committee of United Community Services of Johnson County (UCS). As United Way's planning partner, UCS and United Way of Johnson jointly develop a public policy platform every year. Support for comprehensive regional transportation planning has been on that jointly developed platform for three years. The Kansas City regional United Way agencies are also supportive of this planning.

First, let me explain the mission of United Community Services and why we have a unique perspective to bring to this topic.

UCS is a planner for human services. This means we bring human service professionals, community leaders and consumers together every year in multiple ways, to consider the well-being of our residents across the life spectrum. It never fails that in every human service planning discussion UCS convenes, the lack of public transportation arises as an issue in a way that demonstrates it deserves community attention and action.

In 2003, UCS published *Navigating the Future*, a comprehensive strategic plan for human services. Transportation challenges were identified in many ways.

- The lack of transportation serves as a barrier to access critical human services. For example, professionals in the court-system repeatedly report that transportation barriers prevent families from getting to court-assigned services, services which are designed to put their lives back on track to productivity. For persons working with seniors or persons with disabilities, transportation is a high priority because of the role it plays in helping these populations access health services as well as the benefits that come from community engagement.
- Equally important, the lack of transportation becomes a barrier to self-reliance. It's a simple fact that workers without reliable, affordable transportation cannot get to jobs. UCS has convened and heard homeless working parents who broke down crying about being stranded without any transportation options. Reliable, affordable transportation is key to economic self-sufficiency for vulnerable citizens.

The population in Johnson County continues to increase as existing companies expand and new companies locate in this area, adding many new jobs and the need for more workers. Addressing public transit is integral to the economic development and quality of life issues of the future. At UCS, we think it is important that there is new attention and dialogue occurring about how public transit can be improved across our region. The result could end up being very positive for thousands of Johnson County workers and vulnerable residents.

The transit planning partners have already demonstrated that they are willing to be responsive to local community input. UCS is supportive of the enabling legislation because it would permit residents of the Kansas City region to continue to work on the plan. Most importantly, it gives the residents who will ultimately be affected by the plan, the opportunity to continue to develop, and to vote on, a regional transportation plan and its funding mechanisms. We urge your support for HB 2751.



United Way's Planning Partner
in Johnson County

regional transit

A L L I A N C E

Citizens for effective, sensible and modern transit.



www.kctransit.org

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Testimony before House Taxation Committee in support of HB 2751

February 17, 2006

Mr. Chairman and Members of the Committee:

Good morning, my name is Greg Lever.

I am the Executive Director of the Kansas City Regional Transit Alliance. The Kansas City Regional Transit Alliance is a not for profit citizens advocacy group that is committed to improving the status of public transit in the metropolitan Kansas City area.

On behalf of the 4,000 plus advocates in our network from throughout the Kansas City region, I am here to speak in support of House Bill 2751. This network is growing daily as the issue of creating a Regional Investment Fund advances and people throughout the region are recognizing the value of having a regional public transit system. These people are interested in having new opportunities for mobility within their local communities while also being able to connect with other communities in the region.

I urge your support of this important issue. The time is now to move forward and allow the people at the local level to show their resolve for this issue.

Thank you.

Executive Director
Gregory A. Lever

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Kansas City, MO 64106
Phone: (816) 471-6808
Fax: (816) 472-1823
glever@kctransit.org

House Taxation
2-17-06
Attachment 11



Testimony

Unified Government Public Relations
701 N. 7th Street, Room 620
Kansas City, Kansas 66101

Mike Taylor, Public Relations Director 913.573.5565
Don Denney, Media Relations Specialist 913.573.5544

House Bill 2751 Kansas and Missouri Regional Investment District Compact

Delivered February 17, 2006
House Tax Committee

The Unified Government of Wyandotte County supports House Bill 2751. Public transit is important to Wyandotte County, its residents and the Kansas City metropolitan area. The Unified Government already works in a cooperative way with metro counties on both sides of the state line to provide public transit in a coordinated, effective way.

In 2005, UG Transit provided more than 1.2-million rides. Regional transit is critical to our residents who rely on it every day and to our expanding economy as we need to move workers to places of employment. Smart Moves provides a regional solution while ensuring that service in Kansas City, Kansas/Wyandotte County is actually strengthened for our residents and businesses.

HB 2751 will simply let local elected officials and citizens decide if they want to implement a new sales tax to help pay for those efforts. While there are many details about the operational plan of SmartMoves yet to be worked out, there is plenty of time for those discussions later.

What is important for you to know right now regarding HB 2751, is that Mayor Joe Reardon and the Unified Government Board of Commissioners support the concept of regional cooperation, metro transit and the opportunity for citizens to voice their opinions at the polls. That is why the UG supports HB 2751. Please give this concept of regional cooperation a chance to be further developed and allow our residents the chance to discuss it and decide for themselves if they want to support it and advance it.



Kansas Public Transit Association
5958 SW 24th Terrace
Topeka, Kansas 66614
785.273.2498 (Tel)
785.273.3641 (Fax)

Lisa Loeb, President
Ronald D. Butts, Executive Director
kpta@sbcglobal.net
www.kstransit.com

Member:
American Public Transportation Association
Community Transportation Association of America
South West Transit Association

State of Kansas
House Committee on Taxation
Representative Kenny Wilk, Chairman
HB 2751 – February 17, 2006

Written Testimony by:
Ronald D. Butts
Executive Director
Kansas Public Transit Association

Mr. Chairman:
Members of the House Committee on Taxation:

I am pleased to have this opportunity to represent over 130 members of the Kansas Public Transit Association in supporting House Bill 2751 – Enabling Legislation for the Kansas and Missouri Regional Investment District Compact. The Kansas Public Transit Association supports this legislative initiative as a means to provide a more comprehensive regional transit service in the greater Kansas City metropolitan area.

The Kansas Public Transit Association's mission is to promote public transportation in Kansas; promote the welfare of member agencies; foster sound management of public transportation; and, encourage the exchange of ideas. This enabling legislation could be utilized as a template for other agencies to consolidate or merge services in an effort to better provide public transit services to the residents of the Kansas.

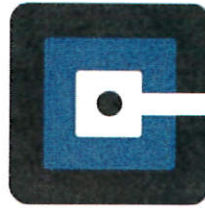
Mobility options are very important to our residents and this enabling legislation will provide an avenue for the residents of Johnson, Leavenworth and Wyandotte County the opportunity to vote on a sales tax to fund regional transit services.

On behalf of Kansas Public Transit Association, I encourage you to permit a regional approach in addressing regional needs. This enabling legislation is a first step in allowing local governments to best address the local needs of their communities. I encourage you to provide the voters the opportunity to decide how important public transportation is for them.

If there is additional information that we could provide to you as you discuss this matter, please feel free to contact me.

Thank You.

House Taxation
2-17-06
Attachment 13



THE CIVIC COUNCIL OF GREATER KANSAS CITY
*One Kansas City Place, 1200 Main Street, Suite 230
Kansas City, Missouri 64105
Telephone: 816-221-2263 • FAX: 816-221-2209*

**Testimony of The Civic Council of Greater Kansas City
Submitted to the Kansas House Taxation Committee
In Support of HB2751
February 17, 2006**

The Civic Council of Greater Kansas City, a membership organization of the chief executive officers of 80 of the larger companies in the Kansas City metropolitan area, has focused since its founding in 1964 on the quality of life issues that are necessary for the region to have a competitive economy, to be a place in which businesses chooses to locate and individuals choose to live.

A key component of a great regional city is the ease with which people can go from home to work to school to play, and the accessibility of jobs, health care and many other services and cultural amenities that we take for granted.

We are fortunate in the region to have available a variety of types of neighborhoods, shopping areas, cultural venues, schools, and even for those of us thinking about our retirement years a choice of retirement communities spread across multiple cities and counties in a two-state region where we make daily trips across jurisdictional boundaries.

The Civic Council believes that for us to continue to be an attractive and competitive region, able to attract and retain the young families of the future and to provide the necessary services for all, we must have an efficient and effective public transportation system. Because we are a region in which the economy does not distinguish among jurisdictions, it is necessary that our public transportation system be seamless and able to meet a variety of needs, in whatever part of the region they exist.

There are many reasons to proceed now with the first step---authorization for the creation of a special purpose district for transportation in both Kansas and Missouri. This will assure the region's users that ongoing efforts to craft a proposal to meet the needs of the region's diverse populations can move forward for a vote of the people in each of the affected counties.

We have been asked why this needs to happen this year. The reality is that even if the legislation before you is approved this year, it would be another 18 months to two years before the appropriate local votes could be taken and money could be flowing toward the region's transit needs. In the meantime, traffic congestion will grow, especially in the suburban areas, the cost of commuting will continue to climb, and environmental concerns resulting from congestion will increase. Waiting to address this issue will only increase the costs, both direct and indirect, to the region's citizens and businesses. And, each year, more of our citizens will reach an age at which their transportation options are more and more limited.

We urge you to help us begin the process of creating a truly regional transportation system by moving forward the legislation before you.

Submitted by Sandra Braden, Gaches, Braden, Barbee and Associates
825 S Topeka Suite 500 Topeka, Kansas 66612
1-785-233-4512

House Taxation
2-17-06
Attachment 14

**Tri-County
Paratransit Council, Inc.**

P.O. Box 38, 205 E. 2nd St.
Bonner Springs, KS 66012
(913) 422-1020, Ext. 1301



Serving the Transportation
Needs of Older Adults and
Persons with Disabilities

February 16, 2006

Dear Elected Officials:

On behalf of the Kansas Coordinated Transit District #1, which consists of transit and paratransit systems from Wyandotte, Johnson, Leavenworth and Douglas counties, I would like to express our support in the passage of the Smart Moves legislation to allow the citizens of Johnson, Wyandotte and Leavenworth counties to vote on a regional transit tax.

The Smart Moves legislation will allow the Kansas City region the opportunity to better align itself with other comparable cities on transit initiatives. Interest in transit is increasing as our population ages, fuel prices continue to rise, traffic congestion increases, and the population becomes more aware of environmental impacts on their community.

The CTD #1 supports the Smart Moves legislation to allow the regional transit initiative to be addressed by the local citizens through a regional vote.

Sincerely,

A handwritten signature in cursive script that reads "Lauri Henry".

Lauri Henry
CTD #1 President
Johnson County Transit

Cc: Mell Henderson, Director of Transportation, Mid-America Regional Council
John Rosacker, Assistant Chief, Kansas Department of Transportation
Sandy Flickinger, Program Coordinator, Kansas Department of Transportation

House Taxation
2-17-06
Attachment 15

**Summary of testimony before the House of Representatives Tax Committee hearing on HB 2751
Wayne Flaherty, Kansans Against Bi-State, 6410 Floyd, Overland Park, Kansas - Friday, February 17, 2006**

Thank you for hearing me today. HB 2751 was conceived and promoted by the Mid-America Regional Council (MARC). I have no financial or political interest in what happens to this bill. My only interest is as a citizen and grass roots activist. Come with me as I first went through the bill.

As I delved into the details, I found that sections 4-A and 7-A create a regional transit district when the bill becomes law. **I am to have no vote on the creation of an entirely new government commission about to spend hundreds of millions of my tax dollars every year.**

Looking further, I found that section 5-A said only voting members of the MARC Board may become members of the regional transit commission. That looked strange to me so I went to the MARC web site where I discovered that all MARC Board members are appointed. **Not only couldn't I vote on the creation of this new commission, I couldn't even serve on the commission.**

Reading on, I found that section 7-I said that if I and my fellow citizens reject a transit tax, our county can find a way to levy the tax anyway. **Now, I get to vote, but my vote doesn't count.**

Astounded, I continued. Section 11-A revealed a hidden tax, saying that if I and my fellow citizens approve a tax, our county must provide operating funds from fees, charges, taxes, etc. **What's this, I thought – another tax I didn't get to vote on?**

I'm no lawyer but it's beginning to sink in – I have absolutely nothing to say about this regional transit system. **All I can do is vote on a tax – and then my vote doesn't count**

As I digest more of the fine print in this 17 page document, I find the power to govern and the control of my tax dollars placed entirely in the hands of MARC. MARC defines what a regional project is. MARC decides how much money to spend on that project. MARC writes the ballot language. MARC tells the counties when to put it on the ballot. MARC appoints the Oversight Committee to run the project. **MARC controls everything.**

Totally disgusted, I finally realized what this bill really does. HB2751 completely disenfranchises me and my fellow citizens at the same time it creates a new de facto regional government – a government not bound by the constraints which control my city and county. **I can't even vote somebody off the MARC Board because nobody is elected to that board.**

Originally conceived as a Metropolitan Planning Organization; its web site describes MARC as a “**voluntary association**”. Recently, MARC is beginning to operate government agencies such as Head Start. HB 2751 would transform it from a voluntary association to a regional government.

If HB 2751 becomes law Kansas will lose control over **three quarters of a billion dollars** to fund a regional transit system in which the three principal Kansas counties carry only 9 % of the riders.

With our state \$4 billion in debt, this is not the time to fund another Big City pipe dream. Regional transit can become a reality – but HB 2751 is not the way to do it. Before you vote on the fate of this bill, remember - **it is forever**. Once regional transit is established, we can never go back. If **this committee** makes a mistake now, I and my fellow citizens will have to live with it for the rest of our lives.

Thank you.



**Additional comments for the House of Representatives Tax Committee hearing on HB 2751
Wayne Flaherty, Kansans Against Bi-State, 6410 Floyd, Overland Park, Kansas - Friday, February 17, 2006**

In 2003 Johnson County citizens paid over \$12 million in earnings tax to Kansas City, Missouri for which Johnson County received nothing. **That's \$12 million that did not go into the Kansas economy.**

Beginning in 1996, Johnson County taxpayers sent millions of dollars to Kansas City, Missouri to preserve Union Station. The station now runs a \$6 million per year deficit. While Kansans do sit on the governing board, when a new permanent director was needed, Andy Udris was selected by Kansas City, Missouri Mayor Kay Barnes. **When the Bi-State I tax raised an extra \$3 million, it was not returned to the taxpayers.** Of the \$3 million, \$2 million was given to Union Station and the Bi-State I Commission still has \$1 million.

In 2004, the Bi-State II tax was created by Missouri politicians and sports team owners who spent over \$3 million in an unsuccessful attempt to access Johnson County tax revenues. Had Bi-State II been successful, Johnson County alone would have sent \$440 million to Missouri and received only \$40 million in return. **That's \$400 million that would not have gone into the Kansas economy.**

In 2005, the Mid-America Regional Council (MARC) initiated Bi-State III, also known as the Regional Investment Fund. Using MARC figures of \$155 million per year for 10 years, HB 2751, would have Johnson, Wyandotte, and Leavenworth County taxpayers contribute \$775 million for a regional transit system in which they carry only 9 % of the riders.* **That's more millions that will not go into the Kansas economy. We don't need a regional government to spend Kansas money?**

* The 9 % figure comes from 400 thousand riders per year in Johnson County, 1 million riders in Wyandotte, and 14 million riders in Jackson. Leavenworth ridership is negligible.

KS vs MO representation

Section V describes the regional commission but gives no membership number. Apparently, the whole MARC Board will be the commission, thus giving Missouri a 17 to 13 edge. A county or city appoints people to the board under rules of KSA 12-2536, the Bi-State II Compact. In that law each participating county gets 1 member, each city with 50,000 or more in a participating county gets 1 member, and each governor appoints one member. In the case of Wyandotte County's Unified Government, they get 2 members for the county but none for a city. This is essentially the commission that still exists from the Union Station Bi-State I tax. The commission will be just like Bi-State I. In fact, it could be the same commission. One of the Bi-State I commissioners was asked how they oversaw the use of the funds. He said, **"We don't oversee anything. We just write checks."** HB 2751 will perpetuate that problem.

In the case of the Oversight Committees who will manage regional programs, the last sentence in IX-A says, **"The number of individuals comprising the Oversight Committee shall be in the sole discretion of the Commission."** The Missouri dominated MARC Board sets the oversight committee membership any way it wants.

Tax Limits

HB 2751 does not rescind or eliminate any existing transit taxes. **The regional tax is a brand new tax.** Under HB 2751 MARC initiates a regional program plan and sets a tax for that plan in motion – but I see no limit on how many of these program plans can be put in place at one time. Neither do I find any total limit on these project taxes. MARC was selling Smart Moves as a \$155 million per year for 10 years project. Neither figure is mentioned in HB 2751. The individual projects have a 15 year limit on them, but each seems to be independent of the others. **Essentially, there is no limit on total taxes collected except that each one has to be voted on.**



KANSAS TAXPAYERS NETWORK

P.O. Box 20050
Wichita, KS 67208
February 14, 2006

web:www.kansastaxpayers.com

316-684-0082
Fax 316-684-7527

Testimony Opposing HB 2751

By Karl Peterjohn, Executive Director

The sovereignty of the state of Kansas is important and must be kept as a paramount concern when these multi-state compacts are considered. Frankly, the constitutional authority for these bills is troubling to me since I know of no provision in the Kansas Constitution that authorizes cross-border agreements that create new units of government and establishes a new layer of governance.

Kansas government while similar in form to our neighbors in Missouri but is quite different in detail. HB 2751 would create a new level of regional government that covers eight counties with three of these being Johnson, Leavenworth, and Wyandotte in Kansas and the other five in western Missouri. This is a flawed idea that this committee should reject.

Before another adventure in regional government begins, this committee should look at the earlier bi-state projects to see how well this process has worked in the past. In addition, I hope this committee will look at some other points relating to fundamental issues of authority and governance so that close scrutiny is provided for this legislation.

Now the idea of a regional government or a consolidation of sorts of county or local government is far from new. KTN knows of no example of unification of a regional nature of Kansas counties. If HB 2751 is a good idea, why not begin the unification within two or three Kansas counties as a starting point? Why was it a museum in bi-state I and Missouri stadiums in bi-state II? Let's address this issue as a whole instead of piecemeal.

Now this proposal raises other questions. While HB 2751 is a transportation bill it is also the beginning for further consolidation ideas. This is a concept for the local government committee that should get careful consideration in that committee. Sen. Steineger has proposed legislation to merge Johnson and Wyandotte County. This would be a much broader merger covering much more than just transportation. This would be the first combination of two counties.

There is an inherent assumption that bigger is better in mergers. That flies in the face of local control arguments I so often hear from local units. However the record of consolidations are mixed and when it comes to government, there are few that would argue that the biggest level of government in the United States, the federal level, is most efficient or most responsive to its citizens. In fact, the opposite argument can be made that inefficiencies of scale can be a problem of larger levels of government.

HB 2751 is based upon a flawed concept that bigger is always better. If consolidation is truly needed than a more thorough and comprehensive basis for consolidation should occur. It should begin in Kansas before we try to cross any state lines.

TRACY THOMAS

PR & ADVERTISING

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Tracy Thomas Remarks to the Ks. House Taxation Committee
re HB 2751, (Bi-StateIII/Transit)
Feb. 17, 2006, 9am.

Thank you for hearing me. My name is Tracy Thomas, and for five years, I used to sit on YOUR side of the table. Looking at my shoes, waiting for testimony to end!

I used to be an elected official—the former Council President in Shawnee, KS. I also ran against Annabeth Surbaugh for the first Chairmanship of the Johnson County Commission. I was not beholden to the developers. I did not win. Last year, I led a citizen organization, Johnson County First, in the successful defeat of Bi-State II.

I run a one-woman advertising agency, Tracy Thomas PR & Advertising. I promote small businesses across Kansas and Missouri. **Nobody paid me to come today.** I drove here to ask for your help. I am tapped out on do-gooder taxes! At age 56, the closer I get to retirement, the more tired I get of paying for the hobbies or the job costs of the rich--or the do-gooder efforts of unelected bureaucrats like MARC.

Frankly, I have had it with people who want to spend MY money so they can look good in the newspaper. **It is very seductive to try to look good—on someone else's dime.** I am out of dimes.

Today I will remind you of some of your favorite movies, including *The Insider*, *The Terminator*, *The Matrix* and *the Trojan Horse*. Because I want you be able to remember that every way you look at it, **Bi-State is a horror movie. It's the Vampire That Won't Stay Dead.** We keep trying to kill it and it just keeps resurrecting itself. I wish you'd just repeal it for good.

As you decide the fate of HB 2751. I will direct my comments to historic facts. Because unlike the bus, you should see this one coming—from a mile away.

Virtually all Bi-State proposals share five common characteristics:

I. They are created without citizen involvement. The first time Kansas citizens learned of the Bi-State II ballot proposal was when they read it in the morning newspaper. And here we go again: Bi-State III (HB 2751) was conceived 13 months ago, in March 2005, entirely by MARC. Internal documents confirm MARC guided their attorneys as they drafted this law. But tax-supported MARC kept the details from the public-- until just before this current legislative session began.

(Hold up medicine bottle)

How would you feel if I tried to give you this medicine, all the while telling you, "It's good medicine! Good for you!"-- but keeping my hand over the label. Had MARC been concerned about citizen opinions, they would have put their proposal on their web site and asked for comments from the public. Of course, they didn't. Because this is nasty expensive medicine.

And even MARC will admit it won't cure us from our addiction to the car, especially in Kansas. **This is a power shift, a tax shift and a non-solution.**

If this were a medical cure, the Kansas Board of Healing Arts would dismiss it as quackery.

Bi-State III is like that movie, "*The Insider*". For at least 50 years, everyone knew tobacco was bad for you. But the elected officials didn't outlaw it, because ---as they said about Watergate in "*All the President's Men*"—Follow The Money! Forget the people. Get your hands on their money!

House Taxation
2-17-06
Attachment 18

II. With all Bi-State proposals, there is a lack of true accountability to ordinary citizens: In Bi-State II, Kansans would have been allowed to SIT on an advisory committee for sports, but with no vote. Imagine being forced to watch your money being spent--and being unable to do anything about it. Oh—I guess maybe you DO know about that. It's called the Supreme Court mandate!

With Bi-State II, the holier-than-thou Missouri arts community would have spent our money. Over there. 95% of the money was secretly earmarked for the ballet, the symphony and the opera. All in Missouri.

OK—we in Kansas voted down Bi-State II. But if you saw "*The Terminator*"—the bad guy just gets up again and charges at you again! So--Under Bi-State III (HB 2751), appointed members of MARC would have all the power and financial control over regional Kansas citizens—this time in the area of transit.

III. With all Bi-State compacts, there is little or no definition of how Kansas money is to be spent: In Bi-State II, the Chiefs and Royals had wish lists for "their" stadiums. The county, city, and the media managed to keep those lists hidden from the public for months! My favorite was the \$38 million slush fund for electricity! That's more power than the nuclear fission they needed to send the crazy professor back and forth in the time machine in "*Back to the Future*"! What the slush fund was really for, last time and now this time as well, is the secret TV Studio so Lamar Hunt can link up with the NFL Network. Of course, the taxpayers would not receive any of the revenues. Just build him a cable TV studio—a huge source of revenue.

They also didn't want the public to see \$24 million for scoreboards, \$6 million for a restaurant, and \$3 million for a playground.

This time, Bi-State III (HB 2751) leaves spending decisions entirely in the hands of MARC which defines all aspects of regional transit projects. Oh, my. **If you thought Kevin Costner wasted \$57 million making "*WaterWorld*", wait till MARC builds '*Transit World*'!**

IV. Johnson County tax revenues are always the target: Bi-State II (KSA 12-2536) described Johnson County as "sine qua non", a legal term meaning essential element. In other words, if Missouri couldn't access Johnson County revenues, they didn't want a regional tax. They'd take their ball and bat and stay home. Here we go again. Bi-State III (HB 2751) again targets Johnson and Wyandotte counties.

I tell you—this Bi-State effort reminds me of "*The Matrix*". First, with BiState I, we had one Mr. Smith against Keanu Reeves. And we were nice guys. We bailed out Union Station because **YOU PROMISED US--IT WAS JUST ONE TIME**. I actually voted for that one. And I went to the museum once, with my nephews. But it was so boring they won't go back. It's a 3rd rate museum and always will be.

Then with Bi-State II, Mr. Smith resurrected himself, and came back tenfold. Or should I say 112 fold. Because when we, a small band of citizens, organized to defeat Bi-State II, we were outspent 112 to 1.

But now here comes Bi-State III, and now Mr. Smith is dressed in his gray suit—and he looks exactly like David Warm! This time, we don't just have two millionaire sports owners and a gaggle of ladies in mink coats to fight. No—we have government-funded robotic resurrecting bureaucrats, spending OUR tax money to puff up their resumes. Problem is, I can't afford it, I won't ride it, and only 9% of the riders will be from Kansas!

V. Under Bi-State I, II, and now III, most Kansas tax money winds up being controlled by, and spent in, Jackson County: Union Station; the sports teams; the Bi-State II 'regional arts' venues--were all in Jackson County. This time, 91% of the area public transit riders are in Jackson County! But they want half the money to come from us. And of course, MARC is in—Jackson County.

How many here are old enough to have seen the movie, "*Exodus*"?? All the money is always making an exodus, going one direction—east to the *Promised Land*—of Jackson County.

Under the Bi-State III Smart Moves plan, --and whoever named that was pretty clever—it's a really smart move if your business is in Missouri—all KCI airport traffic is directed through Wyandotte County and back into Missouri. Hello! This will leave Leavenworth County, with its hospitals, colleges, large military school, and four prisons without regional access to the airport. The regional transit hub would be in **downtown KCMO—the most tax-subsidized spot on earth—except for New Orleans**. This BiState III is all about subsidizing busses to haul workers to downtown KCMO—to pay the job costs of a few pouting rich men from the Chamber who refuse to conduct business unless the taxpayers finance the details.

No busses will serve small businesses. No busses going to Shawnee, where I live. Only one bus, Antioch, ever stops at the community college—the one that you subsidize. I know, because I checked last week, for my foster niece. But hey—H&R Block? They will have 100 busses stopping at their front door. Stopping on OUR dime.

Even the planned Performing Arts Center won't have a direct transit connection – you'll get off the bus (in your spike heels and your mink, I suppose) down the street, then walk a block up a steep hill, to the PAC. (I think we all remember that scene—1957--“*BusStop*”—starring Marilyn Monroe!)

Two more points: This Bi-State proposal is driven by a manic desire for Regionalism.

There exists, in our area, a cultural obsession with the intellectual fantasy of “Destroying the State Line”. It would be easier for Johnson and Wyandotte Counties to secede. Just move the state line next to Lawrence! Not gonna happen. *Y'all in Topeka may not like us much. But we are your rainmaker, and trust me, we hate Jeff City worse.*

This regional obsession is driven primarily by three sources:

1. The KC STAR, the paternal paper that loves to lecture us and spend our money.
2. Missouri politicians and citizens tired of paying to run their town.
3. Kansans with close business ties to Missouri, including downtown KC property owners, who would profit financially from Missouri controlled regional operations.

They don't care if their fantasies are fair or reasonable. They just want what they want. Your money. Now if this Legislature is sitting on a pot of extra money, they fund the schools. Move on. Take care of OUR state. But I suspect you don't have a secret stash of cash. So please, stop this stupid non-solution now. Even if you played the Legislative Salad Bar Game again—for the rest of the session, I think everyone in this room knows, this is not an answer. Just say no. You know how to say no, don't you?...Just put your lips together....

And finally: Let's reach back into history for this one, because Bi-State III is the worst of the three. This one is “*The Trojan Horse*”. This bill is trying to sneak past the guards—that would be you---so that an army can drop out of its belly and loot the town of Troy.

Case in point—read section 7-I. If the voters reject this specific tax at the polls, the battle is not over! The bureaucrats have already **hidden the enabling legislation in the belly of this awful beast, HB2751**. Because 7-I permits local counties to proceed and still pay for mass transit! And that is **what they are really after!** **Enabling legislation** to levy new taxes and fees so they can look good and kiss up to a few wealthy men.

Watch out! At the midnight hour of the last day of your session, the do-gooders will beg you for this. They will lie, and say, “We know it won't pass at the polls, but we need this to look good.” Don't believe them. This Bi-State bill is “*Rosemary's Baby*”. That fetus in Mia Farrow's belly is the Devil. The enabling legislation is what they really want to give birth to.

I need your help. Please kill this bill now. Don't let The Terminator, or Mr. Smith, or Mr. Warm keep coming back over and over again. Until a few years ago, at the conclusion of every good movie, there was an easy way to know it was over. They would tell you: The End!!! Until you repeal bi-state, we will just be watching sequels, every session.



K A N S A S

JOAN WAGNON, SECRETARY

DEPARTMENT OF REVENUE
DIVISION OF PROPERTY VALUATION

KATHLEEN SEBELIUS, GOVERNOR

MEMORANDUM

TO: Honorable Kenny Wilk
Chairman, House Taxation Committee

FROM: Tony R. Folsom, Deputy Director *TRF*

DATE: February 16, 2006

SUBJECT: HB 2767 Request for Information

During the House Taxation committee hearing on HB 2767, the bill that increases the Board of Tax Appeals to five members, the committee requested information concerning the number of informal appeals that are held at the county level. Attached is the information that we have compiled for the 2004 and 2005 tax years. The number of appeals for the 2005 tax year may increase at a later date since the second half of the 2005 taxes can be paid under protest in May 2006.

The information for the informal appeals is broken out for each of the five larger counties and then the remaining 100 counties. The reason for this breakout is that the five larger counties are computer mainframe counties that we do not have direct access to their data. The remaining 100 counties are not computer mainframe counties and we do have direct access to their data.

Also included is what limited information we have for the counties that have hearing officer panels (HOP).

County Level Equalization and Payment Under Protest Appeals

	2004 Informal Appeals			2005 Informal Appeals		
	Adjusted	No Change	Total	Adjusted	No Change	Total
100 Counties	7,130	5,034	12,164	7,547	4,025	11,572
Douglas	492	511	1,003	526	642	1,168
Johnson	2,186	3,328	5,514	2,367	3,182	5,549
Sedgwick	5,117	3,909	9,026	3,573	3,364	6,937
Shawnee	1,081	926	2,007	983	1,108	2,091
Wyandotte	1,149	1,028	2,177	1,530	1,320	2,850
Totals	17,155	14,736	31,891	16,526	13,641	30,167
	2004 Hearing Officer Panel			2005 Hearing Officer Panel		
	Adjusted	No Change	Total	Adjusted	No Change	Total
Labette	NA	NA	NA	4	3	7
Pottawatomie	NA	NA	NA	5	1	6
Woodson	NA	NA	NA	1	1	2
Sedgwick	790	1,150	1,940	712	1,084	1,796
Totals	790	1,150	1,940	722	1,089	1,811