

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Gary Hayzlett at 1:30 p.m. on January 26, 2010, in Room 783 of the Docking State Office Building.

All members were present, except:

Representatives Jerry Henry, excused
Representative Marvin Kleeb, excused

Committee staff present:

Bruce Kinzie, Office of the Revisor of Statutes
Scott Wells, Office of the Revisor of Statutes
Jill Shelley, Kansas Legislative Research Department
Betty Boaz, Committee Assistant

Conferees appearing before the Committee:

Representative Sharon Schwartz
Patrick Breeding, Citizen
Representative Virgil Peck

Others attending:

See attached list.

The meeting was called to order by Chairman Hayzlett. He called for bill introductions.

The Chairman recognized Don McNeeley, representing the Kansas Automobile Dealers Association. Mr. McNeeley asked for an amendment seeking to add additional rights and remedies, which have been enacted by other states over the past year. A motion was made by Representative Swanson to introduce this bill, seconded by Representative Wolf and the motion carried.

There were no other bill requests so the Chairman opened the hearing on **HB 2436**.

HB 2436 - Michael Hugh Breeding memorial bridge

The Chairman introduced Representative Sharon Schwartz. (Attachment #1) Representative Schwartz said the current bridge over the Blue River at Blue Rapids was being replaced with bridge No. 62 and it would be a good time to designate this bridge as the Michael Hugh Breeding memorial bridge. Michael Hugh Breeding grew up in that community, served in the U.S. armed forces, fought in the Vietnam War and received the Purple Heart.

The next conferee was Patrick Breeding, brother of Michael Breeding. (Attachment #2) Mr. Breeding briefed the Committee on the life of Michael Breeding. He told about Michael being a pilot of an F4B attached to Marine Fighter Attack Squadron 122, based in Chu Lai, South Viet Nam and on the 12th of February, 1970, he failed to return from a mission. His status was later changed to Killed In Action on March 17, 1970. He concluded by saying honoring Mike by naming the bridge after him will also be a tribute to all of the others who have made the supreme sacrifice. Mr. Breeding further said that "If even one person - who sees this sign - takes a moment to think about what the price of freedom is - this project will be a great memorial to Mike."

Representative Peck asked if wording could be incorporated into this bill to honor all those who had served. The Revisor thought it could be done. Representative Prescott asked about adding his rank on the sign. Patrick Breeding said his brother was a 1st Lt. and he would be pleased to have his brother's rank added.

Chairman Hayzlett drew the Committee's attention to written testimony submitted by Patricia Osborne, (Attachment #3) President of the Blue Rapids Historical Society/Museum, Margaret Blaske, (Attachment #4) friend and classmate of Michael's, and John Nowak, (Attachment #5) Mayor, Blue Rapids, Kansas.

There were no other proponents and no opponents so Chairman Hayzlett closed the hearing on **HB 2436**.

CONTINUATION SHEET

Minutes of the House Transportation Committee at 1:30 p.m. on January 26, 2010, in Room 783 of the Docking State Office Building.

The Chairman opened the hearing on **HB 2437**.

HB 2437 - Kansas Arts license plates, requiring certain fees

Chairman Hayzlett recognized Representative Virgil Peck, Jr. (Attachment #6) According to Representative Peck the purpose of this bill is to correct an error which occurred last April which authorized several changes regarding distinctive license plates. It was noticed too late in the session that the new Arts plate was exempt from paying the \$40 personalized license plate fee. He noted that the personalized license plate fee has been \$40 since 1983 and in 1994 the Legislature passed a bill to make any distinctive license plate subject to the fee for plates authorized after that year. Representative Peck noted that others who must pay the \$40 fee include: Shriners, Emergency Medical Services, Kansas Foundation for Agriculture in the Classroom, In God We Trust, and Firefighters. He concluded that as a fairness issue it is only right to include the Support Our Arts license tag on the list of plates that must pay the \$40 fee.

There were no other proponents and no opponents so Chairman Hayzlett closed the hearing on **HB 2437**.

Chairman Hayzlett drew the Committee's attention to the "Report of the Special Committee on Transportation to the 2010 Kansas Legislature." There was also a handout on the "Summary of Funding Scenarios." Both of these handouts were prepared by and available through the Kansas Legislative Research Department.

There being no further business before the Committee the meeting was adjourned.

HOUSE TRANSPORTATION COMMITTEE GUEST LIST

DATE: 1-26-10

NAME	REPRESENTING
CHRIS MAWZEL	ABATE OF KANSAS, INC.
PATRICK BRADINIL	SELF
Whitney Jann	KS Automobile Dealers Assn
CARMELO ALDRICH	KDOR
MARY TOLBERT	KDOR
Don McNeely	KADA

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HOUSE OF REPRESENTATIVES

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CHAIR
Local Government Committee
Select KPERS Committee

HB 2436

Testimony for the House Transportation Committee

January 25, 2010

Chairman Hayzlett and Fellow Committee members:

Thank you for the opportunity to provide testimony in support of HB2436, which will designate bridge No. 62 on US Highway 77 in Marshall County as the Michael Hugh Breeding memorial bridge. Funding for the necessary signs will come from donations or gifts and more importantly at "no" cost to the state.

Background

I was contacted by Michael's brother and several interested parties who asked if I would work with them towards naming bridge No. 62 in his honor. The current bridge over the Blue River at Blue Rapids is being replaced with bridge No. 62 this coming year. This would certainly give recognition to a man who grew up in this community, served in the U.S. armed forces, fought in the Vietnam War and ultimately received the Purple Heart.

I would be pleased to respond to any questions you might have regarding HB2436.

House Transportation
Date: 1-26-10
Attachment # 1

Chairman Hayzlett and members of the Committee

HB 2436, that is being introduced by Representative Sharon Schwartz, is a bill that would designate the bridge over the Big Blue River north of Blue Rapids as the Michael Hugh Breeding Memorial Bridge.

My name is Patrick Breeding and Mike was my brother.

Mike was the son of Merle and Blondie Breeding and was born in Marysville, Kansas on March 19, 1945. The family moved to Blue Rapids when Mike was young and Mike completed all of his schooling in the Blue Rapids school system, graduating from High School in 1963.

Mike completed his college education at the University of Kansas with a degree in Business Administration. Between his junior and senior year Mike successfully completed Officer Candidate School training with the United States Marine Corps. After graduation from Kansas University in the spring of 1967 Mike went on active duty entering flight school where he trained to be a fighter pilot.

Mike was piloting an F4B attached to Marine Fighter Attack Squadron 122, based in Chu Lai, South Viet Nam, on the 12th of February of 1970, when it failed to return from a mission near Quang Tri Providence and he was declared Missing in Action.

Mike's status was changed from Missing In Action to Killed In Action on March 17, 1970 and a memorial service was held April 12 of 1970 at the Mt. Calvary Lutheran Church in Marysville.

Don Kotopish and Lee Borck both grew up in the Blue Rapids area and knew Mike and it was Don who first contacted Representative Schwartz. They have felt for some time, that in some way, we needed to honor Mike for his service to his country and the sacrifice he made.

I think it would be a great honor to Mike and his family to have the bridge named the Michael Hugh Breeding Memorial Bridge.

We are very fortunate that we live in the United States of America – a free people in a free nation. And the ultimate sacrifice for that freedom has been paid time and time again.

House Transportation
Date: 1-26-10
Attachment # 2

WW I saw 126,000 Americans killed in action – with an additional 4,500 either declared missing in action or prisoners of war.

In WW II there were almost 400,000 Americans killed in action or declared missing in action.

The Korean conflict added another 36,000 to that list.

And Viet Nam, a war that tore this country apart, saw an additional 58,148 American deaths.

As of this weekend, the wars in Iraq and Afghanistan have resulted in 5,258 deaths.

Over 625,000 Americans have given their lives for their country so we can stand here today as a free nation.

Honoring Mike by naming the bridge after him will also be a tribute to all of the others that have also made the supreme sacrifice and I am not so sure that the sign should not read:

**MICHAEL HUGH BREEDING
MEMORIAL BRIDGE
“DEDICATED TO HONOR ALL WHO GAVE THEIR LIFE IN
DEFENSE OF AMERICA’S FREEDOM”**

If even one person – who sees this sign – takes a moment to think about what the price of freedom is – this project will be a great memorial to Mike.

Thank you Chairman Hayzlett and members of the Committee and I would also like to thank Representative Schwartz for her help!

Chairman Hayzlett and Members of the Committee:

In a small town, few individuals can remain in the shadows. You are quickly known for your faults as well as your assets and attributes. Mike and Pat Breeding's parents were hard working business people with an abiding Christian faith. When they sent their sons off to war, the community held their collective breath. Prayers for their safety and return to us were sent heavenward.

When it was not to be for Mike, our community felt the sorrow but also the pride of supporting the United States military. We can think of no more fitting person to honor with the name of our new bridge than Michael Hugh Breeding.

Blue Rapids Historical Society / Museum
Patricia Osborne, President

House Transportation
Date: 1-26-10
Attachment # 3

BLASKE FARMS

Margaret Blaske
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Blue Rapids, KS 66411

Telephone (785) 363-7127
FAX (785) 353-2344
mblaske@bluevalley.net

To: Chairman Hazlett and members of the committee

From: Margaret Blaske

Date: January 25, 2010

I am writing to ask for your support in naming the Blue River Bridge near Blue Rapids after a former classmate and friend, Michael Hugh Breeding. Knowing Mike as well as I did, I feel he is very worthy of such an honor.

Mike and I went through grade school and high school together and were very close friends. I never knew him to be anything but an honest and moral person, always willing to do what he could for others. He was a Boy Scout, active church member, and honor student. One of his highest honors that I can recall was being appointed as an alternate to the Air Force Academy. Upon graduating from the University of Kansas, he honorably served our country in Vietnam where he was killed in action while on a combat mission.

I think I can speak for everyone who knew Mike when I say that it would be an honor to have the bridge named after him. I hope you will recognize Mike by naming our bridge after him and help keep his name alive after sacrificing his life for our country.

House Transportation
Date: 1-26-10
Attachment # 4

To Chairman Hazlett and members of the Transportation Committee

The Blue Rapids city council and I fully support the efforts to name the bridge over the Big Blue River in honor of Michael Breeding. We would be proud and privileged to have the bridge named after a local man who gave the ultimate sacrifice in the service of his country.

Respectfully,
John Nowak
Mayor Blue Rapids, Kansas

House Transportation
Date: 1-26-10
Attachment # 5

VIRGIL PECK, JR.

REPRESENTATIVE, DISTRICT 11

BOX 277

TYRO, KANSAS 67364

STATE CAPITOL

TOPEKA, KANSAS 66612

(785) 296-7641



COMMITTEE ASSIGNMENTS:

VICE-CHAIRMAN: INSURANCE

MEMBER: TAXATION
TRANSPORTATION
FINANCIAL INSTITUTIONS
LEGISLATIVE POST AUDIT

HOUSE OF REPRESENTATIVES

MAJORITY CAUCUS CHAIRMAN

Testimony in support of HB 2437

January 25, 2010

Chairman Hayzlett and Committee members, thank you for the opportunity to appear before you today in support of HB2437.

HB 2437 is a simple, two page bill and you can see the change in statute on page one. What the bill does is correct what several of us see as an error in a bill we passed last session.

On April 1, 2009 we passed the Conference Committee Report on HB 2134, which authorized several changes regarding distinctive license plates. One of the provisions of the CCR was to authorize the issuance of the distinctive "Support Our Arts" license plate; a move that was a good move. However, it was noticed late in the game that the new Arts plate was exempt from paying the \$40 personalized license plate fee.

I recall asking about the fee and was told we could correct the error this session; thus HB2437.

The personalized license plate fee has been \$40 since 1983 and in 1994 the Legislature passed a bill to make any distinctive license plate subject to the fee for plates authorized after that year. Of course the Legislature can approve exemptions to the fee, and those exemptions are generally reserved for plates honoring our military. There was also an exemption granted for the Breast Cancer Research plate approved in 2004.

Plates that must pay the \$40 fee include: Shiners, Emergency Medical Services, Kansas Foundation for Agriculture in the Classroom, In God We Trust, and Firefighter. As a sense of fairness to vehicle owners who purchase the aforementioned plates I think it only right to include the Support Our Arts license tag on the list of plates that must pay the \$40 fee.

Not to mention the fact that the State could certainly use the money right now.

House Transportation
Date: 1-26-10
Attachment # 6