

SESSION OF 2009

**CONFERENCE COMMITTEE REPORT BRIEF
HOUSE BILL NO. 2131**

As Agreed to March 30, 2009

Brief*

HB 2131 would create an Intermodal Transportation Revolving Fund within the state treasury. The Department of Transportation would administer that fund to provide assistance to government units for intermodal transportation projects, which the bill would define along with other terms. In order to be eligible for assistance from the Fund, a governmental unit would have to have an intermodal facility project with a cost exceeding \$150 million within its jurisdiction. A project could be a bridge, culvert, highway, road, street, underpass, railroad crossing or combination located within an intermodal transportation area.

Moneys could enter the Fund from appropriations, the sale of bonds, repayments from qualified borrowers, interest, amounts from any public or private entity, amounts the Secretary of Transportation transfers from the State Highway Fund, and any other moneys made available for the purposes of the Fund. The Secretary would be authorized to issue bonds. Expenditures could be made from the Fund for purposes including paying principal and interest on bonds, providing financial assistance to qualified borrowers to finance qualified projects, assisting qualified borrowers with debt service costs, and transferring money to the State Highway Fund and State General Fund.

Neither the state nor any governmental unit would be authorized to pledge its full faith and credit to support the bonds

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issued through the fund. A governmental unit's governing body would have to authorize any agreements with the Secretary.

The bill would be effective upon publication in the *Kansas Register*.

Conference Committee Action

The Conference Committee agreed to place the contents of SB 302 dealing with the Intermodal Transportation Revolving Fund into HB 2131.

Background

The amended contents of HB 2131 are included in the Conference Committee Report for HB 2134. The original HB 2131 would have amended the definition of "disabled veteran" for eligibility for receiving a distinctive license plate, from 100 percent U.S. Department of Veterans Affairs-determined disability to 50 percent disability; the Senate Committee on Transportation had added to that a provision to allow a specific combination of letters and numbers to be used on a distinctive license plate only once in the state, rather than once in each county.

At the hearing before the Senate Committee on Transportation, the provisions of SB 302 were supported by representatives from the Department of Transportation, the BNSF Railroad, and the Johnson County Board of County Commissioners. The bill was opposed by W. Paul Degener, Topeka. Except for one technical correction, the bill is identical to 2008 SB 693, which passed the Senate. Its provisions also were included in 2008 HB 2412, which dealt primarily with energy production and energy efficiency. That bill was vetoed, and the veto was sustained.

The fiscal note provided by the Division the of Budget indicates the Department of Transportation would issue

approximately \$30.0 million to \$40.0 million in bonds to be drawn within five to ten years. Assuming the qualified borrowers are able to meet their loan repayment schedules, there would be no net effect on state revenues. KDOT also reported that any additional administrative expenditures associated with implementation of HB 2131 would be negligible and could be handled within existing resources. According to the fiscal note, the agency stated that expenditure authority from the Fund would be required to be established within subsequent legislation.

intermodal transportation revolving fund