

Testimony of Paul Finney

House Transportation Committee

February 20, 2013

Mr. Chairman, members of the committee, thank you for the opportunity to speak today.

I am Paul Finney of Humboldt, where I have been involved in the historic preservation and attempted rejuvenation of our downtown.

I am here as a supporter of outdoor advertising on highways near by-passed small towns.

Let me set the stage for this discussion.

In the hay days of our small towns such as Humboldt, when highway 169 went through the center of town, we had a vibrant business district that included 13 gas stations and 17 churches. All passenger and freight traffic came through town on the highway or the Sante Fe Railroad. One could buy most of his needs downtown. People passing through patronized our stores and restaurants, bought gas and tires at our service stations, kept our motel, and hotels busy.

Today our downtown is economically devastated. In the early 80s, KDOT re-routed US 169 around Humboldt and the damage was instant. This scenario has played out in small towns across the state, as many of you so painfully know. People today never see these little towns, just a sign at the exits, a story that the movie "Cars" told so well. In the travelers' mind, these towns might as well be ghost towns, and indeed many are headed in that direction.

But it is worse than just being by-passed. Lady Bird's anti-billboard law of the 1960s compounded the damage. In the name of scenic beauty, Congress passed the law championing her cause without anyone's mentioning that she was restricting a major advertising medium that competed with her TV stations. The newspapers that ran puff pieces lionizing Lady Bird for protecting the natural beauty did not point out that it would as well outlaw part of their own advertising competition.

This billboard control law has a very different effect around small towns than on the approaches to cities. There is ample commercial activity lining the freeways leading into our cities so that there are no issues of "spot" zoning. Drivers can see the stores and billboards that dot the landscape advertising all manner of businesses. But the approaches to small towns are in agricultural areas where

House Transportation
Date: 2-20-13
Attachment # 2

there is little commercial activity. Therefore one gets into issues of spot zoning.

Senate Bill 253 passed in 2006 codified restrictions about spot zoning while simultaneously grandfathering multitudes of billboards erected in cow pastures with no business in sight or even within miles.

Neighboring states such as Missouri and Illinois have many billboards in agricultural areas advertising businesses in small towns. Kansas has done too good a job of restricting rural billboards, to the detriment of our small town businesses.

Our small towns have produced our most famous Kansans including Alf Landon, Dwight Eisenhower, Bob Dole, Walter Johnson (who was from Humboldt), William Inge, and Amelia Earhart, Walter Chrysler, and Martin Johnson (who was from Chanute). Most of our presidents have come from small towns.

I believe there is a reason that small towns have produced the overwhelming majority of our presidents. The social fabric of small towns is woven tighter and is more durable than in cities and suburbs. In small towns you know almost everyone and if you don't they know you.

Small towns do not have the social and economic stratification of cities and suburbs. The rich kid plays with the poor kid and the minority kid and they all soon learn there is really no difference. This, I believe, develops the "common touch" in our leaders who emerge from small towns. And that is why so many have ended up being President.

But, without flourishing stores and services, our small towns become much less attractive places to live. The truth is that people will not build new homes in towns with out viable business districts. Unless we correct this problem, these towns will go into further decline, as the existing homes go through the inevitable process of deterioration. As this process takes its toll, the greatest incubators of our political leaders will cease to function.

To repeat, the by-passing of our small towns in Kansas in combination with the unintended consequences of Lady Bird's Law, caused the collapse of the downtown commercial areas. In 1998-99, I invested a lot of money restoring the Bailey Hotel in Humboldt, only to see it fail. I began this effort to get billboards back then and am this is a continuation of that effort. Outdoor advertising on the highways would help more than anything to bring our small town business districts back to life.

Historic preservation is one avenue to save the buildings in our small towns. But without flourishing commerce, there will be no use for these buildings.

Government having helped create the demise of small town business districts by

by-passing the towns and regulating signage nearly out of existence, now offers some grants to restore the buildings it helped empty. This is a classic case of how government legislates to correct a problem it created with previous legislation.

It would be simpler to allow small town businesses to advertise on the highways that now by pass them. A bill that would grandfather all commercial zoning in existence before the passage of SB 253 in 2006 will help a great deal. It will produce one bill board project that will benefit the businesses of Iola, Humboldt, and Chanute.

Such legislation will provide a pilot test that could be studied for its beneficial effects in raising the level of retail activity in the towns mentioned. We urgently ask for your help with legislative relief by enacting HB 2310. Thank you.