

Approved: February 21, 2012

(Date)

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairperson Dwayne Umbarger at 8:35 a.m. on Wednesday, February 8, 2012, in Room 152-S of the Capitol.

All members were present except:

Anthony Hensley - excused

Committee staff present:

Daniel Yoza, Office of the Revisor of Statutes

Jill Shelley, Kansas Legislative Research Department

Jane Wentz, Committee Assistant

Conferees appearing before the Committee:

Representative Sharon Schwartz, District 106, proponent

Senator Mark Taddiken, District 21, proponent

Frank Benteman, World War II veteran, proponent

Others in attendance:

See attached list.

The Chairperson recognized Senator Marshall and then Senator Schmidt. Senator Marshall introduced Heather Chaney of Erie, Kansas, and Zane Phelps of Osawatimie, Kansas. Senator Schmidt introduced Eliza Rezae of Saint Mary's, Kansas, and Madison Sawyer of Topeka, Kansas. These gifted young people are shadowing legislators to gain an understanding of the legislative process.

Hearing on:

HB 2273--Designating a portion of K-99 as the Frankfort Boys World War II highway

The Chairperson opened the hearing on **HB 2273--Designating a portion of K-99 as the Frankfort Boys World War II highway**. Senator Mark Taddiken ([Attachment 1](#)) and Representative Sharon Schwartz spoke in support of the bill. Representative Schwartz provided the Committee with a brief summary on the origin of the bill ([Attachment 2](#) and [Attachment 3](#)). The Chairperson then acknowledged Frank Benteman, a World War II veteran. Mr. Benteman stated he is very passionate regarding this subject and has spent

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considerable time researching the Frankfort Boys' story. Mr. Benteman shared memories and artifacts with the Committee and then urged them to pass this bill. The Chairperson asked if anyone else wished to speak on this bill and, hearing no requests, declared the hearing closed. *A motion was made by Senator Petersen to recommend HB 2273 favorably for passage. Senator Marshall seconded the motion and the motion carried on a voice vote.* The Chairperson requested Senator Taddiken and Representative Schwartz work together in drafting a resolution to honor Mr. Benteman.

Presentation:

Update on passenger rail funding

The Chairperson recognized Mark Corrison, Secretary, Northern Flyer Alliance. Mr. Corrison provided a brief background on the Burlington Northern Santa Fe railway corridor between Kansas City, Missouri and Fort Worth, Texas (Attachment 4). Mr. Corrison stated that three planning studies have been completed over the past five years and now a grant opportunity is available. The United States Department of Transportation (USDOT) announced guidelines for federal funding available under the 2012 Transportation Investment Generating Economic Recovery (TIGER) grant program; however, pre-application begins on Monday, February 13, 2012, and ends one-week later on February 20, 2012. Mr. Corrison stated final applications must be completed by March 19, 2012. It was noted that TIGER IV monies available this year total \$100 million and the window of opportunity is approximately four weeks. Mr. Corrison expressed concern that this opportunity should not be passed up, as a year of development would be lost. The Service Development Plan was calculated nearly two years ago and is a static estimate prediction without consideration of improvements or developments. The funding estimate included a 30 percent allowance for cost overruns. Mr. Corrison suggested a TIGER IV grant partnership between the Kansas Department of Transportation (KDOT), the Oklahoma Department of Transportation, and Burlington Northern Santa Fe Railway Company; thus improving the odds of obtaining grant funding for passenger rail development. Award selection criteria looks at values versus specific virtues of a project. He stated with a 50 percent federal match, Kansas's portion would be \$9.5 million paid over a two-year period or \$4.75 million a year. Mr. Corrison provided the Committee members with answers to questions legislators had previously asked (Attachment 5).

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The Committee received written comments in support of application for a TIGER grant from William Vickery of Wichita (Attachment 6).

The Chairperson requested Lindsey Douglas, Chief of Governmental Affairs, KDOT, address the Committee concerning funding of passenger rail. Ms. Douglas indicated that KDOT was in the process of contacting Oklahoma and Texas transportation officials in order to collaborate in a joint effort to obtain available TIGER grant money. Ms. Douglas stated a new source of funding would need to be identified or perhaps monies from the T-Works program could be redirected in fiscal year 2014. The Committee inquired as to the amount of money that had been ear marked for transit and rail in the T-Works bill. (Staff later informed the Committee that T-Works increases the amount for public transportation from \$6 million a year to \$11 million a year, beginning July 1, 2013 [Section 29, KSA 75-5035(b)]; and T-Works directs that \$5 million is to be transferred July 1, 2013, and each July 1 thereafter from the State Highway Fund to the Rail Service Improvement Fund. [Section 30, KSA 75-5048(f) and (g)]. The amount transferred each year from 1999 to 2009 was \$3 million a year. T-Works amendments also authorize the Secretary of Transportation to transfer monies from the State Highway Fund to the Rail Service Improvement Fund and vice versa. The Rail Service Improvement Fund may be used for loans or grants.)

Senator Donovan commented since Kansas City and Fort Worth would be the bigger benefactors of this passenger railway corridor, then these two municipalities should subsidize a larger portion.

The meeting was adjourned at 9:29 a.m. The next meeting is scheduled for February 9, 2012.