

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Les Donovan at 8:30 A.M. on March 21, 2006 in Room 527-S of the Capitol.

All members were present except:

Peggy Palmer- excused
Anthony Hensley- excused

Committee staff present:

Bruce Kinzie, Revisors of Statutes
Maggie Breen, Committee Secretary

Conferees appearing before the committee:

Marcy Ralston, Chief, Driver Control Board
Larry Baer, League of Kansas Municipalities
Ward Cook, Support Our Troops

Others attending:

See attached list.

Chairman Donovan opened the hearing on Sub for H 2513 - Traffic violations, court notifying the division electronically.

Marcy Ralston, Chief, Driver Control Board, testified that for quite some time the Division of Motor Vehicles has offered the district and municipal courts the option to submit convictions in an electronic format. A few years ago the Office of Judicial Administration (OJA) brought on-line 103 county courts. While appreciated, this only represents about one-third of the total convictions received by the Division. The main drive behind the bill is the need to be in compliance with the federal Motor Carrier Safety Improvement Act by the end of 2008. It deals with the notification of convictions for commercial licensed drivers or for offenses committed in a commercial motor vehicle within 10 days from conviction date. Failure to do so will result in the loss of federal highway funds to the State. The Division knows it's scary for some of the courts and has offered to work with them in any way they can to help them submit the reports electronically. This includes the development of a web page application for their use. An amendment to the bill was requested that changes the effective date to July 1, 2007. The Division and the courts both need the extra time. (Attachment 1)

Senator Donovan asked what the current time requirement was for the notifications. Marcy said it is supposed to be 30 days from conviction date. Right now the majority of conviction notifications is by paper and it's running about 45 days.

Senator Journey noted that Johnson and Shawnee Counties were not using electronic notification. Marcy said these counties are using their own software programs and not using the OJA program. Shawnee County is now submitting electronically. Johnson County hasn't yet but they are planning to bring in their vendor in rather than use the OJA software.

Senator Wilson asked what would happen if we aren't in compliance by 2008. Marcy said we start losing a percentage of \$200 million interstate highway funds. The first year we're not in compliance, we lose 5%, and the second year it's 10%. Marcy added that with electronic submission they hope to enhance some services to the courts that they have requested, such as electronic certified driving records.

Larry Baer, League of Kansas Municipalities, many of the small courts have staffing or technological limitations. When the bill first came out, he visited with Carmen who assured him that they would be willing to work with the courts having difficulties. He just wants to voice his concerns to the committee. He thinks the extension of the effective date helps a lot. (Attachment 2)

Chairman Donovan said this is the last day the committee would meet and asked them what they wanted to do regarding the bill.

Senator Apple said that last year he came before the committee with a bill that would require strobe lights on

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school buses. It passed out of committee and the full Senate and it's been sitting in the House Transportation Committee. If it's alright with the committee, he'd like to amend it into the bill.

Chairman Donovan asked Bruce Kinzie if there would be a problem with the two subjects fitting together. Bruce said no. Chairman Donovan asked Senator Apple to explain the bill further.

Senator Apple said there's a problem with current law in that white strobe lights are not allowed. They aren't disallowed, it's just that when the school buses install white strobe lights they really aren't following Kansas law. The bill is to clean up the laws and also to provide some protection to students that may be traveling in adverse weather. The white strobe light stands out and people know it's a school bus. They're not required to retrofit existing school buses but, after a certain date, new school buses will be required to have them. After so many years they will be required on all buses. They aren't required to run them but can if they so desire.

Senator Apple made a motion to amend **Sub for HB 2513** with the new effective date of July 1, 2007 requested by Marcy Ralston and to amend the strobe light bill, with proper adjustments to the dates within it, into the bill. Senator Journey seconded the motion. The motion carried.

Senator Apple made a motion to move **Sub for HB 2513** out favorably as amended. Senator Peterson seconded the motion. The motion carried.

Chairman Donovan closed the hearing on **Sub for HB 2513** and opened the hearing on:

HB 2746 - Support our troops license plate.

Ward Cook, Support Our Troops, said his organization was formed nationally to be an umbrella group to create more funds for families of troops that has had a loved one die or become severely injured in combat post 9-11. The idea is to try to add as much money in existing funds that these families apply to as possible. They want to try to eliminate any type of overhead. That's why most of their stuff is done either over the internet or by grass roots volunteers. They have a local chapter, Kansas Support Out Troops, that will issue the receipts for the special license plates. The receipts will then be taken to the local division of vehicles to receive their plates. A \$40 initial fee was amended into the bill and the fee is \$35. The basic premise is to have a license plate that can be displayed across Kansas that says we are supporting our troops and we support the families that allow their loved ones to go overseas and fight and sacrifice on our behalf. (Attachment 3)

Senator Wilson asked if Support Our Troops is a national organization. Ward said it was a national organization, formed just this year, that's intention is to look like the USO or the Red Cross but without the overhead. They want to work more efficiently as a go between so more money gets to the troops families. Senator Wilson asked if the group sold things other than license plates. Ward said they sell bumper stickers, pins, magnets, and T-Shirts on the internet. That money goes into a national fund and is distributed to all of the organizations listed on page 3 and 4 of the handout. An example is: Pt. Joe Smith dies in combat and his widow can't afford to send his son to college. So that the funds are there when the son applies for college tuition to one of the organizations, if he's a Kansas resident, the money from this license plate will be designated for him. Senator Wilson said he is concerned that we need to make sure that the money gets back to our state when outside groups are selling things here. He asked how much money has come back to Kansas from other product that have been sold. Ward said he didn't know. Ward said the license plate money will be tagged as Kansas money, where it gets tricky is when Pt. Joe Smith's family is from Kansas and they're stationed in Fort Benning. Senator Wilson questioned if there was enough protection in the bill that says this money will come back to us and stay in Kansas and support our Kansas veterans and their families. Ward said he had spoke to Senator Palmer yesterday about oversight and a yearly report showing where the money was going. He said they have no problem doing that even voluntarily. They are a 501 (c) (3) and registered with the Secretary of State's office so their records are public information. Senator Wilson said he has concerns as the organization has no track record of sending them back anything on the other products, what assurance is there in the bill that the money will come back to the families in need in the state. Ward said it was a valid concern as would be the question of what if more money was raised in Kansas than was needed by Kansas families. For example, if \$80,000 was requested by Kansas families and \$100,000

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was raised. Well, rather than going to waste, that money would maybe go to families in Fort Benning that are from Kansas.

Senator Wilson asked Bruce is there was any protection in the bill that mandates that the money is accounted for. Bruce said the only thing it says is the money that's collected is distributed according to their (Support Our Troops) bylaws.

Ward added that with the \$35 you become a member of Support Our Troops and as a member can request a list of where the funds are going.

Senator Wilson asked Carmen if she had any insight to the bill. Carmen said they asked for a couple of things on the House side. That they pay the personalized plate fee of \$40 and defer the start up date. Support Our Troops requested the word Inc be added to their name. All three amendments were added.

Senator Apple said due to unfamiliarity with the group, he thinks they should have at least a financial statement to know how the money is being spent. He's really concerned about putting a private group into law. He questioned where it would stop. He really supports our troops but is really concerned about going down this road. He said he personally would like more information before the committee went forward with the bill.

Bruce Kinzie said that this is obviously a new organization but the Shriners are very similar to them. They operate nationally and have temples located in Kansas. It's just that Shriners have a longer track record. And Ag in the Classroom is a like organization as well.

Chairman Donovan asked Bruce who would have oversight in the state that would assure that these funds go into the bank and at least 80% comes back to the state. Who's going to track how many people have asked and received, how many have asked and not received, how many have asked and the fund is now dry? Ward said the 80% is separate from the license plates. The 80% would be total funds throughout the country. The money that is collected from the plate will go to Kansas Support Our Troops. Kansas Support Our Troops will then say, we have four families that need \$100,000. They will send them to the national organizations to fund the requests. Pt. Joe Smith applies to the Survivors and Dependents Assistance Program administered by the VA. Kansas Support Our Troops would give the money to the organization and say this money is for Pt. Joe Smith's family's request. The local chapter collects the initial money and submits it to the program. Chairman Donovan questioned what would happen when the program starts off and is two months old and 500 plates have been sold but the requests for money start coming in long before you have much funding in the program. What do they do, wait? Ward said he imagines at that point it would be up to the disbursement board whether they want to keep the money for next years or send it to a Kansas family located in Fort Benning. Chairman Donovan asked how many states they have up and running with the license plates. Ward said none at this time, there are twelve states in which they are in the process of having it done. The idea is to have as many plates on the road as quickly as possible to help these family. The idea is to have plates in all 50 states.

Chairman Donovan said the people on the committee he has talked to regarding the bill have voice concern that the bill came so late in the session. They feel a little rushed. There are still a lot of questions.

Chairman Donovan asked the committee if anyone felt the need to make a motion on the bill. There were no motions.

The meeting adjourned at 9:26 a.m.

Minutes were sent around for corrections before considered approved on March 31st. No corrections were made.