

SESSION OF 2018

**SUPPLEMENTAL NOTE ON SUBSTITUTE FOR  
SENATE BILL NO. 285**

As Amended by Senate Committee of the Whole

**Brief\***

Sub. for SB 285 would establish the Joint Legislative Transportation Task Force (Task Force) to study Kansas' transportation system.

***Organization of Task Force***

The Task Force would be comprised of the following voting members:

- Two members of the House of Representatives, appointed by the Speaker of the House of Representatives, one of which shall be from the House Committee on Appropriations, and the Speaker shall appoint either member to serve as co-chairperson of the Task Force;
- One member of the House of Representatives, appointed by the Minority Leader of the House of Representatives;
- Two members of the Senate, appointed by the President of the Senate, one of which shall be from the Senate Committee on Ways and Means, and the President shall appoint either member to serve as co-chairperson of the Task Force;

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

- One member of the Senate, appointed by the Minority Leader of the Senate;
- Two county commissioners, appointed by the Kansas Association of Counties;
- Two city representatives, appointed by the Kansas League of Municipalities;
- Two members appointed by Economic Lifelines, representing urban and rural economic development;
- One member appointed by the Kansas Contractors Association;
- One member appointed by the Heavy Constructors Association;
- One member appointed by the Kansas Aggregate Producer's Association–Kansas Ready Mix Association;
- One member appointed by the Greater Kansas City Building and Construction Trades Council;
- One member appointed by the AFL-CIO;
- One member appointed by the American Council of Engineering Companies of Kansas;
- One member appointed by the Kansas Public Transit Association;
- One member from a class I railroad company appointed by Economic Lifelines;
- One member from a short line railroad company appointed by Economic Lifelines;

- One member appointed by the Kansas Motor Carriers Association;
- One member appointed by the Portland Cement Association;
- One member appointed by the Petroleum Marketers and Convenience Store Association of Kansas;
- One member appointed by the Kansas Asphalt Pavement Association;
- One member appointed by the International Association of Sheet Metal, Air, Rail and Transportation Workers;
- One member appointed by the Kansas Association of Airports;
- One member at large appointed by the Speaker of the House of Representatives;
- One member at large appointed by the President of the Senate; and
- One member at large appointed by the Governor.

The Task Force would also include the following non-voting members:

- Secretary of Transportation, or the Secretary's designee;
- Secretary of Commerce, or the Secretary's designee;
- Secretary of Agriculture, or the Secretary's designee; and

- Chief Executive Officer of the Kansas Turnpike Authority, or the Chief Executive Officer's designee.

Members of the Task Force would be appointed no later than 45 days from the effective date of this act (which is effective upon publication in the *Kansas Register*), would be residents of Kansas, and would consist of members from all four congressional districts in Kansas.

### ***Filing of Vacancies***

Any vacancy on the Task Force would be filled by appointment in the manner prescribed for the original appointment.

Any appointed member of Senate Ways and Means Committee and House Appropriations Committee, when necessary, may designate another member of their respective committee to be their designee.

### ***Meetings and Quorum***

The Task Force would be required to meet in an open meeting at least eight times, including at least one meeting in each of the six Kansas Department of Transportation districts, and at least two meetings in metropolitan district areas, upon the call of either co-chairpersons of the Task Force.

A majority of the voting members of the Task Force would constitute a quorum. Any action by the Task Force would be by motion adopted by a majority of voting members present when there is a quorum.

### ***Duties of the Task Force***

The Task Force would be required to study the current transportation system, future transportation system needs, and transportation funding and the funding's utilization. The

Task Force also would be required to consider projects for the economic benefit of the state, and make recommendations regarding the system, system's needs, and direction of the Kansas transportation system over the next ten years and beyond. The required topics would include, but not be limited to, the following:

- Evaluate the progress of the 2010 Transportation Works for Kansas program to date;
- Evaluate the current system condition of the state transportation system, including roads and bridges;
- Evaluate current uses of State Highway Fund dollars, including fund transfers for other purposes outside of infrastructure improvements;
- Evaluate current transportation funding in Kansas to determine whether it is sufficient to not only maintain the transportation system in its current state, but also to ensure that it serves the future transportation needs of Kansas residents;
- Identify additional necessary transportation projects, especially projects with a direct effect on the economic health of the State of Kansas and its residents;
- Make recommendations regarding the needs of the transportation system over the next ten years and beyond; and
- Make recommendations on the future structure of the State Highway Fund as it relates to maintaining the state infrastructure system.

***Data and Information Provided***

The Kansas Department of Transportation would be required, upon request by the Task Force, to provide data and

information relating to the transportation system in Kansas that is not otherwise prohibited or restricted from disclosure by state or federal law.

### ***Reports to the Legislature***

The bill would require the Task Force to make and submit reports to the Legislature concerning all such work and recommendations of the Task Force as prescribed by the bill. The bill would require all such reports be submitted to the Legislature on or before January 31, 2019.

### ***Support Services and Compensation***

Staff of the Office of Revisor of Statutes, the Kansas Legislative Research Department, and the Division of Legislative Administrative Services would be required to provide assistance as may be requested by the Task Force.

Legislative Task Force members would be paid as specified in KSA 75-3223(e).

### ***Sunset Date***

The Task Force would sunset on June 30, 2019.

### ***Effective Date***

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

### **Background**

The bill was introduced by the Senate Committee on Ways and Means at the request of Senator Skubal. In the Senate Committee on Ways and Means hearing, proponents of the bill included representatives of American Council of Engineering Companies; Economic Lifelines; Garden City;

Greater Kansas City Building and Construction Trades Council; Heavy Constructors Association of Greater Kansas City; Kansas Aggregate Producer's Association; Kansas Association of Counties; Kansas City Chamber; Kansas Contractors Association; Kansas Motor Carriers Association; Kansas Public Transit Association; Kansas Society of Professional Engineers; League of Kansas Municipalities; Sheet Metal, Air, Rail and Transportation Workers (SMART); and Union Pacific Railroad. Written-only proponent testimony was provided by Representative Murnan, and representatives of Ash Grove Cement Company, City of Lenexa Community Development; and Manhattan, Emporia, Topeka, and Lawrence Chamber of Commerce; Kansas AFL-CIO; Kansas Good Roads; and the Overland Park Chamber of Commerce.

No opponent or neutral testimony was provided.

The Senate Committee created a substitute bill by amending SB 285 to change the word "authority" to "association" for the name for the Kansas Public Transit Association. In the substitute bill, the Senate Committee also amended SB 285 to add authorizing language that any appointed member of the Senate Committee on Ways and Means and the House Committee on Appropriations may designate another member of their respective committee to be their designee, and to add the following six voting members:

- One member appointed by the Portland Cement Association;
- Increased the number of members appointed by the Economic Lifelines from one to two and added language specifying that these two members appointed will be "representing urban and rural economic development";
- One member appointed by the Petroleum Marketers and Convenience Store Association of Kansas;

- One member appointed by the Kansas Asphalt Pavement Association;
- One member appointed by the International Association of Sheet Metal, Air, Rail and Transportation Workers; and
- One member appointed by the Kansas Association of Airports.

The Senate Committee of the Whole amended the bill to add the Chief Executive Officer of the Kansas Turnpike Authority, or the Chief Executive Officer's designee as an ex-officio non-voting member of the Task Force, add language specifying legislative members shall receive compensation for attending Task Force meetings, and change the effective date to upon publication in the *Kansas Register*.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, Legislative Administrative Services (LAS) estimates enactment of the bill would result in expenditures of \$86,146 from the State General Fund for the Legislature's budget in FY 2019. LAS stated the estimate includes expenditures for legislator pay and travel costs (\$43,915); travel costs for non-legislator members of the Task Force (\$37,380); and pay and travel costs for a committee assistant (\$4,851). These estimates are based upon eight meeting days. The Kansas Department of Transportation, the Department of Commerce, and the Department of Agriculture estimate additional expenditures for agency attendance at Task Force meetings to be negligible. Any fiscal effect associated with the bill is not reflected in *The FY 2019 Governor's Budget Report*.