

ROADS AND HIGHWAYS COMMITTEE MEETING -- February 3, 1970

The Roads and Highways Committee met in room 529 at 2:45 P. M. on February 3, 1970. Chairman Dierdorff called the meeting to order and all members were present except Representative Lutz. The meeting was called for the purpose of hearing the proponents of House Bill 1747.

Attached is a guest list. All people attending did not sign the roster.

Chairman Dierdorff asked Representative Lady to explain House Bill 1747.

HOUSE BILL 1747 - AN ACT providing for the apportionment, distribution and expenditure of certain moneys for construction of roads and highways.....

Mr. Lady said that it is important to see how this is distributed at the present time. In explaining this he used the attached chart (#1) "Estimated Highway User Revenues and Distribution - Fiscal Year 1969 and Projected under House Bill 1142". He said he has heard a lot of criticism about the formula since he has been in the legislature and this bill would permit an alternative. See attached charts #2 "Estimated Distribution of Motor Fuel Tax: FY 1970 - As Proposed Under HB 1747" and "Procedures Used In Determining Miles And Vehicle Miles by County". He said a number of runs were made by the Research Department before coming up with this. The purposes of this plan are as follows: 1. It eliminates several funds. 2. They want the formula to be flexible; they have changed some fractions to percentages. 3. They have eliminated the

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1936 factors. They probably applied then very well but they need to be updated. 4. They wanted a plan that would stay current. 5. They endeavored to put the money in the areas where the roads are greatest.

Mr. Lady said they had discussions with the Highway Commission but because of time they did not have a chance to examine the bill before it was printed.

The attached amendments were proposed and explained by Mr. Lady. (See exhibit #3).

Mr. Ken Howard read the attached memorandum (exhibit #4) from Mr. John D. Montgomery. It is more or less a fiscal note regarding the effect House Bill 1747 would have relative to funds available to the State Highway Commission.

Mr. Borth from the Attorney General's office questioned the correctness in the title - whether there were two subjects in it.

Mr. Robert Alderson from the Revisor of Statute's office felt this was not the case.

Remarks of other conferees are as follows:

Charles F. Campbell, Street Commissioner, Topeka -- "I am appearing in favor of this. The city of Topeka will benefit from this. I appeal to the people of the committee to update this. Topeka would benefit by \$450,000 and this would improve the traffic arteries. I also appreciate the action of this committee in sending us additional tax money from last session."

Richard Hartley, Kansas Chamber of Commerce -- "The Kansas Chamber has advocated this for many years. I am here to urge the passage of this bill."

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Carl Durso, Mission Chamber of Commerce -- "I have been authorized to congratulate the proponents of this bill. We are favoring this bill and hope it will be passed."

Rex Price, County Commissioner, Johnson County -- "We have some 13 cities from 400 to 75 thousand population and we are cooperating with them in financing of streets. This bill will help to eventually reduce the property tax."

Nester E. Weigand, Jr., Wichita -- "We wish to complement the authors and endorse the bill heartily and wish to see the antiquated formula abolished."

Richard Walsh, Commissioner, Wyandotte County -- "I am here to support this bill."

Tom Robertson, Leavenworth -- "We feel this will, in the long run, benefit the property owner."

Ernie Mosher, League of Kansas Municipalities, Topeka -- "At a meeting last week we decided to support the principles of this bill."

Al Thelan, City Manager of Leavenworth -- "We support the bill and commend those responsible for it. We think the time has come when the cars and populated areas should have consideration."

Gordon Hurlburt -- I am not clear about one thing. Counties change and Leavenworth as a connecting link will be changing.

Lady -- "Leavenworth will increase and the factors we have used will be updated each year. As there are more cars and more miles of traffic Leavenworth will benefit."

Leavenworth Times Reporter -- I hear no one here favoring the current distribution which is unfair. We want fair treatment as of today - not the harm that has been done previously.

Chairman Dierdorff announced that the opponents would be heard in one week, February 10, 1970, and the meeting was adjourned.

Fran Stafford, Recording Secretary

APPROVED:

  
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ARDEN DIERDORFF, Chairman

February 5, 1970

# ROADS AND HIGHWAYS COMMITTEE MEETING

DATE: 2-3-70

## GUESTS

NAME	ADDRESS	FIRM OR CORPORATION REPRESENTED
Sam Ekerson	Leavenworth, Kan	LEAVENWORTH CITY-COUNTY TAXPAYERS ASSOCIATION
Bryan Whitehead	KE	Bro. of Rwy & Airline Clerts.
W. Donley	Leavenworth	Ch. Johnson
G. B. Hubert	Leavenworth	" "
Ray A. Miller		Leavenworth, mayor
Joe B. Bailey		Wichita Area Chamber of Commerce
Walter E. Weyand, Jr.		J. P. Weyand & Sons.
James O. Foster		Wichita Area Chamber of Commerce
KEITH E. HUBBARD		CITY ADMINISTRATOR - MISSION
Rex Price		C. COMMISSIONER JOHNSON
Hayd W. Sleezer		City Shawnee Chamber of Commerce
Gene C. Martin		MAYOR CITY of TOPEKA
Charles F. Carpenter		Street Comm. Topeka
Emilio P. Kerr		FINANCE COMM - TOPEKA
Jim R. Loe		Water Comm. Topeka

# ROADS AND HIGHWAYS COMMITTEE MEETING

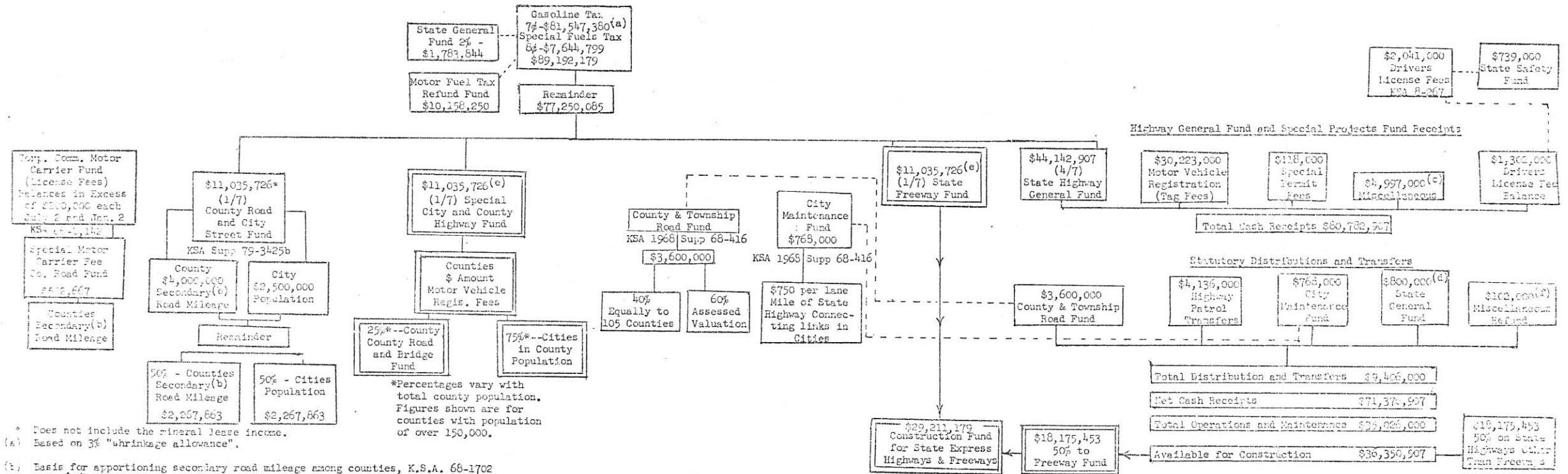
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## GUESTS

NAME	ADDRESS	FIRM OR CORPORATION REPRESENTED
John Wilber	Wichita, Kansas	City Attorney
George Pyle	Hutchinson	City Manager
Clarence Rupp	Manhattan	Kansas Farm Bureau
Wayne Nottingham	Bererton	Ks.
John Valdon	Sedgwick Co	
Irvin W. W. Jett	Clement	Ks.
Dale Lyon	Arthur Kains	Farmers Union
Edward Weilepp	Topeka	Kas Cont's Ass'n
Paul Flesher	Manhattan	Kansas Farm Bureau

# ESTIMATED HIGHWAY USER REVENUES AND DISTRIBUTION

FISCAL YEAR 1969 AND PROJECTED UNDER H.B. 1142



\* Does not include the mineral lease income.  
(a) Based on 3% "shrinkage allowance".

(b) Basis for apportioning secondary road mileage among counties, K.S.A. 68-1702

- 90% {
- 1/4 - Ratio of area of county to total area of state
  - 1/4 - Ratio of number of farms in county to total number in state (1935-1936)
  - 1/4 - Ratio of value of rural land taxable in county to rural land taxable in state (1935-1936)
  - 1/4 - Ratio of annual daily average vehicle miles of rural highway travel in county to total annual daily average vehicle miles of rural highway travel in state

6% To be used to provide road connections in county as necessary to complete system

Provided for under H.B. 1142.

(c) Includes \$2,798,000 from Corps of Engineers and Other Agencies for Construction.

(d) Ports of Entry; Purchasing; and Motor Vehicle Reciprocity Transfers.

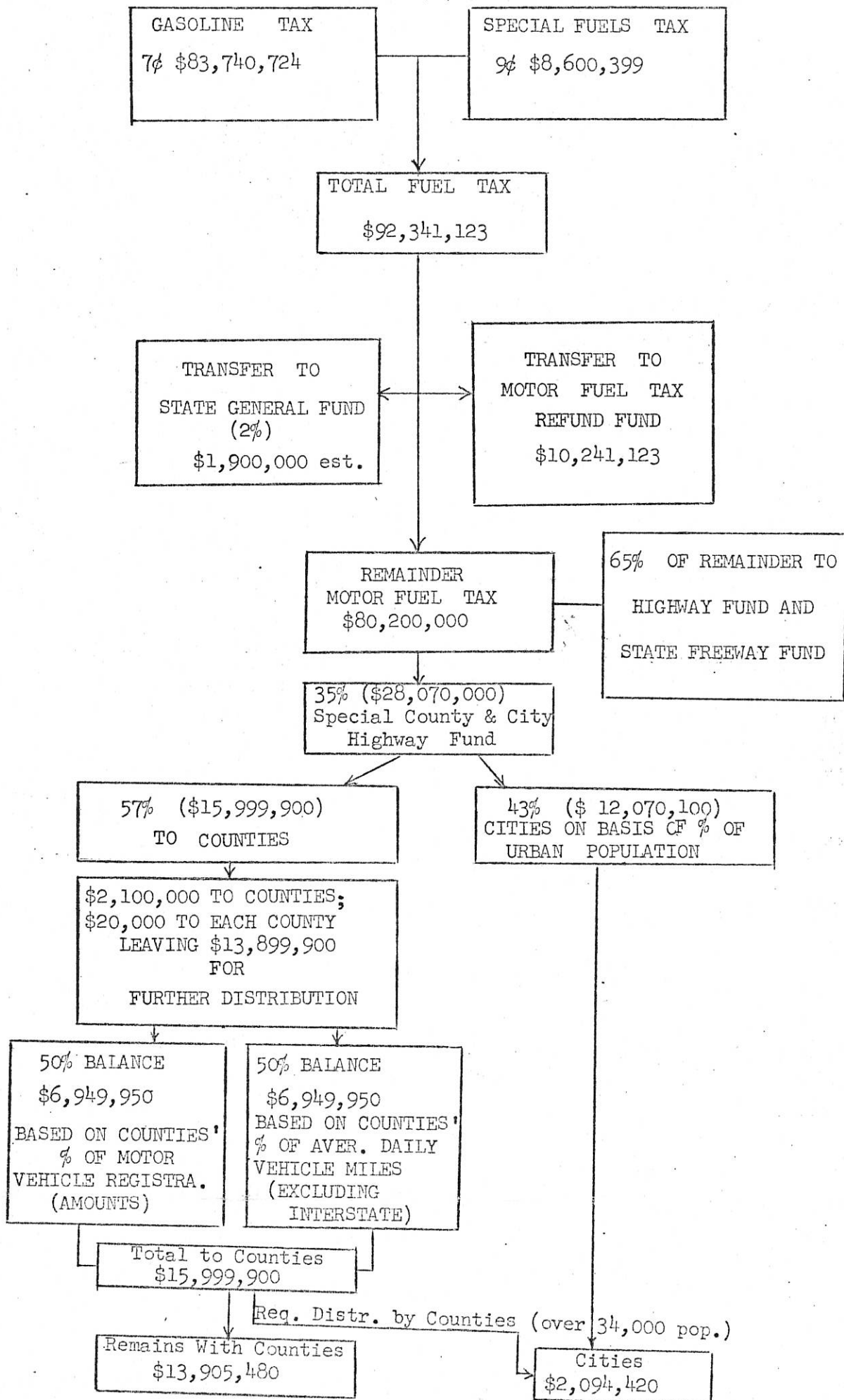
(e) Estimated

(f) Includes 45,000 for pickup coach refunds.



# ESTIMATED DISTRIBUTION OF MOTOR FUEL TAX: FY 1970

As Proposed Under H.B. 1747





PROCEDURES USED IN DETERMINING MILES AND  
VEHICLE-MILES BY COUNTY

The traffic volume information on the State highway system was taken from approximately 3300 count locations in the rural area and additional count locations on the State system in the urban areas (above 5,000 population). The 48-hour counts on the State system are adjusted for seasonal conditions and variations caused by the number of axles per vehicle. These adjustments are made from data available from continuous traffic counters located at various points throughout the State. With the Average Annual Daily Traffic established on given sections of highway, the length of each individual section (in miles) was multiplied by its respective traffic count to arrive at the vehicle-miles per section. The vehicle-miles by section were then totaled within a county to get the vehicle-miles on the State highway system by county.

The vehicle-miles for the county F.A.S. system were arrived at in a similar manner, except that 24-hour traffic counts on county F.A.S. roads are taken in only two Divisions a year. Approximately 3650 count locations were current counts, and approximately 5900 count locations had to be factored to the year 1968 using trends indicated on continuous traffic counters. Once the traffic counts were established on each section, the same procedure as used on the State system was followed.

The base information used for rural county local roads (Non-F.A.S.) came from the 1950 traffic survey of rural roads. This base information was expanded and factored to 1968 conditions to establish Average Annual Daily Traffic data by county on rural local roads. This data was then

multiplied times the number of miles of rural county local roads within each respective county. The city surveys for individual cities between 5,000 and 25,000 furnish traffic counts on all city streets by section. The section lengths (in miles) multiplied by the Average Annual Daily Traffic gave the vehicle-miles on each section which were totaled to give the vehicle-miles for each city. The cities above 25,000 had percentage sample counts which had to be expanded before being multiplied by the mileage to arrive at the total vehicle-miles for each respective city above 25,000. In each case, city counts which did not furnish current data were first factored to 1968 conditions. In cities under 5,000 population the street mileage and vehicle-miles were expanded from a sample of cities in various population groups. As the vehicle-miles were established for each city, the totals were added to their respective rural county totals.

The mileage and vehicle-mile totals by county computed in conjunction with the National Highway Functional Classification Study represent the most current data available, and it is estimated that the county vehicle-mile totals are within a  $\pm 10\%$  range. Relative to a comparison of two individual counties, the band of accuracy could reach a maximum deviation of 20 per cent.

Planning and Development Department  
State Highway Commission of Kansas  
December 5, 1969

2-3  
State Highway Commission of Kansas

January 30, 1970

MEMORANDUM TO: MR. JAMES W. BIBB  
BUDGET DIRECTOR  
DEPARTMENT OF ADMINISTRATION

Re: House Bill No. 1747

This bill apparently would effect substantial changes in the funds available to the State Highway Commission both as to total amount and as to division between the freeway system and the remainder of the state highway system.


Sections 1 and 2 make relatively minor changes by diverting to the state highway fund from the special county road and city street fund approximately \$75,000 from mineral leasing funds and perhaps \$350,000 from motor carrier license fee funds presently going to the special motor carrier fee county road fund.

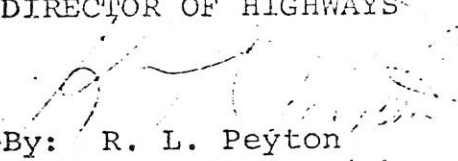
Section 3 directs a special formula for allocating federal aid for county secondary roads. While this corresponds to the administrative practice which has been followed by the Commission, the statutory formula may be too rigid to permit administrative shifting of federal aid to other counties or to the state secondary system in order to prevent loss of federal aid funds where a county to which such funds have been initially allocated does not provide county funds to match such federal aid.

Section 4(b) abolishes the allocation from the highway fund to the county and township road fund. This section in itself has no net effect on the Highway Commission's fiscal position in view of distribution required by subsequent sections but it does eliminate aid to the township roads.

With reference to Section 5(b) it is difficult to predict the fiscal effect of the proposed amendments since it apparently would have the effect of again revising the system of determining construction priorities. Under these circumstances the Commission is unable to predict any particular fiscal effects as a result of this proposed action, but, undoubtedly, it would have an effect of considerable magnitude since it purports to establish construction priorities on approximately 1200 miles of proposed freeways and expressways, which is, of course, a very long-range prediction to make.

Sections 6, 8 and 9 provide for a new ratio of distribution of fuel tax revenues between the state highway fund, the freeway fund and funds for counties and cities. These provisions have been analyzed by the Highway Director's Office and our Accounting and Legal Departments; and it is their conclusion that based on anticipated highway revenues and expenses for fiscal 1971 it appears that this formula would increase the amount available to the freeway fund by approximately \$4,600,000; would increase the amount available to counties and cities by approximately \$1,300,000 and would decrease the amount available to the state highway fund for projects other than those on the freeway system by approximately \$5,900,000. These estimated amounts refer to state sources only. It is quite possible that there would be a corresponding redistribution of federal aid funds; but accurate projections in this regard can not be made without a detailed analysis of federal fund categories and sums expected to be available from the federal aid for projects in those categories.

  
JOHN D. MONTGOMERY  
DIRECTOR OF HIGHWAYS

  
By: R. L. Peyton  
Assistant State Highway Director

cc: Mr. John H. Morse  
Mr. R. D. Plummer

Your committee on Roads and Highways

"AN ACT providing for the apportionment, distribution and expenditure of certain moneys for construction of roads and highways; amending K. S. A. 27-118, 66-1,142, 68-402b, 79-3425, 79-3425c, 79-3487 and 79-34,104 and K. S. A. 1969 Supp. 69-416 and 68-2301, and repealing the existing sections; also repealing K. S. A. 79-3425b."

Be amended:

On page 4, in line 19, by inserting after the period a new sentence to read as follows: "If any county does not provide matching funds for federal aid allocated to such county, then the state highway commission may allocate such federal-aid funds to other counties or to the state secondary road system, and the commission is hereby authorized to accumulate any federal-aid moneys allocated to any or all counties over such period of time as the commission deems necessary.";

On page 7, by striking all of line 31;

On page 8, by striking all of lines 1 to 31, inclusive;

On page 9, by striking all of lines 1 to 31, inclusive;

On page 10, by striking all of lines 1 to 31, inclusive;

On page 11, by striking all of lines 1 to 31, inclusive;

On page 12, by striking all of lines 1, 2 and 3, in line 13, by striking "twenty-seven percent (27%)" and inserting in lieu thereof "fifty-one percent (51%)"; in line 17, by striking "thirty-eight percent (38%)" and inserting in lieu thereof "fourteen percent (14%");

On page 14, in line 29, by inserting "(b)" after "subsection";

On page 15, following line 2, by inserting a new paragraph to read as follows:

"In counties which have not adopted the county-unit road system, the amount of money retained by such counties after distribution to the cities within such county pursuant to such subsection (b) shall be distributed to each township within such county in the proportion that the amount of money received by each such township from the county and township road fund during calendar year 1970 bears to the amount

of money received by such county from the county and township road fund during calendar year 1970. All payments to townships hereunder shall be made to the treasurers thereof, and all moneys so received shall be deposited in the general road fund of such township.";

Also, on page 15, in line 29, by striking "twenty-seven percent (27%)" and inserting in lieu thereof "fifty-one percent (51%)";

On page 16, in line 3, by striking "thirty-eight percent (38%)" and inserting in lieu thereof "fourteen percent (14%)"; in line 19, by striking "twenty-seven percent (27%)" and inserting in lieu thereof "fifty-one percent (51%)"; in line 20, by striking "thirty-eight percent (38%)" and inserting in lieu thereof "fourteen percent (14%)"; in line 23, by inserting before the period the following: ", to be apportioned in the manner provided by K. S. A. 79-3425c, as amended"; in line 24, by inserting "68-424," before "79-3425"; in line 25, by striking "and" where it appears as the last word in the line; in line 26, by striking "68-2301";

And by renumbering sections 6 to 11, inclusive, as sections 5 to 10, respectively;

In the title, in line 4, by striking "69-416 and 68-" and inserting in lieu thereof "68-416"; by striking "2301"; also in line 5, in line 5, by inserting "68-424 and" after "K. S. A.";

And the bill be passed as amended.

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Chairman.