

HOUSE TRANSPORTATION COMMITTEE

Written testimony in opposition to

HB 2234-An Act concerning the Kansas Turnpike Authority

February 13, 2013

My name is Jon Callen and I reside in Wichita, Kansas. I am providing written testimony as a concerned citizen of the state of Kansas before the 2013 Committee on Transportation regarding H.B. 2234.

I have previously corresponded with members of the House Transportation Committee by email, in which I stated my general opposition to the merger of the Kansas Turnpike Authority (KTA) with the Kansas Department of Transportation (KDOT). I stated that there could be no real savings to the merger as the Kansas Turnpike operates as a self funded authority that receives no funding from the state of Kansas. As a result, the real purpose of the proposal appears to be to assume control over the funds of the turnpike to divert them for other purposes. My original view has only been reinforced after reading H.B. 2234 that will be heard before the committee.

For starters, H.B. 2234 would repeal the entire legislation that authorizes the turnpike authority, the bonding requirements and protection of the bondholders, among a myriad of actions in current legislation that clearly define the role and function of the KTA. The several sections of the law being repealed would be replaced by one sentence in the new law, K.S.A. 68-2021(b), that reads "*The integrity*

*of the bonded shall be maintained through the actions of the authority.”* The authority will have no legal structure in place to maintain the integrity of the bonded when you erase the laws that provide for such protection.

There is already legislation in place for the KDOT to take control of the KTA. It is found in K.S.A. 68-20,108, which HB 2234 would also conveniently repeal. This section provides that when the bonds are paid off, or when money has been set aside in trust for the payment of the indebtedness, KDOT can take over the duties of the KTA. By repealing K.S.A. 68-2030 through 68-20,119, bondholders are no longer guaranteed the good faith and promise of the state of Kansas.

In conclusion, usually when the legislature is asked to enact a bill of this magnitude, it is to solve a problem that has arisen through scandal or poor management. The Kansas Turnpike is not involved in scandal and is not poorly managed. On the contrary, the turnpike is one of the model authorities of governance we have in our state. Repeal of the current legislation is an invitation to scandal and corruption and mismanagement in the future.

I urge you to ‘not fix what isn’t broken’ and to let HB 2234 die a quiet death.