

## MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairperson Mike Petersen at 8:30 am on Wednesday, February 18, 2015, 546-S of the Capitol.

All members were present except:

Senator Anthony Hensley – Excused

Committee staff present:

Jill Shelley, Legislative Research Department

Whitney Howard, Legislative Research Department

Adam Siebers, Office of Revisor of Statutes

Carolyn Long, Kansas Legislative Committee Assistant

Scott Wells, Office of Revisor of Statutes

Conferees appearing before the Committee:

Senator Kay Wolf

Eric Nichol, Chief Signing Officer, Kansas Department of Transportation

Senator Tom Holland

Jeff Messick, Perry Yacht Club

Chris Tymeson, Chief Legal Counsel, Kansas Department of Wildlife, Parks, and Tourism

Others in attendance:

[See Attached List](#)

### **Hearing on: SB127 — Requiring payment prior to installation of commemorative road naming signs.**

Chairman Petersen opened the hearing on **SB 127** and called on Adam Siebers, Assistant Revisor, to explain the bill. Mr. Siebers responded that this bill would require that on and after July 1, 2015, the Secretary of Transportation could not place any signs commemoratively designating any highway, bridge, interchange, or trail until the Kansas Department of Transportation (KDOT) has received sufficient funds from gifts and donations to cover the cost of placing the signs and an additional 50 percent of the initial cost to defray future maintenance.

Senator Kay Wolf said that the proposed legislation was always an understood policy but not one that was actually put in statute. Her purpose in presenting this bill is to provide a defined statute that addresses the procedure for payment of commemoration signage ([Attachment 1](#)).

Jill Shelley, Legislative Research, presented information outlining the Memorial/Commemorative Highway Signs, Payments Toward those Signs, which had been requested by Senator Wolf. Mrs. Shelley noted there have been a total of 99 commemorative sign statutes and of that total 14 required no payment, 54 required payment for signs and maintenance; 21 required no payment, however the Secretary may accept gifts; 8 required payment for signs but not maintenance, and 2 required cities reimburse for the signs. Of the 50 designations added to the statute since 2004, for 35 KDOT has received funding ([Attachment 2](#)).

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Eric Nichol, State Signing Engineer, (KDOT), explained this bill would provide a consistent policy for funding signage on highways and bridges designated by the Kansas Legislature. As early as 1961, KDOT accepted private funding to offset the cost of the sign and installation; however, the practice was inconsistent and oftentimes KDOT absorbed the entire cost. In 1982, KDOT felt the number of sign requests was becoming excessive and felt the requestor, rather than the taxpayer, should pay for the signage. By 2004, KDOT was utilizing taxpayer funds to replace or repair existing memorial signs. At that time, KDOT requested additional funding in the amount of 50% be added to the initial sign and installation cost. Since then, when bills are introduced without funding, KDOT typically will ask for an amendment to provide for consistency in funding for these memorial signs ([Attachment 3](#)).

There being no further discussion, the hearing on **SB 127** was closed.

### **Hearing on: SB190 — Allowing persons to operate sailboat after completing instruction led class.**

The Chairperson opened the hearing on **SB 190** and called on Adam Siebers, Assistant Revisor, for an explanation of the bill. The proposed legislation would amend existing law and would exempt individuals operating a sailboat less than 20 feet long who had successfully completed an instructor-led approved boater safety, instructor-led, sailing class from a requirement to complete an boater safety education course.

Senator Tom Holland said the purpose of this bill would be to promote boating safety by making training classes for sailboats more accessible to those under 21 years of age who had not completed an approved boater safety training course ([Attachment 4](#)).

Jeff Messick, Perry Yacht Club, noted that the current Kansas Boater Certification Course, which could be completed on-line or in a classroom, primarily focuses on motorboat-related issues and not issues associated with a small sailboat under 20-feet. Kansas law requires those under 21 to learn to sail only when accompanied by an adult on their vessel; however, most instructional vessels are only designed to carry one individual, e.g. Sunfish or Optimists. These instructional vessels are closely followed, during instruction, by qualified instructors in "coach boats" to ensure student safety. He believes that professional sailing courses are more comprehensive and relevant and those who complete an approved course would be well prepared to sail alone ([Attachment 5](#)).

Providing neutral testimony, Christopher Tymeson, Chief Legal Counsel for the Kansas Department of Wildlife, Parks and Tourism (KDWPT), noted current law states that anyone born on or after January 1, 1989 must possess a certificate of completion of a boating safety course authorized by the Department to operate a motorboat or sailboat on Kansas public waters. Anyone over 21 is exempt. The legal age for operation of a vessel in Kansas is 12. The KDWPT is concerned with subparagraph 4(B), lines 24 and 25. Currently the Department sets boater education standards. The bill would allow any instructor-led course, without meeting standards, to suffice for boater education. Subparagraph 4(A), lines 22-14, does allow up to 20-foot sailboats in the class, which is fairly large. He brought to the attention of the Committee that the KDWPT has proposed mandatory boater education to be phased in, the same as

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hunter education and furharvester education, in **HB 2117** this session ([Attachment 6](#)).

Following a brief period of questions, the Chairperson closed the hearing on **SB 190**.

**Possible action on bills previously heard**

No bills received final action.

There being no further business, the meeting was adjourned at 9:15 a.m.

The next scheduled meeting is Thursday, February 19, 2015.