

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairperson Mike Petersen at 8:30 am on Friday, February 20, 2015, 546-S of the Capitol.

All members were present

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:

Pat Hubbell, Kansas Railroads

Others in attendance:

[See Attached List](#)

Hearing continuation on: SB164 — Requiring two employees for train operation.

Chairperson Petersen continued the Hearing on **SB 164** asking for any in opposition to the bill.

Pat Hubbell, representing Kansas Railroads, noted that in Kansas, management and local labor unions have, on several occasions, entered into collective bargaining agreements that include crew size. Legislation on the state level that would alter terms of these collective bargaining agreements would, in his opinion, threaten the integrity of ratified local labor agreements and compromise future cooperation and negotiations concerning this issue. A Kansas state law mandating crew size would interfere with the ability of railroads and unions to bargain the best and safest crew size for each assignment. Technology, operating practices, and improvements to equipment and track have led to improved safety, even with corresponding crew size reductions from five to two persons. One technology advancement is Positive Train Control (PTC) which is designed to automatically stop a train before accidents caused by human error can occur. Rail employee injury, train accidents and grade crossing collision rates have all declined by 79 percent or more and hazardous material accidents are down 91 percent. The Federal Railroad Administration, through its Railroad Safety Advisory Committee, works with stakeholders to ensure the freight rail industry continues seeking solutions to ensure safe and efficient operations ([Attachment 1](#)).

Mr. Hubbell also drew the Committee's attention to the *2015 Outlook* published by the Association of American Railroads ([Attachment 2](#)).

Written testimony, also in opposition to **SB 164**, was presented by Ed McKechnie, Chief Commercial Officer, Watco Companies, LLC ([Attachment 3](#)), and Jeffrey N. Davis, Executive Director, Burlington-Northern Santa Fe Railway ([Attachment 4](#)).

CONTINUATION SHEET

MINUTES of the Committee on Transportation at 8:30 am on Friday, February 20, 2015, 546-S of the Capitol.

Following a question and answer period with questions answered by Mr. Hubbell and Ty E. Dragoo, representing the International Association of Sheet Metal, Air, Rail, and Transportation Workers (SMART), the Chairperson closed the hearing on **SB 164**.

Final action on bills previously heard

Final Action on SB 190--Allowing persons to operate sailboat after completing instruction led class. Following a brief explanation of the bill by Adam Siebert, Assistant Revisor, Senator Schmidt proposed an amendment removing subparagraph (a)(4) (B). *Motion by Senator Schmidt, seconded by Senator Pettey to amend the bill. Motion carried.*

Senator Petersen proposed an amendment to change the definition of a sailboat to one that does not have a motor and has an overall length of no longer than 16 feet, 7 inches. *Motion by Senator Petersen, seconded by Senator Fitzgerald to adopt the amendment. Motion carried. Moved by Senator Schmidt, seconded by Senator Wolf, to move SB 190, as amended, out favorably for passage. Motion carried.*

Final Action on SB 150--Allowing corporate officers to appear before the corporation commission for certain fines. An amendment had been requested by the proponents to remove "officer" and insert "a duly authorized representative" on line 24. *Moved by Senator Donovan, seconded by Senator Petersen to adopt the amendment. Motion carried. Moved by Senator Donovan, seconded by Senator King, to move SB 150, as amended, out favorably for passage. Motion carried.*

Final Action on SB 127--Requiring payment prior to installation of commemorative road naming signs. Senator King proposed an amendment to split the 150% cost so sponsors would need to pay 75% of installation and maintenance costs for signs commemorating veterans killed in active duty. *Moved by Senator King, seconded by Senator Wolf to move the amendment;* however she questioned whether this would be retroactive. Senator Donovan wondered about an explanation to families who previously raised the entire 150% and expressed his opinion that the bill was clean and should be kept as presented. Senator LaTurner felt it was a small price to pay and supported the amendment. Senator Fitzgerald and Senator Hensley supported Senator Donovan to keep the bill as presented. *Motion failed.*

It was moved to insert SB 5, as amended, and SB 68, as amended, into SB 127 by Senator Fitzgerald, seconded by Senator Donovan. Motion carried. Moved by Senator Donovan, seconded by Senator Fitzgerald, to move SB 127, as amended, out favorably for passage. Motion carried.

There being no further Committee business, the meeting was adjourned at 9:53 a.m.

The next meeting is scheduled for Tuesday, February 24, 2015.