

Approved September 19, 1988
Date

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Rex Crowell at
Chairperson

2:05 ~~a.m.~~/p.m. on March 24, 1988 in room 519-S of the Capitol.

All members were present except:

Representatives Adam and Gross

Committee staff present:

Bruce Kinzie, Revisor of Statutes
Hank Avila, Legislative Research
Donna Mulligan, Committee Secretary

Conferees appearing before the committee:

Mrs. Marla Howard, City of Wichita

The meeting was called to order by Chairman Crowell and the first order of business was Committee discussion on SB-488 concerning handicapped parking.

Bruce Kinzie explained a proposed amendment to SB-488. (See Attachment 1)

A motion was made by Representative Snowbarger that SB-488 be so amended. The motion was seconded by Representative Lacey. Motion carried.

A motion was made by Representative Freeman that SB-488 be recommended favorable for passage as amended. The motion was seconded by Representative Dillon. Motion carried.

The next bill taken up was SB-558 concerning exemption of certain auctioneers from the Vehicle Dealers' and Manufacturers' Licensing Act.

A motion was made by Representative Spaniol that SB-558 be recommended favorable for passage. The motion was seconded by Representative Mead. Motion carried.

The next bill taken up was SB-579 authorizing the Secretary of Transportation to use money from the State Highway Fund for routes from a state highway to any property managed or controlled by the Department of Wildlife and Parks.

A motion was made by Representative Mead that SB-579 be recommended favorable for passage. The motion was seconded by Representative Snowbarger. Motion carried.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,
room 519-S, Statehouse, at 2:05 ~~am~~/p.m. on March 24, 19 88

The next bill taken up was SB-485 concerning city-county boundary line roads and streets and payments for the costs of improvements.

Chairman Crowell discussed an amendment to SB-485 which would strike the words in Line 94 "also shall enter into" and add "shall have the right to approve or disapprove" and in Line 95 after the word "improvement" add "If the board disapproves the agreement, the industrial district shall not be liable for the cost of any improvement undertaken pursuant to such agreement." (See Attachment 2)

A motion was made by Representative Spaniol that SB-485 be so amended. The motion was seconded by Representative Sutter. Motion carried.

Committee members discussed the effect on a farming operation which might be located along a road covered by SB-485.

A motion was made by Representative Spaniol that this be made applicable only in counties with a population of 50,000 or more. The motion was seconded by Representative Moomaw.

After further discussion on the motion, Representative Spaniol requested his motion be withdrawn. The motion was withdrawn with consent of the second.

A conceptual motion was made by Representative Moomaw that language be added so that the county can initiate improvements as well as the city. The motion was seconded by Representative Spaniol. Motion carried.

A motion was made by Representative Spaniol that SB-485 be recommended favorable as amended for passage. The motion was seconded by Representative Wilbert.

Representative Shore made a substitute motion that SB-485 be tabled. The motion was seconded by Representative Smith. The motion failed 10-7 on a division.

The motion to recommend SB-485 as amended favorable for passage carried.

The next bill taken up was SB-541 concerning the issuance of license plates for members of alumni associations of Kansas Post-secondary educational institutions.

Representative Freeman made a motion that SB-541 be amended to 1) authorize issuance of a Pearl Harbor survivor tag, 2) allow surviving spouses to keep their deceased spouse's POW tag, 3) that a county designation sticker be placed on the new standard tag, and 4) that a revised "Kansas" sticker be placed over the word "Kansas" on the new standard tag. Representative Freeman said part of his motion was that the requirements for issuance of a Pearl Harbor tag, be incorporated from HB-2672 and a \$40 fee be charged. Motion was seconded by Representative Justice.

CONTINUATION SHEET

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A substitute conceptual motion was made by Representative Mead that a policy be adopted that special license plates not be issued unless there would be a sale of 500 or more. The motion was seconded by Representative Spaniol.

Committee discussion ensued. Representative Mead requested his substitute motion be withdrawn. The substitute motion was withdrawn with consent of the second.

The Chairman said he would divide the question on the original motion.

On the portion of the motion concerning the Pearl Harbor tag and amending provisions of HB-2672 into SB-541 with a \$40 fee, a vote was taken. Motion carried.


A vote was taken on the second part of Representative Freeman's motion to allow POW spouses to keep the deceased POW's tag. Motion carried.

A vote was taken on the third part of Representative Freeman's motion regarding placing a county designation sticker at the bottom of the current SAM 123 tags. Motion carried.

A vote was taken on the fourth part of Representative Freeman's motion to place a "Kansas" sticker over the word "Kansas" on the SAM 123 tags. Motion carried.

A motion was made by Representative Freeman that SB-541 be recommended favorable for passage as amended. The motion was seconded by Representative Harper. Motion carried.

The meeting was adjourned at 3:05 p.m.


Rex Crowell, Chairman

PROPOSED AMENDMENT

New Sec. 6. (a) The secretary of revenue shall revoke, in accordance with rules and regulations adopted pursuant to subsection (c), any handicapped parking identification device of any person who is convicted under the provisions of K.S.A. 1987 Supp. 8-1,130, and amendments thereto.

(b) The secretary of revenue shall suspend or revoke, in accordance with rules and regulations adopted pursuant to subsection (c), a handicapped parking identification device, when the person, agency or business to which a handicapped parking identification device is issued, authorizes the use of such device or the use of a vehicle displaying such device to a person not authorized by law to use such device and such unauthorized person is convicted under subsection (b) of section 5.

(c) The secretary of revenue shall adopt rules and regulations prescribing procedures for the reissuance, suspension and revocation of handicapped parking privileges including the issuance or orders to return handicapped parking identification devices, notification of law enforcement agencies and personnel with regard to the validity or invalidity of any handicapped parking identification devices and revocation of handicapped parking identification devices.

Gas Crowell

SENATE BILL No. 485

By Senators Francisco, Anderson, Daniels, Feleciano,
Morris and Yost

1-14

0022 AN ACT concerning city-county boundary streets; relating to the
0023 cost of improvements thereof; amending K.S.A. 12-693 and
0024 68-572 and K.S.A. 1987 Supp. 68-506 and repealing the exist-
0025 ing sections.

0026 *Be it enacted by the Legislature of the State of Kansas:*

0027 Section 1. K.S.A. 12-693 is hereby amended to read as fol-
0028 lows: 12-693. (a) All cities are hereby authorized to make im-
0029 provements authorized by and in the manner provided for in the
0030 general improvement and assessment law as contained in
0031 chapter 12, article 6a of Kansas Statutes Annotated, in those
0032 unincorporated areas beyond their corporate limits and within
0033 three miles thereof. Before any such improvements shall be
0034 made, the city shall have adopted, in the manner provided by
0035 law, regulations governing the subdivision of land in such unin-
0036 corporated area. Such improvements may be located in a pro-
0037 posed improvement district which is wholly outside the cor-
0038 porate limits of the city or partially within the city limits.
0039 Improvements within such three (3) mile area located in a
0040 proposed improvement district which is wholly outside the cor-
0041 porate limits of the city shall be commenced only upon a petition
0042 signed by both a majority of the owners of record of property and
0043 the owners of record of more than one-half of the area liable for
0044 special assessment under the proposal. **Improvements Except as**
0045 **provided in subsection (b), improvements** within such three (3)
0046 mile area located in a proposed improvement district which is
0047 partially within the corporate limits of the city shall be com-
0048 menced only upon a petition found sufficient by the provisions

Attach 2

0087 involves a road under the jurisdiction of a township, the governing
 0088 body of the township also may enter into an agreement with the
 0089 governing body of the city to contribute a share of the cost of the
 0090 improvement. If the area of a proposed improvement district
 0091 includes property within an industrial district, established by a
 0092 charter resolution adopted pursuant to K.S.A. 19-101a, and
 0093 amendments thereto, which effected changes in the provisions of
 0094 K.S.A. 19-3801, et seq., and amendments thereto, the board of
 0095 directors of such industrial district ~~also shall enter into~~ the
 0096 agreement prior to the undertaking of any improvement.

0096 Sec. 2. K.S.A. 1987 Supp. 68-506 is hereby amended to read
 0097 as follows: 68-506. (a) In counties which have not adopted the
 0098 county unit road system, it shall be the duty of the boards of
 0099 county commissioners with the approval of the county engineers
 0100 in their respective counties, to classify and designate the roads
 0101 and highways within such county within the following classes:
 0102 (1) "Secondary roads or highways" which shall include all
 0103 county roads and highways designated for inclusion in the sec-
 0104 ondary road system in accordance with K.S.A. 68-1701 to 68-
 0105 1704, and amendments thereto;

0106 (2) "county minor collector roads or highways" which shall
 0107 include all county roads and highways, not designated for inclu-
 0108 sion in the secondary road system, which are main traveled roads
 0109 utilized and designed primarily for the movement of traffic
 0110 between different areas of the county; and

0111 (3) "township or local service roads" which shall include all
 0112 roads and highways not designated for inclusion in the second-
 0113 ary road system or as county minor collector roads or highways.

0114 (b) Whenever any county secondary road or highway or
 0115 county minor collector road or highway is located partly within
 0116 and partly without a city or connects any such road or highway
 0117 with a city, by and with the consent of the governing body the
 0118 board of county commissioners is hereby given power and au-
 0119 thority and required to designate such public road or highway as
 0120 a part of the county road or highway system, and it shall be
 0121 improved and maintained as other parts of the county road
 0122 system, except that the governing body of such city may aid in

shall have the right to approve or disapprove

If the board disapproves the agreement, the industrial district shall not be liable for the cost of any improvement undertaken pursuant to such agreement.