

Approved: 2/20/96
Date

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES.

The meeting was called to order by Chairman Ben Vidricksen at 9:05 a.m. on February 16, 1996 in Room 254-E of the Capitol.

All members were present except:
Senator Harris

Committee staff present: Hank Avila, Legislative Research Department
Ben Barrett, Legislative Research Department
Bruce Kinzie, Revisor of Statutes
Martha Ozias, Committee Secretary

Conferees appearing before the committee:

Others attending: See attached list

**SB 401 - AN ACT CONCERNING THE SECRETARY OF TRANSPORTATION;
RELATING TO CERTAIN POWERS AND DUTIES; RELATING TO THE FEASIBILITY
OF CERTAIN TOLL OR TURNPIKE PROJECTS**

This bill was discussed briefly. Senator Brady made a motion to pass this legislation favorably as amended. (Attachment 1) A second was made by Senator Lawrence. Motion carried.

SB 548 - CONCERNING COUNTIES; RELATING TO ROAD WORK

The Committee discussed this bill at length. Considerable thought went into the idea of changing the word "may" to "shall" which, was thought, would alter the intent of the bill. No action was taken on this but Senator Lawrence made an amendment to change the amended version from \$30,000 to \$50,000 in line 15. Senator Papay seconded this. Motion carried. (Attachment 2)

Senator Rock voiced strong feelings that this legislation should be left to local discretion. Senator Jones wholeheartedly agreed.

A decision could not be reach so the Chairman announced that the Committee would take up this bill next Tuesday for further discussion and possible action.

The meeting was then adjourned at 9:45 a.m.

The next meeting will be February 20th.

SENATE TRANSPORTATION AND UTILITIES
COMMITTEE GUEST LIST

DATE: FEBRUARY 16, 1996

NAME	REPRESENTING
Patrick Hurley	Economic Lifelines
Anny Spiess	Ks. Assoc. of Counties
Ken Behr	Economic Lifelines
Tom Whitaker	Ks Motor Carriers Assn
Bill Watts	KDOT
Nancy Bogina	KDOT

SENATE BILL No. 401

By Special Committee on Transportation
Re Proposal No. 59

12-20

10 AN ACT concerning the secretary of transportation; relating to certain
11 powers and duties; relating to the feasibility of certain toll or turnpike
12 projects.

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

14 Section 1. (a) In addition to other powers and duties granted to the
15 secretary of transportation, the secretary of transportation may study the
16 feasibility of constructing a new toll project or turnpike project or des-
17 ignating existing highways or any portion of such highways as a toll project
18 or turnpike project.

19 (b) The study of the feasibility of such toll project or turnpike project
20 shall include, but not be limited to:

21 (1) The total cost of such project;

22 (2) a determination of the funding of such projects, including the use
23 of public funds, private funds ~~and~~ toll revenues; and

24 (3) such other data deemed necessary by the secretary for a deter-
25 mination of the project's feasibility.

26 Sec. 2. This act shall take effect and be in force from and after its
27 publication in the statute book.
28

of one or a combination

or

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SENATE BILL No. 548

By Senator Harris

1-29

9 AN ACT concerning counties; relating to road work; amending K.S.A.
10 68-520, 68-1104 and 68-1116 and repealing the existing sections.

11
12 *Be it enacted by the Legislature of the State of Kansas:*

13 Section 1. K.S.A. 68-520 is hereby amended to read as follows: 68-
14 520. ~~The board of county commissioners may~~ shall ~~in constructing, sur-~~
15 ~~facing, repairing or maintaining the county roads~~ ~~let contracts for such~~
16 ~~work when the cost for any one project for constructing surfacing, re-~~
17 ~~pairing or maintaining county roads shall exceed \$10,000. For any project~~
18 ~~that does not exceed \$10,000, the county commissioners~~ may ~~let contracts,~~
19 ~~for all or any part of such work, or~~ ~~said~~ board ~~may buy the materials and~~ the
20 ~~contract all or any part of the labor, or may purchase or rent machinery~~
21 ~~and other equipment, and employ labor, under the direction of the county~~
22 ~~engineer. Provided, That~~ Before ~~beginning to construct, surface or repair~~
23 ~~any road by day labor, the approved plans and specifications and an es-~~
24 ~~timate of the cost must be filed in the office of the county clerk. On all~~
25 ~~day-labor work the county engineer shall keep an accurate itemized ac-~~
26 ~~count of the expenditures for labor, materials and work performed and~~
27 ~~file a sworn statement of the same in the office of the county clerk at the~~
28 ~~end of each month, and a final statement when the work is completed.~~

29 Sec. 2. K.S.A. 68-1104 is hereby amended to read as follows: 68-
30 1104. (a) The board of county commissioners shall construct, reconstruct,
31 repair and maintain all county bridges and county culverts located on
32 county roads and township roads and the cost of such work shall be paid
33 from the bridge fund of the county. All township culverts shall be con-
34 structed, reconstructed, repaired and maintained by the township board
35 of highway commissioners and the cost of such work shall be paid from
36 the road fund of the township. Except as hereinafter provided, all ap-
37 proaches to culverts and bridges on township roads shall be constructed,
38 reconstructed, and maintained by the township board of highway com-
39 missioners and the cost of such work shall be paid from the road fund of
40 the township, except that where the payment of the costs of constructing
41 such approaches has been authorized by a majority vote of the electors
42 of the county in which such township is located prior to the effective date
43 of this act, said cost of construction shall be paid from the county's bridge

(a)
: (1) Shall

\$30,000 and there are at least two bidders for such project. Such contract shall be awarded to the lowest responsible bidder whose bid is equal to or less than the estimated cost of such project or; (2)

For any project that does not exceed \$30,000, or for any contract that exceeds \$30,000, but no bidder is accepted under paragraph (1)

except that before

(b) In determining the cost of any project for the purposes of subsection (a), the board of county commissioners shall include, but not necessarily be limited to, the cost of labor, equipment, materials and overhead.

(c) If such projects are performed under paragraph (2) of subsection (a) by the county, the county shall keep and maintain an accurate account of the costs of any such project and shall include those items specified in subsection (b).

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2-2

1 fund, within the limit of moneys authorized by such election. The board
2 of county commissioners may elect to pay, from the bridge fund of the
3 county, for the construction, reconstruction or maintenance of any ap-
4 proach to a culvert or bridge on a township road, in which event the
5 township board of highway commissioners shall not be responsible there-
6 for.

7 (b) All projects for construction, reconstruction or maintenance of
8 bridges or culverts and approaches thereto as referred to in section (a) in
9 excess of ~~[\$10,000]~~ shall be awarded on a public letting to the lowest re-
10 sponsible bidder. In determining the cost of any project for the purposes
11 of this section, the board of county commissioners or township board of
12 highway commissioners shall include, but not necessarily be limited to,
13 the cost of labor, equipment, materials and overhead.

[\$30,000

, if there are at least two bidders and one of
the bids is equal to or less than the estimated
cost of such project

14 Sec. 3. K.S.A. 68-1116 is hereby amended to read as follows: 68-
15 1116. Except as provided in K.S.A. 68-1114, nothing in this act shall pro-
16 hibit the board from buying materials and contracting all or any part of
17 the labor or purchasing or renting equipment to do the work by day labor
18 under the direction of the county engineer. Prior to beginning the con-
19 struction or repair of any bridge or culvert work by day labor the approved
20 plans and specifications and the county engineer's estimates of the cost
21 must be filed in the county clerk's office, and the said county engineer
22 shall keep an accurate itemized account of all expenditures for labor and
23 materials and work performed and file a signed statement of the same in
24 the office of the county clerk at the end of each month and final statement
25 when the work is completed. The provisions of this section shall not apply
26 to any work the estimated cost of which exceeds ~~fifty thousand dollars~~
27 ~~(\$50,000)~~ \$50,000.

28 Sec. 4 K.S.A. 68-520, 68-1104 and 68-1116 are hereby repealed.

29 Sec. 5. This act shall take effect and be in force from and after its
30 publication in the statute book.