

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Les Donovan at 8:30 a.m. on February 18, 2004 in Room 527-S of the Capitol.

All members were present except:

Senator David Adkins- absent  
Senator Edward Pugh- excused

Committee staff present:

Hank Avila, Legislative Research Department  
Bruce Kinzie, Revisors of Statutes  
Marian F. Holeman, Committee Secretary

Conferees appearing before the committee:

Darryl Lutz, P.E., Chair, Legislative Committee, Kansas County Highway Association

Others attending:

See Attached List.

**SB 449: Roads and highways, bids**

Mr. Lutz returned to continue the hearing on this bill. He resumed testimony on Section 6 which deals with publically opening bids, and procedures for letting bids for bridge projects. Wished to add two additional amendments to this section. The first one is to clarify bid opening procedures. The second one is to retain the phrase that is struck out in Section 6, Page 5, Line 2, 3, & 4. This should resolve the question raised regarding "policy change." This brings to four the total proposed amendments to **SB 449** as it is now written (Attachment 1). Kansas Department of Transportation presented no objection to any part of this bill or the preceding bills in this group. Senator Goodwin moved to pass the proposed bill amendments. Senator Schodorf seconded the motion. Motion carried.

**SB 446: Roads & highways, duties & liabilities during repairs or improvements**

Senator Goodwin moved to pass the proposed amendments to SB 446. Senator Schodorf seconded the motion. Motion carried.

Members considered that the intent of the bills presented by Mr. Lutz on behalf of Kansas Association of Counties and Kansas County Highway Association, is to repeal conflicting and/or outdated statutes and to revise statutes to address current issues. They worked closely with Kansas Department of Transportation and KDOT is fine with all four bills. Senator Schodorf moved to recommend SB 446, SB 447, SB 448 and SB 449, as amended, favorable for passage. Senator Goodwin seconded the motion. Motion carried.

**SB 383: Commercial drivers' license, hazardous material endorsement; requirements**

Hearing held on this bill on February 12, 2004. A question was raised regarding implementation date, but no follow up was provided. Senator Jackson moved to recommend the bill favorable for passage. Senator Goodwin seconded the motion. Motion carried.

**SB 385: School zone, disobeying school crossing guard**

A hearing was held on this bill on February 12, 2004. Reviewed contents and testimony on the bill. Senator Schodorf moved to recommend this bill favorable for passage. Senator Salmans seconded the motion. Motion carried.

**SB 384: Increasing maximum speed limit on certain highways**

A hearing was held on this bill on February 17, 2004. Members were reminded of the need for an amendment to catch the highways that will remain as 70 mph and they can be put in either the 5 or 10 mph buffer zones. The amendment would be to go into line 40 and line 6 and put them at the 10 mph buffer.

CONTINUATION SHEET

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE at 8:30 a.m. on February 18, 2004 in Room 527-S of the Capitol.

Senator Jackson moved to adopt the recommended amendment. Senator Goodwin seconded the motion. Motion carried. Senator Jackson moved to recommend the bill, as amended, favorable for passage. Senator Gilstrap seconded the motion. Motion carried.

Discussed bills remaining in Committee. Regarding **SB 506** which deals with the van pool program, some amendments are being negotiated with the Department of Administration on the House side and House Appropriations will be hearing their bill on February 20, 2004. Therefore no action will be taken until after the House takes action on the bill.

**Approval of minutes**

Senator Schodorf moved to approve minutes of February 12, 2004 meeting. Senator Goodwin seconded the motion. Motion carried.

The meeting adjourned at 9:20 a.m.

The next meeting is scheduled for February 19, 2004.



**TESTIMONY  
SB 449**

**RE: An act relating to roads and highways; concerning bids.**

**Senate Transportation Committee  
Senator Les Donovan, Chairman**

Presented by: Darryl C. Lutz, P.E., Butler County Engineer  
February 18, 2004

To: Mr. Chairman and Members of the Senate Transportation Committee

I am here today to testify in support of this bill with the proposed amendments offered in my testimony on February 10, 2004. I offer an additional amendment for the Committee's consideration.

I am Darryl Lutz, P.E., Director of Public Works and County Engineer for Butler County. I have served in this position for nearly 13 years. I am a member of the Kansas County Highway Association (KCHA) and currently Chair the Legislative Committee of that organization. The KCHA is an affiliate organization of the Kansas Association of Counties (KAC) and is a statewide organization of County Engineers, Public Works Directors, Highway Administrators, and other highway officials. The primary purpose of the KCHA is to provide technical programs and educational opportunities for its members to advance their knowledge and skills related County road, bridge and public works functions and to develop their skills as administrators of their respective County departments.

SB 449 is one of several pieces of legislation introduced this year at the request of the KCHA as part of a continuing process to update sections of Chapter 68 relating to County roads and bridges. The work to update the County road and bridge statutes has been endorsed by the Kansas Association of Counties and is included in the adopted 2004 legislative platform.

The following additional amendment is proposed to Senate Bill 449:

- Sec. 6, Page 5, Line 2, 3 & 4 – Retain the phrase that is struck out. As suggested by members of the Senate Transportation Committee the existing language in the statute does give counties additional flexibility to let bids for bridge work. The members of the KCHA legislative committee and the KCHA executive board do not object to this proposed amendment.

Thank you for consideration of SB 449 bill with the amendments proposed February 10<sup>th</sup> and with the additional amendment proposed today. I stand for questions from the committee.

SENATE TRANSPORTATION COMMITTEE  
— DATE 02-18-04 —  
ATTACHMENT: 1

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