

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 8:30 a.m. on February 23, 2010, in Room 152-S of the Capitol.

All members were present except:

Senator Les Donovan- excused
Senator Mike Petersen- excused

Committee staff present:

Bruce Kinzie, Office of the Revisor of Statutes
Daniel Yoza, Office of the Revisor of Statutes
Julian Efird, Kansas Legislative Research Department
Jill Shelley, Kansas Legislative Research Department
Cindy Shepard, Committee Assistant

Conferees appearing before the Committee:

Tom Krebs, Governmental Relations Specialist, Kansas Association of School Boards
Linda Kenne, Superintendent, Victoria USD 432
Carmen Alldritt, Director of Division of Vehicles, Kansas Department of Revenue
Llewellyn Crain, Executive Director, Kansas Arts Commission

Others attending:

See attached list.

The Chairman opened the hearing on **SB 538 - Extending school bus exemption to 25 years**. Bruce Kinzie, staff revisor, reviewed the bill. He noted that **HB 2486** is the exact same bill, which passed in the House of Representatives, and has been assigned to this Committee.

Tom Krebs, Governmental Relations Specialist, Kansas Association of School Boards, appeared as a proponent of **SB 538**, stating that school districts should have more ability to make decisions regarding the most effective use of resources in meeting the needs of their community ([Attachment 1](#)).

Linda Kenne, Superintendent, Victoria USD 432 testified in support of **SB 538**. She spoke of a school bus the district had to sell last year because it had turned 20 years old. It was in excellent condition, had 103,000 miles and had rarely seen an unpaved road. It only had one bidder and sold for \$550. This year the district is facing the same prospect. However, they cannot afford to buy another bus. School buses are designed to go far more than 100,000 miles and must be inspected each year. Some school districts must buy new buses because they are so heavily used, others do not. She continued that it is hard to understand why they have to junk a perfectly fine piece of equipment simply because of age ([Attachment 2](#)).

Written testimony in support of **SB 538** was submitted by:

Cheryl Semmel, Executive Director, Unified School of Administrators of Kansas ([Attachment 3](#))
Joan Friend, Superintendent, Syracuse USD 494 ([Attachment 4](#))
Ken Arnholt, Superintendent, Ellsworth/Kanopolis/Geneseo USD 327 ([Attachment 5](#))

There being no further conferees, the hearing on **SB 538** was closed.

Chairman Umbarger opened the hearing on **HB 2437 - Kansas arts license plates, requiring certain fees**. Bruce Kinzie, staff revisor, reviewed the bill.

Jill Shelley, Kansas Legislative Research Department, provided a full listing of all distinctive license plates, related fees and royalty payments, the major provisions of KSA 8-1, 141, for the special, distinctive, or organizational license plates as requested at the February 16, 2010 meeting ([Attachment 6](#)).

Carmen Alldritt, Director of Division of Vehicles, Kansas Department of Revenue presented testimony in favor of **HB 2437** stating that she questioned the exemption last year. She concluded with the rules for distinctive or special license plates ([Attachment 7](#)).

CONTINUATION SHEET

Minutes of the Senate Transportation Committee at 8:30 a.m. on February 23, 2010, in Room 152-S of the Capitol.

Written testimony in support of **HB 2437** was submitted by:
Virgil Peck, Jr., Representative, State of Kansas (Attachment 8)

Llewellyn Crain, Executive Director, Kansas Arts Commission was called upon for comments related to **HB 2437**. She stated that in **HB 2134**, passed during the last legislative session, the Kansas Arts Commission was granted an exemption from the reservation fee, in which the first \$40 of each plate sold would go to the state. The current bill removes that exemption, meaning that the Commission would have to pay \$40 of the \$50 expected charge for the plate, having a negative impact of about \$20,000 in the first year of the plate's sales. The Arts Commission has sustained a 35% cut of state general funds in the past two years. She indicated that with passage of **HB 2437**, to her knowledge, the Arts Commission would be the only state agency with a license plate that will not be exempt from the fee. The Kansas Arts Commission has raised almost \$20,00 from private sources to have the plate made.

There being no further conferees, the hearing on **HB 2437** was closed. The Chairman indicated he would take no action on the bill at this time.

The meeting was adjourned at 9:30 a.m. The next meeting is scheduled for February 24, 2010.

KANSAS
ASSOCIATION



OF
SCHOOL
BOARDS

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Testimony before the
Senate Transportation Committee
on
SB 538

by
Tom Krebs, Governmental Relations Specialist
Kansas Association of School Boards

February 23, 2010

Mr. Chairman, Members of the Committee:

Thank you for the opportunity to testify. We appear today as proponents of **SB 538**.

The KASB board of directors in December voted as a priority the following statement as part of its beliefs regarding local decision making: "School districts should have more ability to make decisions regarding the most effective use of resources in meeting the needs of their community."

We believe **SB 538** fits that priority perfectly. Districts would always be able to replace busses earlier if necessary, but **SB 538** would stretch the time frame they had to be replaced by 25 percent if that fit the district's need better.

Thank you for the opportunity to testify, and I'd be happy to stand for questions.

Senate Transportation

2-23-10

Attachment 1

Testimony before the Senate Transportation Committee regarding SB 538

February 23, 2010

Linda Kenne, Superintendent, USD #432 Victoria

Victoria is a rural district in Western Kansas and we do not have regular bus routes. Our parents bring their children to school and we pay them mileage. We do own several buses, however, and they are regular yellow school buses and fall under the current law that only allows schools to use school buses that are less than 20 years old.

Last year we had our first bus turn 20 and had to replace the bus. It was in excellent condition, had 103,000 miles and had rarely seen an unpaved road. Nevertheless, we bought the new bus and tried to sell the 20-year old bus. We sent flyers to every church in the phone book within a two to three county range. We placed ads in the papers, put the announcement on the cable TV station and sent an announcement to every patron in the district. We had one bidder and sold that perfectly fine bus for \$550. The buyer used the motor and engine and junked the rest.

This year we face the same prospect, however, we cannot afford to buy another bus. This bus is also in excellent condition, only drives on paved roads and has 74,000 miles. We will have to park this bus in March and attempt to sell it. School buses are designed to go far more than 100,000 miles.

All of our buses must be inspected each year. Our buses are well maintained. All of our school districts in Kansas are unique. Some schools must buy new buses because they are so heavily used. Others, like Victoria, do not. Our local school board tries to be as fiscally responsible as possible. It is hard for these western farmer men and women to understand why we have to junk a perfectly fine piece of equipment simply because of age.

This bill will give us some breathing room to buy a new bus and will allow us to use equipment that is in great working order for a few years more. On behalf of our school board, I urge you to consider passing SB 538.

Thank you,

Linda Kenne, Superintendent

U.S.D. #432 Victoria

Linda Kenne
*U.S.D. 432 Superintendent &
Elementary Principal*

P.O. Box 157
Victoria, KS 67671

Senate Transportation

e-mail: lkenne@rur: 2-23-10

Attachment 2

Testimony on SB 538

Senate Transportation Committee

February 24, 2010

Submitted by: Cheryl L. Semmel, executive director

The mission of United School Administrators of Kansas (USA|Kansas*), through collaboration of member associations, is to serve, support, and develop educational leaders and to establish USA|Kansas as a significant force to improve education.

This testimony is provided in support of SB 538, which would amend K.S.A. 8-2009a and extend the school bus exception rule from 20 to 25 years. Administrators appreciate your efforts to provide additional flexibility as we continue to confront the challenges of this unprecedented economic climate.

This bill would allow school districts and contractors to continue with their current replacement schedule or have the option to operate their buses for up to 25 years. SB 538 would allow districts to determine, on a case-by-case basis, the viability of retaining school buses in their fleet. Decisions to exercise this additional flexibility will vary from district to district based on mileage, road conditions and other factors.

Extending the life of school buses to 25 years is a cost-saving measure, which may help some school districts operate more efficiently and realize immediate savings. This extension may also serve to increase the resale value of buses for districts that choose to keep the current replacement schedule.

As you consider SB 538, please be assured that administrators will always weigh the safety and well-being of students when evaluating whether to extend the life of a school bus. In closing, I would like to reiterate that administrators appreciate your efforts to identify additional flexibility and cost-savings measures for school districts and thank you for your leadership.

*USA|Kansas represents more than 2,000 individual members and ten member associations:

Kansas Association of Elementary School Principals
Kansas Association of Middle School Administrators
Kansas Association of School Administrators
Kansas Association of School Business Officials
Kansas Association of School Personnel Administrators
Kansas Assoc for Supervision and Curriculum Development
Kansas Association of Special Education Administrators
Kansas Association of Secondary School Principals
Kansas Council of Career and Technical Education Administrators
Kansas School Public Relations Association

Testimony on SB 538

Senate Transportation Committee

Submitted by Joan Friend, Superintendent, Syracuse USD 494

February 24, 2010

My name is Joan Friend, and I serve as the superintendent of schools for USD 494, Syracuse, KS. We have the largest square mile district in the state with 992 square miles. With the large school district territory, we have many miles on buses with transporting our students to school as well as delivering students to the many activities in which our students participate.

With this information said, I believe that our district does a superb job of maintaining all of our buses and vehicles for the district. Each year when the state highway patrol does their annual inspection of our vehicles, we receive good ratings on our buses and vans which transport students.

We currently have two buses which are 20 years old. Both of these buses are in excellent condition. One of the two buses is equipped as a handicapped bus. This bus has 19,000 miles on it, and if the law is not changed, we will need to replace this bus. This would be an unfair expense for USD 494 as the bus has many more years of service for the district.

With the extremely tight budgets all school districts in Kansas are facing and will continue to face in the next few years, the added expense of purchasing new buses based on the 20 year law will be very difficult. It is my belief that since we are required by law to have our buses inspected each summer by the highway patrol, and the patrolmen who inspect the buses must sign off that the buses are either in good condition for student transportation or the buses do not meet standards for transporting students, the extension of the bus usage from 20 to 25 years would allow school districts to continue using current buses which have been approved by inspection for students an additional five years. This change would save USD 494 \$160,000 out of a tight budget for the 2009-10 and 2010-11 school years.

I encourage you as a committee to approve the extension presented in SB 538. I would be available for any questions you might have with regards to the transporting of students in the Syracuse district as the largest square mile district. I will be in my office on Tuesday and would welcome a phone conversation if you would like to visit with me.

Thank you for your time in reading my testimony.

Joan Friend, USD 494 Syracuse Superintendent
620-384-7872, ext. 1505
jfriend@usd494.org

Senate Transportation
2-23-10
Attachment 4

**Testimony on
SB 538**

Senate Transportation Committee

**Submitted by: Ken Arnhold, Superintendent
Ellsworth USD 327**

February 23, 2010

My name is Ken Arnhold and I am the superintendent for Ellsworth USD 327. The mission of the Unified School District 327 is to provide an educational environment in which all children can learn to the maximum of their capabilities. The educational environment in this district will demonstrate our belief that it is essential to develop positive personal character and challenge every learner through programs that demand excellence. It is through combined efforts of patrons, faculty, administrators and staff that we lead our students into responsible citizenship in the 21st century.

I am submitting this testimony in support of SB 538 and ask that you report it favorably.

Under current law, the Ellsworth school must replace one bus a year for the next five years (see schedule below). Senate Bill 538 would allow flexibility for our district, allowing us to keep well-serviced busses in use while we plan for future replacement. The money that we would be required to spend on busses could be used to mitigate possible staff reductions during this difficult economic time.

Ellsworth/Kanopolis/Geneseo USD #327 Transportation Fleet as of February 1, 2010

Year	Capacity	Mileage	Replacement Year	Comments
1992	66	205,233	2012	
1993	66	141,927	2013	
1994	66	128,305	2014	
1995	66	70,501	2015	Handicap Lift
1996	72	81,930	2016	
1999	72	118,431	2019	
2000	51	243,902	Never	Red & Black Activity Bus
2004	83	29,529	2024	Yellow Activity Bus

I have also included, for your reference, a list of states that do not have age restrictions on the life of a school bus, but rather use an inspection process to retire a bus.

Other State Bus Length of Service Policies

Nebraska	Annual Inspection Only
Oklahoma	Annual Inspection Only
Colorado	Annual Inspection Only
Texas	Annual Inspection Only
Idaho	Annual Inspection Only
Missouri	Annual Inspection Only
Mississippi	Quarterly Inspections Only
Illinois	Annual Inspection Only (Except Chicago School District that has a 10-year limit)
Nevada	Annual Inspection Only (Except LA School District that has a 15-year limit)
California	Annual Inspection Only
Louisiana	25 Year bus limit
Iowa	Inspection twice annually
Arkansas	Annual Inspection Only
Arizona	Annual Inspection Only
Wyoming	Annual Inspection with a state reimbursement from 80%, 90% or 100% depending on age and mileage

I appreciate your support for this bill that will allow districts like Ellsworth to keep well-maintained, safe busses in service for up to 25 years. This will allow us to better us districts fund for educational purposes rather that unnecessary transportation costs.

Distinctive license plate fees and royalty payments					
KSA	License plate description	\$40 fee applies? (1)	Additional information on fees	Year this plate was first authorized	Requires payment to sponsor? (2)
8-132	personalized license plates (unique combination of letters and numbers)	yes		1974	
8-161	disabled veteran	no		1951	
8-162	call letters for licensed amateur radio station	no	fee is \$1 (unchanged since 1953)	1953	
8-172	antique auto (with or without model year on the license plate)	yes (3)		1955	
8-177a	National Guard	no		1979	
8-177c	Prisoner of War	no		1983	
8-195	special interest vehicle or street rod	no	\$26 annual fee includes plate	1973	
8-1,139	Pearl Harbor Survivor	no		1991	
8-1,140	Purple Heart recipient	no		1994	
8-1,142	Educational institution	no	\$5 plus presentation of an annual emblem use authorization statement Alumni associations of these universities currently have such plates: Emporia State University Fort Hays State University Kansas State University Kansas University Pittsburg State University Washburn University Wichita State University	1994	yes, \$25-\$100
8-1,141, enacted in 1994 and most recently amended in 2009, makes any distinctive license plate authorized after 1994 subject to the personalized license plate fee but contains exemptions, as noted below.					
8-1,145	Congressional Medal of Honor recipient	no	exempted under 8-1,141(c)	1997	
8-1,146	active or retired military	no	exempted under 8-1,141(d); a fee of \$2 shall be paid for each decal (which indicates military branch)	1997	
8-1,148	Children's Trust Fund	no	exempted under 8-1,141(d)	1999	yes, \$25-\$100
8-1,150	Kansas Foundation for Agriculture in the Classroom	yes		2000	yes, \$25-\$100
8-1,151	Shriners	yes		2001	yes, \$25-\$100
8-1,153	Helping Schools	no	exempted under 8-1,141(d)	2004	yes, \$40
8-1,155	Firefighter	yes		2004	
8-1,158	Breast cancer research and outreach	no	exempted under 8-1,141(d)	2006	yes, \$25-\$100
8-1,159	Emergency medical services	yes		2007	
8-177d	Gold Star Mother	no	exempted under 8-1,141(c)	2008	
8-1,160	In God We Trust	yes		2008	
8-1,161	Support Kansas Arts	no	exempted under 8-1,141(d); 2010 HB 2437 would remove this exemption	2009	yes, \$25-\$100
HB 2660	Boy Scouts of America	yes		passed House 2/19/10	yes, \$25-\$100
(1) The personalized license plate fee has been \$40 since 1983. It is paid when a metal plate is issued, and not at renewal.					
(2) No answer in this column means no logo fee is charged. Royalty amounts are set in statute.					
(3) For antique vehicles, this is called a "special combination fee."					
Other major provisions of KSA 8-1,141, for special/distinctive/organizational license plates:					
• the sponsor must guarantee a minimum of 500 license plates;					
• the sponsor must submit a nonrefundable amount up to \$20,000 to defray development costs;					
• at least 250 plates, including annual renewals, must be issued during any two-year period; and					
• if the minimum numbers are not met for initial issuance and renewal, the Director must discontinue the plate.					
KLRD, February 2010					

February 22, 2010

To: Chairman Dwayne Umbarger and
Senate Transportation Committee

From: Carmen Alldritt, Director of Vehicles

Subject: Distinctive or Special License Plates

KSA 8-1,141 allows for Distinctive or Special license plates. Please note the following;

All distinctive or special plates pay the one-time special plate fee. This is a \$40.00 one-time fee individuals pay in addition to title and registration fees when purchasing a special plate.

Associations/Organizations are required to submit a list of 500 individuals that have expressed interest in purchasing a license plate.

250 license plates are required to be registered annually. If registration drops, the organization is notified and has one year to increase the number of plates. If 250 plates are not registered the state will cease making that plate.

Associations/Organizations are responsible to remit to the state up to \$20,000 for license plate development.

If proposal passes the legislature the Association/Organization working with the state has 2 years to implement the plate. Otherwise at the end of 2 years the process must begin again.

Associations/Organizations are advised to meet directly with the Vehicle Director's office prior to submitting legislative proposals. Working out details prior to a legislative request will streamline the entire process.

Please contact Director of Vehicles 785-296-3601. You may contact directly, Mary Tolbert at mary_tolbert@kdor.state.ks.us or 785-296-2228.

STATE OF KANSAS

VIRGIL PECK, JR.

REPRESENTATIVE, DISTRICT 11

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COMMITTEE ASSIGNMENTS:

VICE-CHAIRMAN: INSURANCE

MEMBER: TAXATION
TRANSPORTATION
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LEGISLATIVE POST AUDIT

HOUSE OF REPRESENTATIVES

MAJORITY CAUCUS CHAIRMAN

Testimony in support of HB 2437

February 23, 2010

Chairman Umbarger and Committee members, thank you for the opportunity to provide written testimony in support of HB 2437.

HB 2437 is a simple, two page bill and you can see the change in statute on page one. What the bill does is correct what several of us see as an error in a bill we passed last session.

In 2009 we passed the Conference Committee Report on HB 2134, which authorized several changes regarding distinctive license plates. One of the provisions of the CCR was to authorize the issuance of the distinctive Support Kansas Arts license plate; a move that was a good move. However, it was noticed late in the game that the new Arts plate was exempt from paying the \$40 personalized license plate fee.

HB 2437 simply allows purchasers of the Support Kansas Arts distinctive license plate the privilege of paying the same \$40 fee to the State that purchasers of several other plates currently pay.

The personalized license plate fee has been \$40 since 1983. In 1994 the Legislature passed a bill to make distinctive license plates subject to the fee for plates authorized after that year. Of course the Legislature can approve exemptions to the fee, and those exemptions are generally reserved for plates honoring our military.

Plates that must pay the \$40 fee include: Shriners, Emergency Medical Services, Kansas Foundation for Agriculture in the Classroom, In God We Trust, and Firefighter. As a sense of fairness to vehicle owners who purchase the aforementioned plates, I think it is only right to include the Support Kansas Arts license plate on the list of plates that pay the \$40 fee.

Passage of HB 2437 will take nothing away from the Arts Commission. They will continue the privilege of charging a \$25 - \$100 annual royalty fee.

Senate Transportation

2-23-10

Attachment 8