

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 8:30 a.m. on February 12, 2010, in Room 152-S of the Capitol.

All members were present.

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:

Ron Seeber, Vice President of Government Affairs for the Kansas Grain and Feed Association
Leslie Kaufman, Executive Director, Kansas Cooperative Council
Terri Heidner, Legislative Liaison, Kansas Department of Transportation

Others attending:

See attached list.

Chairman Umbarger called for action on **SR 1821 - Visually impaired pedestrians; motor vehicle safety** Senator Donovan moved, Senator Petersen seconded, recommending SR 1821 favorably for passage. Motion carried.

The Chairman opened the hearing on **SB 502 - Railroad assistance programs, department of transportation**. Bruce Kinzie, staff revisor, reviewed the bill.

Ron Seeber, Vice President of Government Affairs for the Kansas Grain and Feed Association appeared as a proponent of **SB 502** which allows for more flexibility for expanding rail infrastructure, improving access to elevators allowing more efficient movement of grain (Attachment 1).

Leslie Kaufman, Executive Director, Kansas Cooperative Council testified in support of **SB 502**. She stated this measure will expand the definition of qualified entities under the statute, opening up participation to cities, counties and industrial park authorities (Attachment 2).

Terri Heidner, Legislative Liaison, Kansas Department of Transportation (KDOT), presented neutral testimony regarding **SB 502**. He stated that KDOT wholeheartedly agrees with this change, but have recently concluded that they can effect such a change through rules and regulations, therefore KDOT believes **SB 502** may not be needed. Additionally, the requirement that is outlined in Sec. 2 (d) can also be implemented through rules and regulations (Attachment 3).

After discussion, the Committee determined that the changes outlined in **SB 502** should run through rules and regulations. KDOT indicated they would initiate the change. Senator Donovan moved, Senator Schmidt seconded, to table SB 502. Motion carried.

The Chairman called for action on **SB 409 - Establishing the passenger rail service program**. Bruce Kinzie reviewed the bill. He indicated that it is an internal improvement bill, needing a two-thirds majority vote for passage. During discussion, Mary Ellen Conlee representing Northern Flyer Alliance, was called upon for clarification on why we need this bill now. She stated that **SB 409** is modeled after an Iowa bill and passage of this bill will put Kansas in a stronger position for federal grants. Absent any legislative action, the federal government will think Kansas isn't interested in passenger rail. This bill enables the capability to establish the fund.

Senator Hensley moved, Senator Kultala seconded, to recommend SB 409 favorably for passage. Motion carried.

The meeting was adjourned at 9:18 a.m. The next meeting is scheduled for February 16, 2010.