

## MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Les Donovan at 8:30 a.m. on February 10, 2004 in Room 527-S of the Capitol.

All members were present except:

Senator Dave Jackson- excused  
Senator David Adkins- absent

Committee staff present:

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

Conferees appearing before the committee:

Senator Derek Schmidt  
Darryl C. Lutz, P.E., Butler Co. Engineer  
Larry Emig, KDOT Policy Chief, Bureau of Local Projects

Others attending:

See Attached List.

### **SB 289: Governors of Kansas home town heritage act**

Senator Schmidt presented a proposed balloon amendment to deal with the questions raised in the hearing on February 4, 2004. He met with Kansas Department of Transportation personnel and those concerned with including the territorial governors. The balloon covers the maintenance and design problems to the satisfaction of concerned parties, and adds the territorial governors. Senator Goodwin moved to adopt the balloon amendment and pass SB 289 as amended. Senator Schodorf seconded the motion. Motion carried.

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

Mr. Darryl C. Lutz, P.E., Director of Public Works, Butler County Engineer, and Chair, Legislative Committee, of the Kansas County Highway Association (KDHA). Representing this association of, Mr. Lutz has four bills relating to county road and bridge issues. The intent is to repeal conflicting statutes, outdated statutes, and to revise other statutes to appropriately address current issues. They have worked closely with KDOT throughout this process. This work is included in the Kansas Association of Counties 2004 legislative platform.

The first of the bills is **SB 446**. It deals particularly with requirements relating to detour routes. Basically, it is to change the requirement for posting and establishing detour routes for local traffic from "shall" to "may". This is only for county and townships roads. The second part deals with warning lights. The third part deals with the mandate to improve and maintain detour routes on township roads. He offered two amendment to the bill. One to clarify language to make Sec. 3 consistent with Sec. 2. The second amendment deals with revising the first portion of 68-2107 rather than repealing this section which is referenced in 68-2106 (Attachment 1). Members discussed the bill and proposed amendments. They agreed they had no problem with the revisions and amendments. However since questions were raised concerning the detour issue, Mr. Lutz stated they could take another look at this section if that is desired. Hearing closed.

### **SB 447: Constructing culverts or new entrances on public roads**

Does not change underlying intent of original statutes. Just changes language to clarify responsibilities for payment of costs. Larry Emig, KDOT Policy Chief, Bureau of Local Projects advised members this bill just clarifies current practices. . Mr. Lutz requested an amendment to the bill as drafted. It would remove "...and the township clerk on townships roads..." to read "...and the township board on township roads..." (Attachment 2). Senator Salmans moved to adopt the amendment. Senator Goodwin seconded the motion. Motion carried.. Hearing closed..

## CONTINUATION SHEET

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE at 8:30 a.m. on February 10, 2004 in Room 527-S of the Capitol.

### **SB 448: Repealing statutes related to certain roads & highways**

This bill repeals several statutes that are either redundant, out of date, no longer used or conflict with other statutes. In reviewing the bill as written they discovered some statutes that should be studied further before they are repealed. Requested amendments to the bill as drafted to not repeal 68-560, 68-561, 68-572 and 68-1109 (Attachment 3). Mr. Emig answered questions regarding 68-1134; surplus materials. Senator Salmans moved adoption of the amendments. Senator Schodorf seconded the motion. Motion carried. Hearing closed.

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

This bill makes minor revisions concerning bids. Following further review of these proposed revisions need to request amendments to the bill as drafted. Do not repeal Sec. 3. Change Sec. 4, Line 20. New language clarifies that all bidding contractors shall be "qualified." Sec. 6, change to allow bid openings in advertised public setting without having to convene a meeting of board of county commissioners (Attachment 4). Question raised regarding policy change related to letting of bids in Sec. 6, KSA 68-1115. Referred back to Sec. 4 amendment which would add the word "qualified" before bidders. Chairman Donovan requested interested parties look into the matter of a policy change and present the findings to the Committee. Hearing continued on **SB 449**.

### **SB 194: Requiring electrically operated traffic control devices at intersection of K-7 & Clear Creek Parkway**

Chairman Donovan reported this bill, which was introduced last year, is no longer needed. The problem which led to introduction of the bill has been resolved without recourse to legislation. Senator Schodorf moved to recommend SB 194 be not passed. Senator Lyon seconded the motion. Motion carried.

The Chair also requested information be obtained regarding local ordinances forbidding the use of backup warning signals on trucks in the early morning hours.

### **Approval of minutes**

Senator Goodwin moved to approve minutes of the February 4, 2004 meeting. Senator Salmans seconded the motion. Motion carried.

The meeting adjourned at 9:25 a.m.

The next meeting is scheduled for February 11, 2004