

## MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 8:30 a.m. on February 13, 2009 in Room 136-N of the Capitol.

All members were present except:

Senator Les Donovan- excused

Committee staff present:

Mike Corrigan, Office of the Revisor of Statutes

Hank Avila, Kansas Legislative Research Department

Jill Shelley, Kansas Legislative Research Department

Cindy Shepard, Committee Assistant

Others attending:

See attached list.

The Chairman called for final action on **SB 46 - Procedures for sale of certain property by port authorities.**

Hank Avila reviewed **SB 46** and distributed copies of the agreement between Mid-States Port Authority (MSPA) and Kyle Railroad that includes the requirement of Kyle to honor all term extensions of leases that had been made known to Kyle as per the listing provided by MSPA (Attachment 1). The Chairman indicated there would be no need for the amendment requested at the February 5 hearing since all interested parties had reached an agreement.

Senator Hensley moved, Senator Kultala seconded, to recommend SB 46 favorably for passage. Motion carried.

Final action on **SB 59 - Primary seat belt law, penalty.**

The Chairman called attention to amendments requested during testimony on January 29. Kansas Department of Transportation (KDOT) requested changing the effective date to state from and after its publication in the Kansas register. The law has to be in effect by June 30, 2009 in order to receive the \$11.2 million federal incentive money. The next amendment was requested by Kathy Porter from the Office of Judicial Administration, adding the statutory docket fee for safety belt violations.

Senator Peterson had requested a maximum warning period and that the fine include the docket fee. Terry Heidner, KDOT, clarified the grace period allowance. The bill has to be in affect by June 30 but warning tickets can be issued until September 29, 2009. Discussion followed and the Chairman indicated to wait for action on this warning period amendment until exact language is drafted.

Senator Umbarger turned attention to the issue of the docket fee. After questions and discussion, Senator Brownlee proposed \$25 fine plus the docket fee of \$75. Senator Kultala moved, Senator Brownlee seconded, to amend SB 59 as indicated. Motion carried.

The Chairman called for continued action on **SB 37 -Regarding traffic, concerning golf carts .**

Mike Corrigan continued review of the substitute bill draft and the slow moving vehicle emblem amendment (Attachment 2). Discussion followed and the committee indicated concern that the original bill was not included in the substitute bill. Senator Petersen moved, Senator Apple seconded, to adopt the slow moving vehicle emblem amendment into the original SB 37 language. Motion carried.

Senator Schmidt moved, Senator Brownlee seconded, to merge the original amended SB 37 into the substitute bill draft. Motion carried.

The Chairman indicated the committee would consider final action after review of the new bill language.

The meeting was adjourned at 09:27 a.m. The next meeting is scheduled for February 17, 2009.