

MINUTES OF THE SENATE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairperson Carolyn McGinn at 9:37 am on Thursday, March 17, 2022, in room 142-S of the Capitol.

All members were present except:

Senator Elaine Bowers – Excused

Committee staff present:

Charles Reimer, Office of Revisor of Statutes

Jason Long, Office of Revisor of Statutes

Jill Shelley, Legislative Research Department

Matthew Willis, Legislative Research Department

Noah Morgan, Committee Assistant

Conferees appearing before the Committee:

Joel Skelley, Kansas Department of Transportation

Pat Hubbell, Kansas Railroad Association

Ty Drago, Sheet Metal Air Rail & Transportation Union

Troy Fancher, Rail Conductor

Brandon Neucamp, Engineer for Burlington Northern Santa Fe Railroad

Others in attendance:

No list available

Informational briefing:

Jill Shelley, Kansas Legislative Research Department, provided a brief overview of the Kansas Rail Safety Act (**SB 530**) and other states with similar laws. ([Attachment 1](#))

Joel Skelley, Kansas Department of Transportation, provided a neutral overview of **SB 530**. Skelley states that while the bill has good intentions and KDOT is willing to work with the legislators, parts of the bill are unclear on where exactly the authority lies and in some cases assigns KDOT responsibilities in which KDOT does not have authority to carry out the prescribed responsibilities. ([Attachment 2](#))

Pat Hubbell, Kansas Rail Association, provided information regarding previously defeated bills that were similar in nature to **SB 530** by federal courts. Hubbell also provided information wherein the Kansas Attorney General ruled a similar bill was not able to be brought through rules and regulations. Hubbell mentioned that railroad employees are paid well and received great benefits, briefly discussed collective bargaining, and stated railroad companies pay among the highest taxes in the state. Hubbell

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

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also feared the bills would harm rails ability to get crucial coal and oils across the country - as it was drastically needed during the cold front in early 2021.

Ty Dragoo, Sheet Metal Air Rail & Transportation Union, suggested SB 530 was merely a public safety issue and had nothing to do with collective bargaining or wages. Dragoo suggested many of the federal or state rulings were misunderstood or had questionable rulings. Dragoo shared concerns with safety of staff, Kansas citizens, and suggested a need for physical and human safeguards in case of computer or electronic failure of locomotives. Dragoo also questioned the effectiveness of excessive train lengths and warned that longer trains were usually counterproductive to the needs of the railroad. ([Attachment 3](#))

Troy Fancher, a Marysville Conductor, spoke of a tragic July 2014 incident whereby a 11,000 foot empty coal train ran over a woman. Fancher suggests the woman only survived because there were 2 rail employees aboard the train and that a limit of only one conductor would severely dampen emergency response time and effectiveness of rails.

Brandon Neucamp, an engineer for Burlington Northern Santa Fe Railroad, shared similar concerns to Fancher and Dragoo. Neucamp discussed the excessive lengths of trains and the number of train-car and train-pedestrian accidents many of the railroaders have had to face. Discussion ensued.

Chairman McGinn adjourned the meeting at 10:29AM. No further meetings are scheduled for the 2022 Legislative Session.