

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION.

The meeting was called to order by Chairman Rex Crowell at 1:30 p.m. on March 23, 1993 in Room 519-S of the Capitol.

All members were present except: All Present

Committee staff present: Tom Severn, Legislative Research Department
Hank Avila, Legislative Research Department
Bruce Kinzie, Revisor of Statutes
Donna Luttjohann, Committee Secretary

Conferees appearing before the committee: None

Others attending: See attached list

Chairman Crowell brought the committee's attention to SB 135 regarding the approval of motor vehicle accident prevention courses by the highway patrol.

Rep. McClure made a motion to take the bill off the table. It was seconded by Rep. Reinhardt. The motion carried.

The Chairman referred the committee back to the request by Rep. McKinney to divide the amendments for voting. The first half of the amendment had previously failed and, at present, action was to be taken on the second half of the motion to amend. The second half of the motion failed.

Rep. Pauls made a motion to pass the bill favorably out of committee. It was seconded by Rep. McClure.

Rep. Dawson made a motion to table the bill. It was seconded by Rep. Haulmark. On a division, the motion failed 10 against and 9 for.

Rep. Shore made a substitute motion to amend page 1, line 32 with the words "motor vehicle" replacing "qualified person". It was seconded by Rep. Lloyd. The motion carried.

Rep. Reinhardt made a motion to pass the bill favorably as amended. It was seconded by Rep. Shore.

A substitute motion was made by Rep. King to table the bill. It was seconded by Rep. Wells. On a division, the motion failed 9 for and 9 against.

On the motion by Rep. Reinhardt to pass the bill favorably as amended, on a division, the motion failed 8 for and 11 against.

Rep. King made a motion to report the bill adversely. Motion died for lack of second.

Chairman Crowell brought the committee's attention to SB 401. On the motion of Rep. Shore to accept the subcommittee's report and seconded by Rep. McKinney, the motion carried. (See Attachment 1).

Rep. Shore made the motion to amend the bill as the subcommittee recommended. It was seconded by Rep. McKinney. The motion carried.

Rep. Shore made a motion to pass the bill favorably as amended. It was seconded by Rep. McKinney. The motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON TRANSPORTATION, Room 519-S Statehouse, at 1:30 p.m. on March 23, 1993.

The Chairman called the committee's attention to SCR 1611 regarding the Legislature's opposition to federal legislation requiring revocation or suspension of drivers' licenses for any drug related offense.

Rep. Smith made a motion to amend the resolution by adding language to clarify the Kansas Legislature's interest in taking action against drug offenders. It was seconded by Rep. Dillon. The motion carried.

Rep. Reinhardt made a conceptual amendment to further emphasize the Kansas Legislature's feeling that, strong actions should be taken against drug offenders. Rep. Dillon seconded the motion. The motion carried.

Rep. Shallenburger made a motion to report the resolution adversely. It was seconded by Rep. King. The motion failed. Rep. Shallenburger requested he be recorded voting aye on the motion.

Rep. Haulmark made a motion to amend by striking lines 20 through 23 on page 1. Rep. King seconded the motion. The motion carried.

Rep. McKinney made a motion to pass the resolution as amended favorably out of committee. It was seconded by Rep. McClure. The motion carried. Rep. Shallenburger requested he be recorded voting no.

Chairman Crowell adjourned the meeting at 2:59 p.m. with the next meeting scheduled for March 24, 1993, in Room 519-S of the Capitol.

HOUSE TRANSPORTATION COMMITTEE

Name

Representing

HEN MCNEILL

РБРАУ

AB97E0EAS

Betty Jo Heslet

1510 NW Tyler Topeka

ABATE of Ks.

Tawney mehl

3435⁰ Glass Topika

ABATE OF KS.

Rosalie Thornburg

Торекен

1600,

Susan Baker

KC MO

DOT/N.H.T.S.A.

Bill Watts

10 peka

KDOT

Top Lieber

Турция

HS Corp Council

Tom Whitaker

Торекэ

5 MOTOR CORRECTION ASSN

Tom Day

1 of 14

KCC

Dodie J. Lacey

Topika

K's Children's Service League

TED D. AYRES

Торка

REGENTS STAFF

P

Oran Barrett Topoka

44 SD 301#

[illegible]

3/23
3:30 -
EDUCATION
COMMITTEE

SUBCOMMITTEE REPORT

March 23, 1993

To: House Committee on Transportation
From: House Transportation Subcommittee
Re: Proposed Recommendations on S.B. 401

As directed by the Chairman of the House Transportation Committee, the Subcommittee met on March 19, 1993 to review the provisions of Senate Bill No. 401. Conferees in attendance included representatives of the Kansas Oil Marketers Association; the Kansas Cooperative Council; Kansas Farmers Services Association; Farm Bureau; and Kansas Department of Revenue.

S.B. 401 repeals the 40-gallon minimum purchase requirement as a qualification for holding a nonhighway motor vehicle or special fuel exemption certificate. The bill also eliminates the 40-gallon minimum purchase requirement that applies when the holder of a refund permit seeks a refund of motor fuel taxes that have been paid on fuel for exempt purposes. In its place, refunds will be paid on requests that exceed \$25.

Testimony before the House Transportation Committee by the Department of Revenue indicated that the bill was needed for two principal reasons. One is that some key and card fuel systems on fuel pumps produce information on a billing cycle only and not for each fuel purchase. The other is that some nonhighway users may not purchase in 40-gallon quantities. Testimony from conferees indicated that they supported the provisions of S.B. 401 but needed more time to comply with the requirements of 1992 S.B. 551 which becomes effective July 1, 1993. During the hearings before the Committee some members of the Committee raised questions about the excessive detail required on the exemption permit applications which have been sent out by the Department of Revenue for purposes of obtaining the exemption permit.

The Subcommittee addressed the problems associated with the bill in two ways. First, the Subcommittee discussed ways to modify the contents of the form. In this regard, the Department of Revenue agreed with the Subcommittee to implement the following changes:

1. to remove the question pertaining to storage type (above ground/below ground),
2. to remove the requirement that a person disclose the Vehicle Identification Number of vehicles, machinery, and equipment, and
3. to remove the requirement of a notary.

In addition, the Subcommittee recommends the following changes to the statute:

1. remove the requirement of year and horsepower of vehicles, machinery, and equipment,

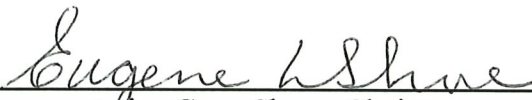
HOUSE TRANSPORTATION
Attachment 1-1
3/23/93

2. include the requirements for the model of the vehicles, machinery, and equipment, and
3. amend the refund statutes to agree with the two above items.

Another item discussed at the meeting was record requirements for exemption permit holders. Discussion centered on reducing the amount of paperwork associated with record requirements. No agreement was reached in this regard. In addition, the Department of Revenue agreed to delay the reporting requirements for the exemption permits on diesel fuel in order to provide time for the distributors to get appropriate computer software on line. Finally, the Department of Revenue informed the Subcommittee that Department of Revenue personnel will continue conducting statewide meetings on the requirements of 1992 S.B. 551.


With these modifications and changes, the Subcommittee recommends the adoption of the Subcommittee report.

Respectfully submitted,


Representative Gene Shore, Chairman


Representative Carol Dawson


Representative Steve Lloyd


Representative Dennis McKinney


Representative Don Rezac