

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE

The meeting was called to order by Vice-Chairman John Faber at 1:30 p.m. on March 11, 2004 in Room 519-S of the Capitol.

All members were present except:

Representative Bruce Larkin- excused
Representative Carol Edward Beggs- excused
Representative Don Myers- excused
Representative Jene Vickrey- excused
Representative Jim Yonally- excused
Representative John Ballou- excused

Committee staff present:

Mary Galligan, Legislative Research Department
Hank Avila, Legislative Research Department
Bruce Kinzie, Revisor of Statutes Office
Betty Boaz, Committee Secretary

Conferees appearing before the committee:

Tom Whitaker, Executive Director, KS Motor Carriers Ass'n.
Mike Hoeme, Director, Transportation Div., KS Corporation Commission
Mark Coberly, Gove, KS, (representing several independent manure dealers)

Others attending:

See Attached List.

SB 472 - Motor carrier certificate exception for manure haulers

Vice-Chairman John Faber opened the hearing on **SB 472**. He recognized Mike Hoeme with the KCC. Mr. Hoeme said the KS Corporation Commission does not object to the language in **SB 472**. (Attachment 1) Mr. Hoeme requested that the Committee amend **SB 472** to include the provisions of HB 2661, as amended. According to Mr. Hoeme this language was agreed to by the Kansas Livestock Ass'n., the KS Motor Carriers Ass'n., and the KCC. He stood for questions.

Mark S. Coberly was the next proponent for **SB 472**. (Attachment 2) He testified to five specific points: 1) the increase in expenses will crowd out small operators 2) small operators of feedyards will have nowhere to turn for the smaller amounts of manure they need hauled away 3) there will be a net loss of jobs and people in already strapped, rural communities 4) the smaller manure operators keep many farmers and stockmen in compliance with the ever-increasing EPA pollution regulations, and 5) a net loss of revenue to the State because small manure spreaders would be unable to continue their business. Mr. Coberly provided the Committee with information showing how much it would cost his operation to continue in business.

The Vice Chairman introduced Tom Whitaker, Executive Director, KS Motor Carriers Ass'n. (Attachment 3) According to Mr. Whitaker **SB 472** would exempt companies operating "trucks mounted with a fertilizer spreader used or manufactured principally to spread animal dung" from registering and filing insurance with the Transportation Division of the Kansas Corporation Commission. Mr. Whitaker further requested that the Committee amend **SB 472** by adding the provisions of HB 2661. Mr. Whitaker concluded by saying with the inclusion of the provisions of HB 2661, the KMCA supports **SB 472**.

There being no other proponents and no opponents, Vice-Chairman Faber closed the hearing on **SB 472**.

The Minutes for the meetings of February 11, 12, 16, 17, 18 and 19, 2004, were presented for approval or correction. A motion was made by Representative Huff to approve the minutes, seconded by Representative Wilk and the motion carried.

Vice-Chairman Faber adjourned the meeting. The next meeting will be March 16, 2004, at 1:30 p.m. in Room 519-S.

CONTINUATION SHEET

MINUTES OF THE HOUSE TRANSPORTATION COMMITTEE at 1:30 p.m. on March 11, 2004 in Room 519-S of the Capitol.