

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE.

The meeting was called to order by Chairperson Senator Les Donovan at 8:30 a.m. on March 13, 2002 in Room 245-N of the Capitol.

All members were present except: Senator Goodwin

Committee staff present: Hank Avila, Legislative Research Department
Bruce Kinzie, Revisor of Statutes
Marian F. Holeman, Committee Secretary

Conferees appearing before the committee: Representative Compton
Senator Adkins
Dean Carlson, Secretary, KDOT
George Barbee, KS Consulting Engineers
Bob Totten, KS Contractors Assn.
Butch Spray, Associated Gen'l Contractors

Others attending: See attached list

HB 2658: Re naming part of US 400, Clayton J. Connell memorial highway

Representative Mary Compton advised members the Fredonia City Council contacted her requesting introduction of a bill honoring Clayton J. Connell. Her testimony includes a brief biography of Mr. Connell (attachment 1). In order to keep this bill in line with other highway naming bills, the Chair asked for a conceptual amendment to require that signs would not be installed until the Secretary of KDOT receives sufficient moneys from gifts and donations to be reimbursed for the cost of placing such signs. Senator Salmans moved to adopt the requested amendment. Senator Schodorf seconded the motion. Motion carried.

Senator Adkins requested an amendment to recognize Senator Ben Vidricksen, "Mr. Highways," for his years of service to the citizens of the State of Kansas. The request is for the highway section from the junction of interstate highway 135 with interstate highway 70, south on interstate highway 135 to the southern boundary of Saline county to be designated the Ben E. Vidricksen highway (attachment 2). Senator Schodorf moved to adopt the amendment. Senator Jackson seconded the motion. Motion carried.

Dean Carlson, Secretary, Kansas Department of Transportation, requested an additional amendment on this bill dealing with authorization for highway demonstration projects. He explained the reasons behind his request. Members discussed the impact this would have on the current "low bidder" approach to transportation projects. Secretary Carlson cited the Atchison River Bridge as a project where such authority would be a useful tool to have in dealing with an "emergency" event. He further added that this is really geared toward projects where new ways of doing things would be desirable (attachment 3).

George Barbee, Kansas Consulting Engineers, added his support for the Senator Ben Vidricksen highway. He advised that his organization has not seen the Secretary's proposed amendment, but that there are many ways to deliver a design and construction project. They are not opposed to "design" bills, but they are very concerned about the processes and how you go about selecting the people to do this. They are concerned and would like to further discuss what the process would be (no written testimony).

Senator Harrington suggested this proposed amendment not be added to **HB 2658**, but conceptually introduced through the exempt Federal & State Affairs Committee as a separate bill to be referred to Transportation Committee for a full hearing.

Bob Totten, Kansas Contractors Association, Inc. testified in opposition to Secretary Carlson's proposed amendment. Because the design build program is based on subjective data and information, they feel there are too many pitfalls and opportunities for a political clout and

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patronage system to evolve. They are especially concerned about a project being completely financed by one company as most Kansas companies could not finance a project on their own (attachment 4).

Butch Spray, Associated General Contractors of America, also spoke in opposition to this proposed amendment. It limits the ability of contractors to compete. Procedures need to be refined. He sees no limiting factors. It is too wide open in scope. Mr. Spray did not provide written testimony. There were no more conferees and the hearing on **HB 2658** was closed.

Final action

HB 2794 deals with 48-hour transport permits for non licensed car dealer auctioneers. At the hearing on March 12 a proposed amendment was offered to include an extra reassignment on certificates of title. Today, we have a proposed additional amendment which, hopefully, will alleviate some of the expressed concerns. This amendment would raise the time to 72 hours and increase the fee from \$2.00 to \$3.00. Senator Schodorf moved the amendment. Senator Salmans seconded the motion. Members discussed implications of these changes. Motion carried. Senator Schodorf moved to amend the bill to include an extra reassignment on certificates of title and the necessary technical changes. Senator Harrington seconded the motion. Motion carried. Senator Schodorf moved to recommend **HB 2794**, as amended, favorable for passage. Senator Harrington seconded the motion. Motion carried.

Staff reported no findings to indicate that **HB 2699**, which would prohibit covering license plates with plastic materials, would negatively impact tourism in the state. It was further reported that manufacturers of these covers frankly stated their purpose was to block reading the information on license plates. There has been no problems with the general public in states where such coverings are prohibited. There was a request to again pass over the bill, so no action taken.

The Committee returned to **HB 2658**. Members expressed concern as to the scope of the highway demonstration projects and felt that insufficient information was available to include Secretary Carlson's amendment in this bill. There was no motion to adopt this amendment. It was agreed a bill on highway demonstration projects would be introduced through Federal & State Affairs Committee. If timing permits, that bill would then be scheduled for hearing in this Committee, Tuesday, March 19, 2002. Senator Jackson moved to recommend passage of **HB 2658** as amended favorable for passage. Senator Harrington seconded the motion. Motion carried.

The Committee Chair asked that all those with questions and concerns regarding highway demonstration projects meet and work out their differences prior to a hearing on the bill.

Approval of minutes

Senator Harrington moved to approve minutes of the March 7, 2002 meeting. Senator Schodorf seconded the motion. Motion carried.

The meeting adjourned at 9:30 a.m.

The next meeting is scheduled for March 14, 2002