

ROADS AND HIGHWAYS COMMITTEE MEETING -- MARCH 11, 1971

The Roads and Highways Committee met in room 535 at 2:45 P. M. on March 11, 1971. Chairman Dierdorff still had laryngitis so Vice-chairman Ratner presided. All members were present.

Conferees were H. J. Ulrich and Bob Nelson of the Motor Vehicle Department on House Bill 1560; Representative Ratner on House Bill 1130; Representatives Maag, Slocombe and Taylor on House Bill 1092; Representative Lady on House Bill 1158.

HOUSE BILL 1130 - AN ACT requiring the state highway commission to publish a report on the status of the state highway system and system of modern express highways and freeways.

Mr. Ratner explained that this is included in House Bill 1245 and Senate Bill 137. This requires a report by the State Highway Commission each year on what they are doing. He does not think we need to take action on it. The idea of this was suggested by a former Highway Commissioner.

HOUSE BILL 1560 - AN ACT concerning the suspension of drivers' licenses; amending KSA 1970 Supp. 8-255 and repealing the existing section.

Mr. Ulrich said he is appearing to explain the administrative suspensions of drivers licenses on three violations. He said he is sure the committee is aware that this attempts to identify common carriers and drivers for hire. On the surface it would not be too difficult to administer, but there are some problems. He said when someone receives three moving violations and they are identified, their case goes before a review board and they are charged as to severity and it is determined whether to suspend

them or send them to driver improvement clinic. If a driver is suspended, he is granted an opportunity for a hearing before the legal department of the Motor Vehicle Department, and if he is a professional driver that is taken into consideration. For that reason, they feel they are applying the principle that is being indicated here. It would be very difficult to discriminate between a part-time delivery truck where the driver is possibly 18.

Mr. Nelson said that in most cases a hearing is granted immediately.

HOUSE BILL 1092 - AN ACT relating to express highways and freeways; amending KSA 1970 Supp. 68-2301, and repealing the existing section.

Representatives Maage, Slocombe and Taylor all spoke in support of including 50 Highway in the freeway system.

HOUSE BILL 1158 - AN ACT relating to the motor-fuel tax law; concerning the rate of tax, allowance for certain losses and exempt transactions; amending KSA 1970 Supp. 79-3408, and repealing the existing section.

Mr. Lady reviewed the bill again. He said that when he drafted the bill that there was no intent to be unfair. It provides for reducing the handling allowance on a range schedule. He said we have heard both sides - there has been opposition to sliding schedule and this surprises him.

Mr. Lady said that he polled the members of the committee and some indicated they would vote for 2½%, so he proposed the attached amendment. Mr. Lady made a motion, second by Mr. Davis, that the attached amendment be accepted.

Mr. Jacobs asked for permission to speak on the amendment. He said he cannot understand why he would not listen to the people in the industry -- that he knows they would not misrepresent the facts. He said what beats him is how so many people know so much about other people's business. This has been on the statute books a long time, and he knows as a jobber that you cannot operate gas without shrinkage. He said for the life of him, he cannot see why you would doubt the word of the people. He said the people in the Research Department do not know everything. He is not in favor of this and feels it is wrong. He said he did not know why you would pick on an industry that is so vital to the state of Kansas. Why would you tamper with something that is working? The state is not that hard up for money.

Mr. Bush said that he thinks we should be frank with each other. When the handling allowance was changed from the previous percentage this committee gave it some study and thought it was right. Then later when it was reduced from 3½% to 3%, they thought that was right. Now, two years later we want to change it again. He does not feel this is the time for restrictive legislation and cannot get too enthusiastic about this. He feels this is the subject of inflation just as everything else and that to take away even ½% would be wrong.

Mr. Ossmann said he thought it would be wrong to decrease the allowance.

Mr. Rosenau said that his distributor said 2½% would put him out of business.

Vice-chairman Ratner called for a show of hands on the amendment to House Bill 1158. Motion lost -- 10 No, 8 YES.

Mr. Jacobs made a motion, second by Mr. Gray, that House Bill 1158 be reported unfavorably. Motion carried.

(Mr. Allison asked if we could hold the bill over and study it. Mr. Gray replied that the whole committee, together with the Senate Transportation and Utilities Committee, had an interim study two years ago. Mr. Lady said that he would concur that it would be a waste of time - that we had exhausted the study.)

Mr. Ossmann made a motion, second by Mr. Gray, that House Bill 1102 be reported unfavorably. Motion carried.

Mr. Lady made a motion, second by Mr. Spotts, that House Bill 1305 be reported unfavorably. Motion carried.

Mr. Wilson made a motion, second by Mr. Wingert, that House Bill 1374 be reported unfavorably. Motion carried.

Mr. Ossmann made a motion, second by Mr. Dierdorff, that House Bill 1421 be reported unfavorably. Motion carried.

Mr. Hayes made a motion, second by Mr. Wilson, that House Bill 1423 be reported unfavorably. Motion carried.

The meeting was adjourned.

Fran Stafford, Recording Secretary

APPROVED:

  
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ARDEN DIERDORFF, CHAIRMAN

March 15, 1971

Except as otherwise noted, the individual remarks recorded herein have not been transcribed verbatim and this record has not been approved by the committee or by the individuals making such remarks