

MINUTES OF THE House COMMITTEE ON Transportation

The meeting was called to order by Rep. Rex Crowell at _____
Chairperson

1:30 ~~am~~/p.m. on April 4, 19 83 in room 519-S of the Capitol.

All members were present ~~except:~~ ^{XXXXXX}

Committee staff present:

Fred Carman, Revisor of Statutes
Hank Avila, Legislative Research
Pam Somerville, Committee Secretary

Conferees appearing before the committee:

Rep. Jim Braden
Sen. Werts
Dan Watkins, KDOT

Others Present:

L. D. Morlan, KDOT
Bob Haley, KDOT
Mary Turkington, Kansas Motor Carriers Association
Tom Whitaker, Kansas Motor Carriers Association

The meeting began with a hearing on SB 420. The subject matter of SB 420 was originally introduced as SB 360, however, this bill was caught by a legislative deadline.

Rep. Braden appeared before the committee in support of SB 420 explaining to the committee that the city of Ogden has a serious problem with flooding, greatly aggravated by a dike built by the Department of Transportation. The bill would allow the Secretary of Transportation to obtain consent to construct and maintain one or more detention dams on Fort Riley to protect the city of Ogden from flood waters flowing in streams tributary to the Kansas River whose flow is or has been obstructed or redirected by improvements to highways in the vicinity of Ogden.

Sen. Werts presented the history of the area around Ogden which has led to the need for SB 420. In the early 1970's, a bypass was built around Ogden creating a more intense flooding problem since waters that normally flowed onto farmlands now flowed into the southern edge of the city.

The Chairman opened the meeting to committee questions and discussion. Chairman Crowell asked Sen. Werts if there had been any contact with the Army regarding construction of dams on the Reservation. Sen. Werts said there had been preliminary discussions but obviously the Army was not interested in spending money for improvements which did not benefit the reservation. Dan Watkins, KDOT, presented testimony on SB 420. Mr. Watkins stated KDOT has had negotiations with the City of Ogden, however the city has refused to sign an agreement to permit initiation of construction plans for a dike. Mr. Watkins stated the City of Ogden felt KDOT had created the increased runoff and therefore they (KDOT) should assume the entire cost. On the other hand, KDOT's position is that while the runoff problem was aggravated due to the bypass, the city of Ogden already had a severe flooding problem and flooding is not the fault of KDOT.

Rep. Adam asked Mr. Watkins if funding was available for the dike or dams. Mr. Watkins replied that funding was available only if an agreement could be reached with Ogden and if Ogden did agree the ceiling on the funds available from the state was \$1 million.

Committee discussion ensued regarding liability, cost of construction, and proposed remedies to the flooding situation. No clearcut answers emerged. Due to limited time the Chairman stated the discussion would continue tomorrow (4/5/83) and a hearing on SB 417 would also be held.

CONTINUATION SHEET

MINUTES OF THE House COMMITTEE ON Transportation,
room 519-S, Statehouse, at 1:00 ~~xxx~~/p.m. on April 4, 1983

A revised agenda would be distributed this afternoon. The meeting adjourned at 1:30 p.m.


Rex Crowell, Chairman

