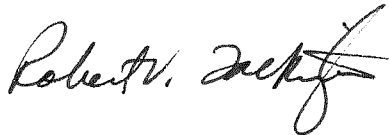


MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

The meeting was called to order by SENATOR ROBERT V. TALKINGTON at
Chairperson
9:00 a.m. Wednesday, March 23 83 254-E
a.m./p.m. on _____, 19__ in room _____ of the Capitol.

All members were present except:

All members present.



Committee staff present:

Fred Carman
Hank Avila
Rosalie Black

Conferees appearing before the committee:

- HB 2358 - Representative Rex Crowell; Bill Green, KCC; Pat Hubbell, KS Railroad Assoc.;
Bryan Whitehead, Brotherhood of Railway, Airline and Steamship Clerks;
Leroy Jones, Brotherhood of Locomotive Engineers;
Jack McGlothlin, United Transportation Union
- HB 2288 - Bill Green, KCC; Mary Turkington, KS Motor Carriers Association
- HB 2532 - Representative Robert Vancrum; Chris Graves, Associated Students of Kansas
- HB 2382 - Representative Robert Vancrum; Chris Graves;
Tom Green, Retail Liquor Dealers; Steve Montgomery, Dept. of Revenue.

The meeting was called to order by Senator Talkington, Chairman, who introduced Representative Rex Crowell to discuss House Bill 2358.

HOUSE BILL 2358 - HEARING

Representative Crowell indicated the proposed legislation concerns railroad discontinuance of service or station closings and reducing the service test period from 180 days to 90 days. He added that the bill is the result of negotiation among representatives from the Kansas Corporation Commission, Pat Hubbell, Bryan Whitehead and himself.

Bill Green presented a chart which reflected the differences between current law and HB 2358 as amended. (See Attachment 1.) He said that the KCC supports the bill because it will clarify the legislative intent in the Commission's approach to deciding modification or discontinuance of agency service.

Pat Hubbell stated that 827 shippers had been effected in the State of Kansas by modification with only 23 shippers protesting. As a result, he indicated the proposed legislation is not a serious problem with shippers.

Bryan Whitehead pointed out that his group favored the section which allows the agent to remain in place during the test period in Line 89 and also Representative Crowell's proposal to require that railway agency service system tests be conducted

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES,
room 254-E, Statehouse, at 9:00 a.m. a.m./p.m. on March 23, 1983.

HOUSE BILL 2358 (continued)

during months when the greatest number of cars are loaded at the agency. (See Attachment 2.)

As a member of the Brotherhood of Locomotive Engineers, Leroy Jones spoke in support of the bill.

Jack McGlothlin indicated support of the bill which he said will settle problems that the union has faced in the last two years.

HOUSE BILL 2288 - HEARING

Bill Green said HB 2288, requested by the KCC, will correct a contradiction in HB 2717 and SB 511 (1982 Legislative Session) involving notice of hearing requirements and entry standards. (See Attachment 3.)

Mary Turkington requested a proposed amendment inserting the words "will serve a useful public purpose" into Line 35 and Line 63. (See Attachment 4.)

HOUSE BILL 2532 - HEARING AND HOUSE BILL 2382 - HEARING

Representative Robert Vancrum requested passage of legislation for both bills which addresses the problem of fake ID's and penalties. In answer to a question from Senator Talkington, he said both bills are necessary. (See Attachment 5.)

Chris Graves testified in support of HB 2532 and HB 2382 for the Associated Students of Kansas. (See Attachment 6.)

Tom Green told the Committee that the Retail Liquor Dealers are liable to administrative discipline concerning fake ID's and the bills would address the problems that this creates.

In discussing HB 2382, Steve Montgomery felt the Committee should be aware that by listing the types of ID required in this bill, the Department of Revenue will at times be unable to fill a legitimate request for ID's.

SENATE BILL 360 - DISCUSSION

Senator Talkington passed out changes in the bill that have been resolved between the City of Ogden and DOT and which would represent a new bill. (See Attachment 7.) He will meet with Dan Watkins to discuss amendments and wanted the Committee to be aware of this.

HOUSE BILL 2225 - ACTION

Senator Talkington briefed the Committee that due to federal regulations concerning width and height of vehicles, SB 130 and HB 2225 will be incorporated into one bill

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES,
room 254-E, Statehouse, at 9:00 a.m. a.m./p.m. on March 23, 1983

HOUSE BILL 2225 (continued)

and the number obtained later. Several amendments were requested by Fred Carman.

(See Attachment 8.) Senator Morris moved to amend HB 2225; seconded by Senator Norvell and passed.

Senator Norvell moved to report HB 2225 favorable for passage as amended; seconded by Senator Thiessen and passed.

HOUSE BILL 2346 - DISCUSSION

Senator Talkington asked Steve Montgomery to explain the Department of Revenue's position on HB 2346.

Mr. Montgomery said the Department was originally opposed to legislation that would remove its authority to require additional examinations of a driver when the Department has reason to believe the applicant's driving might be harmful to public safety due to mental or physical disability. He added that amendments allowed the Department to give the examination to anyone they believe may not be qualified to drive so it does not really change the situation. One problem he mentioned is that examiners need to know if a handicapped individual has the required corrective equipment and giving the examination upon renewal answered to this.

The meeting adjourned at 10:01 a.m.

Please PRINT Name, Address, the organization you represent, and the Number of the Bill in which you are interested. Thank you.

NAME	ADDRESS	ORGANIZATION	BILL NO.
MERLE HILL	TOPEKA	Ks. Good Roads Assn.	
Televe Huntington	Eureka	-	
BILL GREED	STATE OFF. AIDS.	S.C.E.	
Ed De Soignie	TOPEKA	KOOT	
BRYAN WHITEHEAD	KEK	BRAO	HTB 2358
Leroy Jones	Overland Park	BLE	"
Jack McLothlin	Pittsburg	UTA	2358
C Nicolay	Topoka	KOMA	
Pat Hubbard	Topoka	Kans. RR	2358
M. C. Germond	Topoka	Kans RR	2358
Ron Calvert	NEWTON	U.J.U.	2358
Mark Callme	Topoka	Assoc. Students of Ks.	Sub 2382 2532
Chris Jones	Topoka	ASK	Sub 2382 2532
Nancy King	Topoka	Kansas Motor Carriers Assn.	2288
Tom Whitaker	Topoka	"	2288
H. D. Green	"	Kansas Retail Liquor Dealers	2382 2532
Arden Frazier	"	K.M.C.A.	

State of Kansas



State Corporation Commission

JOHN CARLIN
RICHARD C. (PETE) LOUX
JANE T. ROY
PHILLIP R. DICK
CAROL J. LARSON
BRIAN J. MOLINE

Governor
Chairman
Commissioner
Commissioner
Executive Secretary
General Counsel

Fourth Floor, State Office Bldg.
Ph. 913/296-3355
TOPEKA, KANSAS 66612-1571

STATEMENT PRESENTED ON MARCH 23, 1983, TO THE
SENATE TRANSPORTATION AND UTILITIES COMMITTEE BY THE
STATE CORPORATION COMMISSION OF KANSAS ON H.B. 2358

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, I AM BILL GREEN, ADMINISTRATOR OF THE TRANSPORTATION DIVISION OF THE STATE CORPORATION COMMISSION. I APPEAR HERE TODAY REPRESENTING THE COMMISSION IN SUPPORT OF H.B. 2358 AS AMENDED BY THE HOUSE COMMITTEE OF THE WHOLE.

DURING THE 1981 LEGISLATIVE SESSION, THE LEGISLATURE ENACTED H.B. 2078. THE BILL ESTABLISHED THE PROCEDURES THE COMMISSION AND THE RAILROADS MUST FOLLOW IN MODIFICATION OR DISCONTINUANCE OF RAILWAY AGENCY SERVICE. SINCE THE ENACTMENT OF H.B. 2078, DURING THE 1981 SESSION, THE COMMISSION HAS RECEIVED 35 APPLICATIONS FOR MODIFICATION OF SERVICE AND DISCONTINUANCE OF RAILWAY AGENCY SERVICE.

SINCE JULY OF 1981, SEVERAL AREAS OF DISAGREEMENT HAVE DEVELOPED OVER THE PROCEDURES TO BE FOLLOWED FOR MODIFICATION OR DISCONTINUANCE OF RAILWAY SERVICES. THE NEW PROCEDURES OUTLINED IN H.B. 2358, AS AMENDED, WILL CORRECT THESE PROBLEM AREAS. H.B. 2358 CHANGES THE PROCEDURE IN THE 60 DAY NOTICE IN THE PROTEST PERIOD BY REQUIRING:

1. THE RAILROAD TO INCLUDE IN THEIR FILINGS FOR DISCONTINUANCE OR MODIFICATION OF RAILWAY AGENCIES A PERIOD OF TWO CONTINUOUS MONTHS OF THE GREATEST NUMBER OF CARS BEING SHIPPED AND RECEIVED BY THE AGENCY. (EFFECTIVE JULY, 1984); AND
2. THE COMMISSION NOT LATER THAN 15 DAYS AFTER THE FILING OF THE APPLICATION BY THE RAILROAD SHALL NOTIFY THE RAILROAD OF ITS APPROVAL OF THE TEST PERIOD PROPOSED.

THE CHANGES PROPOSED IN H.B. 2358 REGARDING AUTHORIZED TEST PERIOD FOR DISCONTINUANCE AND MODIFICATION OF RAILWAY AGENCIES CONSISTS OF THREE CHANGES:

1. ALL TIME PERIODS UNDER THE CURRENT LAW HAVE BEEN CUT IN HALF. AS AN EXAMPLE THE 180 DAY TEST PERIOD UNDER THE CURRENT H.B. 2358 HAS BEEN REDUCED TO 90 DAYS;
2. THE TEST PERIOD SHALL CONSIST OF TWO CONTINUOUS MONTHS OF THE GREATEST NUMBER OF CARS SHIPPED, EFFECTIVE JULY 1, 1984; AND
3. THE AGENT SHALL REMAIN IN PLACE DURING THE TEST PERIOD.

FOR YOUR INFORMATION I HAVE DEVELOPED A CHART WHICH REFLECTS THE DIFFERENCES BETWEEN EXISTING LAW AND H.B. 2358, AS AMENDED, (EXHIBITS A & B). ALSO FOR YOUR INFORMATION I HAVE DEVELOPED A CHART OF ALL APPLICATIONS THE COMMISSION HAS RECEIVED TO DATE WITH THE STATUS OF THE TEST PERIOD (EXHIBIT C).

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE THE CORPORATION COMMISSION SUPPORTS H.B. 2358, AS AMENDED, BECAUSE WE BELIEVE IT WILL CLARIFY THE LEGISLATIVE INTENT IN THE COMMISSION'S APPROACH TO DECIDING MODIFICATION OR DISCONTINUANCE OF AGENCY SERVICE.

AT THIS TIME, IF YOU HAVE ANY QUESTIONS, I WILL BE HAPPY TO TRY TO ANSWER THEM.

COMPARISON OF CURRENT AND PROPOSED 60 DAYS NOTICE AND PROTEST PERIOD
FOR MODIFICATION OR DISCONTINUANCE OF RAILWAY AGENCIES

A. CURRENT PROCEDURES OUTLINED IN K.S.A. 66-1121. FILING OF APPLICATIONS:

A. 60 DAYS PRIOR TO THE EFFECTIVE DATE.

2. NOTICE TO SHIPPERS:

A. SHIPPERS WHO HAVE USED THE R.R. SERVICE DURING THE LAST 3 YEARS SHALL BE NOTIFIED BY THE 15TH DAY AFTER THE FILING.

B. NAMES OF THE SHIPPERS SHALL BE PROVIDED TO THE COMMISSION BY THE 15TH DAY AFTER THE FILING.

3. SHIPPER PROTEST:

A. NOTIFIED SHIPPERS MAY PROTEST THE PROPOSED TEST PERIOD WITHIN 30 DAYS; BETWEEN THE 15TH AND 45TH DAY OF THE 60 DAY NOTICE AND PROTEST PERIOD.

A. PROPOSED PROCEDURES OUTLINED IN HB 23581. FILING OF APPLICATIONS:

A. 60 DAYS PRIOR TO THE EFFECTIVE DATE.

2. NOTICE TO SHIPPERS:

A. SHIPPERS WHO HAVE USED THE R.R. SERVICE DURING THE LAST 3 YEARS SHALL BE NOTIFIED BY THE 15TH DAY AFTER THEIR FILING.

B. NAMES OF THE SHIPPERS SHALL BE PROVIDED TO THE COMMISSION BY THE 15TH DAY AFTER THE FILING.

C. NOT LATER THAN 15 DAYS AFTER FILING THE COMMISSION MUST NOTIFY R.R. OF APPROVAL OF THE TEST PERIOD PROPOSED.

3. SHIPPER PROTEST:

A. NOTIFIED SHIPPERS MAY PROTEST THE PROPOSED TEST PERIOD WITHIN 30 DAYS; BETWEEN THE 15TH AND 45TH DAY OF THE 60 DAY NOTICE AND PROTEST PERIOD.

4. REVIEW OF PROTEST BY COMMISSION:

- A. ON THE 45TH DAY OF THE 60 DAY NOTICE AND PROTEST PERIOD THE COMMISSION STAFF REVIEWS RECEIVED PROTEST.
 - 1. IF PROTESTS ARE LESS THAN 50% OF THE SHIPPERS OR LESS THAN 50% OF THE SHIPPER REVENUE GENERATED FOR THE AGENCY THE HEARING IS WAIVED.
 - *2. IF PROTESTS ARE MORE THAN 50% OF THE SHIPPERS OR MORE THAN 50% OF THE SHIPPER REVENUE GENERATED FOR THE AGENCY A HEARING MAY BE HELD.

5. END OF NOTICE AND PROTEST PERIOD:

AT THE END OF THE 60TH DAY THE NOTICE AND PROTEST PERIOD ENDS. PROPOSED TEST PERIOD BEGINS ON THE 61ST DAY FOR A PERIOD OF 180 DAYS.

4. REVIEW OF PROTEST BY COMMISSION:

- A. ON THE 15TH DAY OF THE 60 DAY NOTICE AND PROTEST PERIOD THE COMMISSION STAFF REVIEWS RECEIVED PROTEST.
 - 1. IF PROTESTS ARE LESS THAN 50% OF THE SHIPPERS OR LESS THAN 50% OF THE SHIPPER REVENUE GENERATED FOR THE AGENCY THE HEARING IS WAIVED.
 - *2. IF PROTESTS ARE MORE THAN 50% OF THE SHIPPERS OR MORE THAN 50% OF THE SHIPPER REVENUE GENERATED FOR THE AGENCY A HEARING MAY BE HELD.

5. END OF NOTICE AND PROTEST PERIOD:

AT THE END OF THE 60TH DAY THE NOTICE AND PROTEST PERIOD ENDS. PROPOSED TEST PERIOD BEGINS ON THE 61ST DAY FOR A PERIOD OF 90 DAYS.

* * * * *

*NOTE:

SETTING HEARING DATE:

ALL HEARINGS DURING THE PROTEST PERIOD SHALL BE HELD WITHIN 45 DAYS OF THE FILING OF THE APPLICATION. HEARING MAY BE EXTENDED 30 DAYS FOR SUFFICIENT CAUSE. FAILURE TO COMMENCE HEARING WITHIN 75 DAYS OF THE FILING OF THE APPLICATION SHALL OPERATE AS A GRANT OF THE APPLICATION SOUGHT.

FINAL ORDER OF COMMISSION:

THE FINAL ORDER OF THE COMMISSION MUST BE WITHIN 60 DAYS AFTER COMMENCEMENT OF THE HEARING, WITH A 30 DAY EXTENSION FOR SUFFICIENT CAUSE. IF THE COMMISSION FAILS TO ISSUE FINAL ORDER WITHIN 90 DAYS OF THE COMMENCEMENT OF THE HEARING, THIS SHALL OPERATE AS A GRANT OF THE APPLICATION SOUGHT.

AUTHORIZED TEST PERIOD FOR MODIFICATION OR
DISCONTINUANCE OF RAILWAY AGENCIES

CURRENT PROCEDURES FOR TEST PERIOD
OUTLINED IN K.S.A. 66-112

A. START TEST PERIOD:

1. 180 DAY TEST PERIOD.

B. SHIPPER SERVICE COMPLAINTS:

1. NOTIFIED SHIPPERS HAVE FROM THE 1ST TO THE 120TH DAY OF TEST PERIOD TO FILE SERVICE COMPLAINTS WITH THE COMMISSION.

C. COMMISSION REVIEW OF SERVICE COMPLAINTS:

1. COMMISSION STAFF REVIEWS SERVICE COMPLAINTS ON THE 121ST DAY OF THE TEST PERIOD.

PROPOSED PROCEDURES FOR TEST PERIOD
OUTLINED IN H.B. 2358

A. START OF TEST PERIOD

1. 90 DAY TEST PERIOD
2. TEST PERIOD SHALL CONTAIN TWO CONTINUOUS MONTHS OF THE GREATEST NUMBER OF CARS SHIPPED AND RECEIVED (EFFECTIVE JULY 1, 1984)
3. THE AGENT SHALL REMAIN IN PLACE DURING THE TEST PERIOD.

B. SHIPPER SERVICE COMPLAINTS:

1. NOTIFIED SHIPPERS HAVE FROM THE 1ST TO THE 60TH DAY OF THE TEST PERIOD TO FILE SERVICE COMPLAINTS WITH THE COMMISSION.

C. COMMISSION REVIEW OF SERVICE COMPLAINTS:

1. THE COMMISSION STAFF REVIEWS SERVICE COMPLAINTS ON THE 61ST DAY OF THE TEST PERIOD.

2. COMMISSION ACTION ON COMPLAINTS:

- A. IF MORE THAN 50% OF THE SHIPPERS OR MORE THAN 50% OF THE SHIPPERS GENERATING THE AGENCY REVENUE FILE SERVICE COMPLAINTS WITH THE COMMISSION A HEARING DATE SHALL BE SET.
- B. IF LESS THAN 50% OF THE SHIPPERS OR LESS THAN 50% OF THE SHIPPERS GENERATING THE AGENCY REVENUE FILE SERVICE COMPLAINTS WITH THE COMMISSION THE HEARING IS WAIVED.

D. END OF TEST PERIOD:

- 1. SERVICE TEST PERIOD ENDS ON THE 180TH DAY.

E. COMMISSION ORDER:

- 1. AFTER THE TEST PERIOD ENDS, THE COMMISSION ISSUES FINAL ORDER.

2. COMMISSION ACTION ON COMPLAINTS:

- A. IF MORE THAN 50% OF THE SHIPPERS OR MORE THAN 50% OF THE SHIPPERS GENERATING THE AGENCY REVENUE FILE SERVICE COMPLAINTS WITH THE COMMISSION, A HEARING DATE SHALL BE SET.
- B. IF LESS THAN 50% OF THE SHIPPERS OR LESS THAN 50% OF THE SHIPPERS GENERATING THE AGENCY REVENUE FILE SERVICE COMPLAINTS WITH THE COMMISSION, THE HEARING IS WAIVED.

D. END OF TEST PERIOD:

- 1. SERVICE TEST PERIOD ENDS ON THE 90TH DAY.

E. COMMISSION ORDER:

- 1. AFTER THE TEST PERIOD ENDS, THE COMMISSION ISSUES FINAL ORDER.

MODIFICATION OR DISCONTINUANCE OF RAILWAY AGENCY SERVICE
APPLICATIONS FILED WITH THE STATE CORPORATION COMMISSION BETWEEN
AUGUST 1981 TO FEBRUARY 1983

<u>RAILROADS</u>	<u>COMMUNITIES</u>	<u>COMMISSION ACTION</u>	<u>STATUS</u>
Santa Fe	Gardner & Wellsville	Grant	Completed
Santa Fe	Florence & Strong City	Grant	Completed
Missouri Pacific	Marquette, Gypsum, Leavenworth, Westphalia, Greeley, Garnett, and LeRoy	Grant	Completed
Santa Fe	Lewis, Kinsley, Cimmaron Copeland, Sublette, Ensign and Montezuma	Grant	Completed
Missouri Pacific	Barnes, Greeley, Washington, Linn, Palmer, Clifton, Clyde, Ames, Jamestown, Scottsville, Randall, Jewell, Burr Oak, Norway, Scandia and Republic	Grant	Completed
Santa Fe	Sylvia, Strafford, St. Johns, Macksville, Nickerson and Sterling	Grant	Completed
Santa Fe	Lakin, Syracuse, Ingalls and Pierceville	Grant	Completed
Santa Fe	DeSoto	Grant	Completed
Santa Fe	Morris and Bonner Springs	Grant	Completed

MODIFICATION OR DISCONTINUANCE OF RAILWAY AGENCY SERVICE
APPLICATIONS FILED WITH THE STATE CORPORATION COMMISSION BETWEEN
AUGUST 1981 TO FEBRUARY 1983

<u>RAILROADS</u>	<u>COMMUNITIES</u>	<u>COMMISSION ACTION</u>	<u>STATUS</u>
Missouri Pacific	Osborne, Alton, Bloomington, Woodston, Stockton, Portis, Harland, Gaylord, Cedar, Claudell, Kerwin, Glade, Speed, Edmond, Lenora and Downs	Grant in Part and Dismiss in Part	Completed
Santa Fe	Osborne and Tipton	Grant	Completed
Santa Fe	Mulvane, Udall and Belle Plaine	Grant	Completed
Santa Fe	Erie	Grant	Completed
Missouri Pacific	Fredonia, Neodesha, Independence, Chetopa, Pittsburg, Piqua, Iola, Yates Center, Toronto, Neal, and Eureka	Grant in Part and Dismiss in Part	Completed
Santa Fe	Mayfield	Grant	Completed
Santa Fe	Anthony, Coats, Coldwater, Norwich, Argonia, Danville, Bluff City, Sawyer, Udall, Nashville and Zenda	Grant	Completed
Union Pacific	Chapman	Grant	Completed

MODIFICATION OR DISCONTINUANCE OF RAILWAY AGENCY SERVICE
APPLICATIONS FILED WITH THE STATE CORPORATION COMMISSION BETWEEN
AUGUST 1981 to FEBRUARY 1983

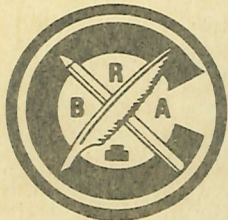
<u>RAILROADS</u>	<u>COMMUNITIES</u>	<u>COMMISSION ACTION</u>	<u>STATUS</u>
St. Louis Southwestern	McPherson	Grant	Completed
St. Louis Southwestern	Plains	Grant	Completed
St. Louis Southwestern	Greensburg	Grant	Completed
Burlington Northern	Parsons, Pittsburg and Cherokee	Grant	Completed
Missouri Pacific	Brownell, Ransom, Arnold, Pendennis, Shields, Healy, Olmitz, Otis, Bison, Hargrove, McCracken, Utica, Scott City and Leoti	Grant in part and Dismiss in part	Completed
Santa Fe	Atchison, Pauline, Valley Falls and Nortonville	Grant	Completed
Santa Fe	Ulysses, Moscow, Hugoton, Elkhart, Johnson and Manter	Grant	Completed
Santa Fe	Ellinwood, Ness City, Dighton, Scott City, Larned, Jetmore, Garfield, Roswell, Burdett, Hanston, Albert, Timken, Rush Center, Alexander and Bazine	Grant	Completed

MODIFICATION OR DISCONTINUANCE OF RAILWAY AGENCY SERVICE
APPLICATIONS FILED WITH THE STATE CORPORATION COMMISSION BETWEEN
AUGUST 1981 TO FEBRUARY 1983

<u>RAILROADS</u>	<u>COMMUNITIES</u>	<u>COMMISSION ACTION</u>	<u>STATUS</u>
Union Pacific	Hays, Ellis, Toulon, Yocemento and Riga	Grant	Completed
Santa Fe	Concordia, Ada, Barnard, Longford and Miltonvale	Grant	Completed
Santa Fe	Conway, Little River, Lyons, Holyrood, Beaver, Galatia, Chase, Marion, Leigh, Hillsboro and Canton	Grant	Completed
Santa Fe	Humboldt, Fredonia, Pittsburg, Independence, Coffeyville and Girard	Grant	Completed
Burlington Northern	Fredonia and Cherryvale	Grant	Completed
Santa Fe	Moline	Grant	Test in Progress
Union Pacific	Colby, Spica, Mingo, Halford, Menlo, Hoxie, Sequin, Tasco, Studley, Morland, Hill City, Penokee, Bogue, Damar and Palco	Grant	Test in Progress

MODIFICATION OR DISCONTINUANCE OF RAILWAY AGENCY SERVICE
APPLICATIONS FILED WITH THE STATE CORPORATION COMMISSION BETWEEN
AUGUST 1981 to FEBRUARY 1983

<u>RAILROADS</u>	<u>COMMUNITIES</u>	<u>COMMISSION ACTION</u>	<u>STATUS</u>
Missouri Pacific	Utica and Genesco		Set For Hearing
Santa Fe	Attica, Kiowa, Kingman Medicine Lodge, Garden Plains, Cheney, Cunningham, Pratt, Lake City, Sun City, Ashland, Englewood and Protection	Grant	Test in Progress
Burlington Northern	Leavenworth		Check for Protest 3/17/83 Test Period Begins 4/1/83



**BROTHERHOOD OF RAILWAY, AIRLINE AND STEAMSHIP CLERKS,
FREIGHT HANDLERS, EXPRESS AND STATION EMPLOYES**

AFL-CIO — CLC

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BRYAN K. WHITEHEAD*
Assistant Regional Legislative Director
4917 Haskell
Kansas City, KS 66104
Phone: (913) 287-9062

Kansas City, Kansas, March 19, 1983

TESTIMONY OF

BRYAN K. WHITEHEAD

KANSAS LEGISLATIVE DIRECTOR

FOR THE

BROTHERHOOD OF RAILWAY AND AIRLINE CLERKS

IN SUPPORT OF

HOUSE BILL NO. 2358

AN ACT CONCERNING DISCONTINUANCE

OF RAILWAY AGENCY SERVICE

PRESENTED AT PROPONENT HEARING

BEFORE THE

SENATE TRANSPORTATION COMMITTEE

STATEHOUSE

TOPEKA KANSAS

MARCH 23, 1983

Mr. Chairman, and Senators, I am Bryan Whitehead and I am the Kansas Legislative Director and a Regional Representative for the Brotherhood of Railway & Airline Clerks union representing over 8,000 working and retired employes of the transportation industry in Kansas.

My testimony is submitted in support of House Bill No. 2358, which was introduced by Representative Rex Crowell. The bill proposes amendments to K. S. A. 1982 Supp. 66-112 which is a key statute in the matter of regulating railway agency service in Kansas by the State Corporation Commission.

My union represents railway agents and agency employes and, as an elected officer, it is my responsibility to represent the legislative, regulatory, and political interests of our members.

Mr. Chairman, your Committee will recall enactment of House Bill No. 2078 by the 1981 Session of the Legislature which authorized railway agency service system test periods.

Since the effective date, July 1, 1981, railroad attorneys have argued that the Commission should permit them to remove the agent during the "test period".

As a conferree on the 1981 bill, I have disagreed as have other involved parties. In my judgement, to remove the agent during the "test period" is de facto discontinuance of agency service without a public hearing.

I suggested to Representative Crowell, and in the hearing before the House Transportation Committee, that H B - 2358 presented the vehicle and opportunity to resolve the controversy regarding leaving the agent in place during the "test period".

The Committee unanimously adopted the thrust of my amendment which is at line 0089:

"The agent shall remain in place during such ninety-day period."

Representative Crowell's proposal to require that railway agency service system tests be conducted during months when the greatest number of cars are loaded at the agency or agencies has our unreserved support. We believe that the requirement of his amendment at line 0095 will insure a fairer test of any service system.

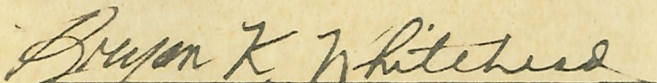
Again, as in 1981, it became necessary for Representative Crowell, as Chairman of the House Transportation Committee, to negotiate a compromise between me and Mr. Pat Hubbell, lobbyist for the Kansas Association of Railroads. The result is before you in the amendments to H B - 2358 which we have agreed to support.

After the compromise amendments were unanimously adopted and the bill, as amended, favorably recommended by his Committee, one of the Committee members suggested that perhaps Representative Crowell should consider changing his profession from farming to negotiating!

Mr. Chairman, and Senators, I respectfully urge your favorable recommendation of House Bill No. 2358, as amended.

This opportunity to present testimony on this important legislation is appreciated. If I have failed to make my position clear, or raised any questions, Mr. Chairman, I will certainly try to respond.

Thank you.


BRYAN K. WHITEHEAD,
Kansas Legislative Director,
Bro. of Railway & Airline Clerks



State Corporation Commission

JOHN CARLIN
RICHARD C. (PETE) LOUX
JANE T. ROY
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TOPEKA, KANSAS 66612-1571

STATEMENT PRESENTED ON MARCH 23, 1983, TO THE
SENATE TRANSPORTATION AND UTILITY COMMITTEE BY THE
STATE CORPORATION COMMISSION OF KANSAS ON H.B. 2288

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE, I AM BILL GREEN, ADMINISTRATOR OF THE TRANSPORTATION DIVISION OF THE STATE CORPORATION COMMISSION. I APPEAR HERE TODAY REPRESENTING THE COMMISSION IN SUPPORT OF H.B. 2288.

H.B. 2288 IS A BILL REQUESTED BY THE STATE CORPORATION COMMISSION OF KANSAS TO CORRECT A CONTRADICTION IN TWO STATUTES WHICH WERE AMENDED TWICE DURING THE 1982 LEGISLATIVE SESSION. (K.S.A. 66-1,112B AND K.S.A. 66-1,114).

THE TWO BILLS OF CONCERN TO THE COMMISSION ARE H.B. 2717 WHICH AMENDED THE NOTICE OF HEARING REQUIREMENT FOR INTRASTATE COMMON AND CONTRACT APPLICATIONS BY REQUIRING THAT THEY BE PUBLISHED IN THE KANSAS REGISTER BI-MONTHLY. THE SECOND BILL S.B. 511 AMENDED THE STANDARD THE COMMISSION SHALL APPLY IN THE GRANTING OF COMMON AND CONTRACT CARRIER APPLICATIONS.

BECAUSE THE REVISOR'S OFFICE DID NOT RECONCILE THE TWO BILLS DURING THE 1982 LEGISLATIVE SESSION, IT IS NOW NECESSARY FOR H.B. 2288 TO CORRECT THIS CONFLICT IN LAW AND AVOID LITIGATION.

THE SPECIFIC PROBLEM IS:

H.B. 2717 CONTAINED THE NEW NOTICE OF HEARING REQUIREMENTS AND THE OLD ENTRY STANDARD, WHILE S.B. 511 CONTAINED THE OLD NOTICE OF HEARING REQUIREMENTS AND THE NEW ENTRY STANDARD.

THE COMMISSION BELIEVES THIS BILL TO BE A NECESSARY PIECE OF LEGISLATION AND I WOULD ENCOURAGE THE MEMBERS OF THE COMMITTEE TO GIVE FAVORABLE CONSIDERATION TO THIS BILL.

STATEMENT

By The

KANSAS MOTOR CARRIERS ASSOCIATION

With respect to H. B. 2288 which repeals existing sections of K.S.A. 66-1,114, 66-1,112i and 66-1,114a

Presented to the Senate Transportation & Utilities Committee, Senator Robert Talkington, Chairman; Statehouse, Topeka, Wednesday, March 23, 1983

MR. CHAIRMAN AND MEMBERS OF THE COMMITTEE:

I am Mary Turkington, Executive Director of the Kansas Motor Carriers Association with offices in Topeka. I appear here on behalf of our 1,550 member-firms and the highway transportation industry.

Our industry presented testimony to the House Transportation Committee on February 17, 1983, when this bill was considered by the House committee. We urged the adoption of a very short amendment which would have made this section of the statute consistent with the language adopted in the federal regulatory reform legislation adopted by the Congress in 1980.

The Kansas Legislature in 1982 substantially revised the guidelines by which the Kansas Corporation Commission regulates intrastate operations of the motor carrier industry. These changes apparently were considered because of the regulatory changes adopted at the federal level in 1980.

In the 1982 session, Senate Bill 510 which established guidelines for antitrust immunity for collectively-published freight rates was adopted.

Senate Bill 511 which revised the Kansas motor carrier entry policy also was adopted.

In addition, House Bill 2717 which prescribed how notices were to be published in the KANSAS REGISTER was enacted.

Until the adoption of Senate Bill 511, K.S.A. 66-1,114 stated in part:

"If the Commission finds from the evidence that the proposed service or any part thereof will promote the public convenience and necessity the commission shall issue the certificate; otherwise such certificate shall be denied. Before granting a certificate to a public motor carrier, the commission shall take into consideration other existing transportation facilities in the territory for which a certificate is sought, and in case it appears from the evidence that the service furnished by existing transportation facilities is reasonably adequate, the commission shall not grant such certificate."

The Corporation Commission believed that this language was too restrictive and argued successfully that this wording should be removed from the statute.

Our industry maintained throughout that this provision permits the Commission to deny applications as well as to grant them. The language was deleted in Senate Bill 511.

Senate Bill 511 and House Bill 2717, in the 1982 session, both amended the same section of the statutes. The language indicated above, for whatever reason, was not deleted from H.B. 2717. The two bills were never reconciled and if you examine the statutes today, you will find both sections of the statutes published as the law of Kansas.

There presently are cases filed in court involving these statutes.

Our industry testimony before this Committee in 1982 and before the Senate Transportation & Utilities Committee emphasized the need to be consistent with the language in the federal act if Kansas was to revise its motor carrier entry policy. We urged that the same basic criteria be incorporated for motor carrier entry policy at both the state and federal levels -- if changes indeed were to be made.

The language in the federal act excerpted from the "Motor Carrier Entry Policy section" states:

"Except as provided in this section, the Interstate Commerce Commission shall issue a certificate to a person authorizing that person to provide transportation subject to the jurisdiction of the Commission under sub-chapter II of chapter 105 of this title as a motor common carrier of property if the Commission finds --

"(A) that the person is fit, willing, and able to provide the transportation to be authorized by the certificate and to comply with this subtitle and regulations of the Commission; and (emphasis supplied)

"(B) on the basis of evidence presented by persons supporting the issuance of the certificate, that the service proposed will serve a useful public purpose, responsive to a public demand or need;

"unless the Commission finds, on the basis of evidence presented by persons objecting to the issuance of a certificate, that the transportation to be authorized by the certificate is inconsistent with the public convenience and necessity. . . ."

Accordingly, in 1982, our industry offered an amendment which would have retained the "fit, willing and able criteria" and the language that would have required the Commission to have determined "from the evidence" that the proposed service would have served a useful public purpose.

To this day, our industry is unable to understand what valid objection the Committee had to that amendment. In any event, the amendment did not prevail and we did not pursue that amendment on the House floor.

We advised the Committee in 1982 that our industry could accommodate the language which shifted the burden to a protestant to prove that an application should not be granted, but we also testified that we were deeply concerned that the broadened entry policy would encourage an influx of applications from out-of-state carriers who simply would seek authority to serve points in Kansas at the "carrier's convenience."

Let me briefly explain that the regulatory laws which grant a given carrier a "certificate of convenience and necessity," makes that carrier a quasi-public utility and requires that carrier to serve all shippers in the area the carrier is authorized to serve without discrimination as to quality of service and without discrimination as to rates and charges. The carrier assumes the obligation to provide service accordingly.

Our concern was expressed to this Committee that out-of-state carriers would seek statewide intrastate authority but would serve only Kansas points that were convenient for the carrier.

We must report to you that this wave of applications before the Kansas Commission has materialized. The greatest influx of applications has been from out-of-state carriers in Missouri, Oklahoma, Nebraska, and now even Colorado. These out-of-state carriers seek the Kansas authority only to fill the equipment that is emptying out in Kansas. Such out-of-state carriers have sought the Kansas authority not because they are interested in serving Kansas shippers on a point-to-point basis to meet the shipper's needs -- but primarily to "skim off" desirable freight which might be moving back toward the out-of-state carrier's home domicile.

Such carriers would perform Kansas intrastate transportation service only when it suited the carrier -- or was convenient for the carrier -- to provide this transportation service. Kansas shippers could not depend on such service to meet daily shipping needs. The Kansas carrier who is and has been providing that daily, dependable point-to-point service, and who is depending on the volume of shipments moving between Kansas points to maintain his transportation business, is the one who is exploited by such out-of-state applications.

The Committee also should be aware that most of these out-of-state applications have sought state-wide general commodity authority from the Kansas Commission. General commodity authority, incidentally, covers every type of commodity that moves -- unless the application is restricted to be more specific as to the type of commodity to be hauled.

Kansas carriers, many of whom have been serving in Kansas for two or three generations, are beginning to find that opposition to these out-of-state applications is causing a substantial drain on their energy and money. Needless to say, there has been a tremendous expense and effort by the Kansas carriers in fighting the out-of-state carriers who have sought to take advantage of the new entry statutes in Kansas. Without question, if the out-of-state applications do not diminish, Kansas carriers can no longer oppose these applications and the Commission presently has little alternative but to approve an unopposed application.

The Committee should understand fully that our Kansas carriers cannot, with any degree of success, apply for similar authority in the states of Oklahoma, Missouri, Nebraska or Colorado, and expect to be successful. The entry requirements for these states I am advised, are not as liberal as the revised Kansas entry provisions.

I want to give the Kansas Corporation Commission credit in this area. Up to this time the Commission has denied or approved only realistically restricted applications in many of these instances. We deeply appreciate the Commission's perception to date but also are aware that only the extraordinary efforts of protestants have made the denial possible. We sincerely believe that there needs to be some criteria that applications for authority should meet some public need.

We are here today to request once more that you amend K.S.A. 66-1,114 to reflect the same basic criteria that is included in the federal language as a guideline for our state's motor carrier entry policy.

We have suggested only two simple amendments to H.B. 2288 to assure our industry, the shippers of Kansas and the Commission that protest efforts will be recognized and that any application for proposed service in this state will be evaluated on the basis that the applicant is "fit, willing and able" and that the proposed service "will serve a useful public purpose."

The proposed amendment is attached to this statement. The amendment takes nothing away from the Commission's ability to grant new applications. It does give the Commission the same basic entry guidelines as contained in the federal legislation and it does, in our industry's opinion, give recognition to the testimony presented by protestants to applications.

To this degree, this request may be considered a "selfish interest" amendment offered on behalf of those carriers who are Kansas businessmen and women, who employ Kansas people, serve Kansas shippers and who are fighting to stay in business in the face of one of the roughest recessions we have experienced. Our industry presently is estimated to have some 40 percent excess capacity. In other words, we have 40 percent more trucks than there are goods to haul primarily because of the recession.

Our industry expects to continue to provide dependable, economical transportation service to Kansas shippers. We do need the amendment we have requested today in the interest of Kansas shippers and carriers.

We will indeed appreciate your consideration of this request.

We will be pleased to respond to any questions you may have.

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Proposed amendment to H.B. 2288

Page 1, beginning with line 0035

Commission finds that the proposed service or any part thereof, is proposed to be performed by the applicant, will serve a useful public purpose, and that the applicant . . .

Page 2, beginning with line 0063

thereof, is proposed to be performed by the applicant, will serve a useful public purpose, and that the . . .

STATE OF KANSAS

BOB VANCURUM
MEMBER REPRESENTATIVE, TWENTY-NINTH DISTRICT
OVERLAND PARK
9004 W 104TH STREET
OVERLAND PARK, KANSAS 66212



TOPEKA

COMMITTEE ASSIGNMENTS
MEMBER ASSIGNMENT AND ROSTER
GOVERNMENTAL OPERATIONS
OFFICE

HOUSE OF
REPRESENTATIVES

Testimony to Senate Transportation and Utilities Committee
HB 2382 and HB 2532 -- Duplicate Licenses and Fake ID's

HB 2382 addresses the problem of fraudulently obtaining duplicate licenses in three ways: 1) It restricts the type of ID accepted for duplicate licenses or identification cards (line 38). 2) It for the first time makes it unlawful the lending of identification to another for purpose of obtaining a duplicate license (line 94). 3) It increases the penalty on the user of the duplicate license to a Class B misdemeanor and on the provider of the license to a Class A misdemeanor.

HB 2532 addresses the problem of fake ID's in two ways: 1) It makes possession of a duplicate or fake ID a crime for the first time. 2) It increases the penalty for the manufacture of a fake ID to a Class E felony.

The purpose of both bills is to address in a meaningful way the problem created by 16 and 17 year old adolescents obtaining alcohol with comparative ease. Information prepared by the National Highway Traffic Safety Administration indicates that we have thousands more licenses than we have people in the 21 to 44 age bracket. Presently the Department of Revenue will accept any of thirty-six items as identity to issue a duplicate license. I am told that many many teenagers have utilized this to obtain a very official looking identification card.

I will of course be happy to answer questions concerning the bill. I am also attaching a copy of the testimony on the first bill which I gave in the House Committee.

Atch. 5

BOB VANCNUM
REPRESENTATIVE, TWENTY-NINTH DISTRICT
OVERLAND PARK
9004 W 104TH STREET
OVERLAND PARK, KANSAS 66212



TOPEKA

HOUSE OF
REPRESENTATIVES

COMMITTEE ASSIGNMENTS
VICE CHAIRMAN FEDERAL AND STATE AFFAIRS
MEMBER ASSESSMENT AND TAXATION
EDUCATION

Testimony Robert J. Vancrum

To: Federal and State Affairs Committee - House Bill 2382 - Concerning
Issuance of Duplicate Driver's Licenses and Non-Driver's
Identification Cards

As I am sure you will recall from the testimony concerning raising the drinking age yesterday, one of the principal problems we face in the State of Kansas is the purchase of alcoholic beverages and beer by those under 18. They do this by find someone over 18 or over 21 to purchase the item, or either knowingly or unknowingly obtaining false identification from someone of age. I am sure I am not the only one who knew of people during high school and college who either altered an existing driver's license or regularly obtained a license from someone older.

Towards the end of last session, I was informed by an honest young man in one of our high schools that 16 and 17 year olds at least in our area had a rather surprising ally in obtaining fraudulent identification sufficient to purchase beer or alcohol--the Kansas Department of Revenue. I really didn't believe how easy it was to obtain a duplicate driver's license bearing someone else's name until I checked into it further. Attached to this testimony you will find a page from the driver's license examining handbook which lists some 36 items which are acceptable to the division of motor vehicles of the Department of Revenue to issue a duplicate license. I would call your attention to the fact that such items as gasoline receipts, library

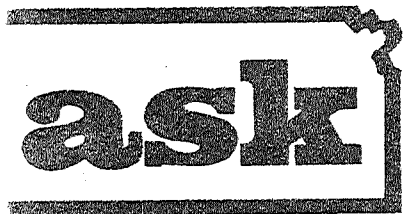
cards, and cancelled checks, deposit slips and other easily obtained items are acceptable for this purpose. Please note that this is only a partial listing and in fact the actual list is considerably greater. On checking into it even further, I found that all the student had to do is present several of these items of identification at the examining station, be photographed, sign his own signature and presto he was in business with his own personalized "drinking license".

It also appeared that although the student could be prosecuted for committing a Class C misdemeanor, for which the penalty is up to one month and up to \$500, the person who was providing the gasoline receipt, library card, or other "proof satisfactory to the motor vehicle division", even if it could be shown that he knowingly did so, could not be prosecuted since our statutes make it an offense only to loan your license or identification card, not the identification necessary to obtain a duplicate license.

In order to attempt to close some of these loopholes, I introduced HB 2382 this session. The bill takes action in three areas: 1). Sections 3 and 4 for the first time define in the statute acceptable proof of identify for receiving a duplicate license. Although additional items such as credit cards bearing signatures might be acceptable, I thought it best to keep the list confined to those items which constitute proof positive. Secondly, the bill on lines 49, 50, 81 and 82 for the first time make it a crime to lend items of identification to another person for purpose of aiding them in obtaining duplicate licenses or identification. This language may also need some refinement. Lastly, the penalty imposed upon the person fraudulently obtaining licenses is increased to a Class B misdemeanor and the penalty to the person providing the aid or assistance is increased to

to a Class A misdemeanor. I believe the latter is a serious offense and one year or a \$2500 fine is the maximum penalty does not seem excessive.

I had asked several of the students that have talked to me about the matter to be available to testify this afternoon. Unfortunately, most of them are high school students and did not wish to take a day off from school to testify. I am assured, however, that this is a rather common practice at this time. I have also heard from some local tavern owners who indicate that their licenses have been suspended when students with fraudulently obtained duplicate licenses have been found in their establishment. They are, understandably, very upset that they are expected to enforce our age laws even though the student has obtained the most official of all means of identification, a license issued by the state itself. I urge the committee to act this year to close this unintended loophole. I will of course be happy to answer any questions of the committee at this time.



ASSOCIATED STUDENTS OF KANSAS

1700 College
Topeka, Kansas 66621
(913) 354-1394

Statement by

CHRIS GRAVES

ASSOCIATED STUDENTS OF KANSAS
(ASK)

Before the

SENATE TRANSPORTATION AND UTILITIES COMMITTEE

On

Sub. HB 2382 and HB 2532

An act concerning drivers' licenses and nondrivers' identification cards; relating to obtaining duplicates

March 23, 1983

Atch. 6

Representing the Students of:

Emporia State • Fort Hays State • Kansas State • Pittsburg State • University of Kansas • Washburn University • Wichita State

INTRODUCTORY REMARKS

Mr. Chairman and members of the Senate Transportation and Utilities Committee, I would like to thank you for the opportunity to be with you today and express to you the views of the Associated Students of Kansas. My name is Chris Graves and I am the Legislative Director of ASK, the state student association which represents the over 85,000 students at the seven public four-year institutions in Kansas. I am appearing before you today to express our strong support for Sub. HB 2382 and HB 2532.

STATEMENT

ASK has gone on record this year as opposing any increase in the drinking age and we took that position for several reasons. Both the House and the Senate have now had the opportunity to address this issue and have gone on record as opposed to raising the drinking age. But I cannot come before you today and deny there is an alcohol-abuse problem in our high schools, on our college campuses, in society in general. At the root of the alcohol-abuse problem is society's conceptions and misconceptions about the consumption of alcohol. Let me assure you that ASK recognizes these alarming problems and seeks to deal with them and correct them as sincerely as any group in the state. Our approach is through education and strict enforcement of present laws.

Both of the bills being discussed today address a problem which is serious and widespread. Passage of this legislation would go a long way in alleviating the problem of minors obtaining and/or using false driver's licenses or identification cards to illegally purchase alcoholic liquor or cereal malt beverages. I am here to vouch for the fact that false IDs, first of all, are extremely easy to obtain and, secondly, frequently used. As one member of our Association told me, she obtained an identification card from "The State of Rhode Island" stating she was 21 years of age (when actually only 16 years of age) by simply cutting a coupon from a magazine and sending in \$10.00. In talking to individuals in Missouri (the Legislative Director of the Associated Students of the University of Missouri

at Columbia, managers of drinking establishments and persons who work in these establishments) "False IDs are definitely a problem -- they are readily available.' And in Kansas, certainly there must be a problem when there are about 30 pieces of identification a person can show to the Motor Vehicle Division of the Department of Revenue to get a duplicate license.

ready {
In regards to the specifics of Sub. HB 2382, we appreciate the inclusion of a student identification card bearing the photograph and date of birth as an acceptable form of identification (several legislators remarked that this was the only piece of ID they carried while in college) as well as the affidavit from the person's parent or guardian. Although we do not strongly object to the striking of a certified copy of a school transcript or diploma - I know my transcript nor my diploma from KU has my picture or birthdate on it, but my high school transcript does - for those young adults who do not go on to college after high school, a high school transcript might be one of just a few forms of identification a person has.

In conclusion, we applaud the efforts of Representative Vancrum and the members of the House Federal and State Affairs Committee for bringing this issue forth and proposing some real improvements in the law. Again we call for strict enforcement of these laws. ASK stands ready and eager to assist members of this Committee and the Senate in developing an appropriate response to this problem.

Thank you for your time and consideration. I will be happy to answer any questions.

SENATE BILL No. 360

By Committee on Transportation and Utilities

2-23

0016 AN ACT concerning highways; water protection from harm from
0017 highway improvements.

0018 *Be it enacted by the Legislature of the State of Kansas:*

0019 Section 1. The secretary of transportation is hereby autho-
0020 rized ~~and directed~~ to negotiate with the United States army and
0021 any other appropriate federal authorities to obtain consent to
0022 construct and maintain one or more ~~retention~~ dams on the Fort
0023 Riley military reservation. Such dams shall be constructed and
0024 maintained by the state from funds of the state highway fund
0025 together with any federal funds which can be obtained for such
0026 purpose. Upon receipt of United States army permission, such
0027 dams shall be constructed and maintained to protect the city of
0028 Ogden from flood waters flowing in streams tributary to the
0029 Kansas river whose flow is or has been obstructed or redirected
0030 by improvements to highways in the vicinity of Ogden.

0031 Sec. 2. This act shall take effect and be in force from and after
0032 its publication in the statute book.

detention

may

, state or local

an engineering and technical study shall be made in order to determine the effectiveness of the system, and if the project offers the best and most complete protection

may

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

Your Committee on Transportation and Utilities

Recommends that House Bill No. 2225 (As Amended by House Committee of the Whole)

"AN ACT concerning vehicles; transportation of cylindrically shaped bales; amending K.S.A. 8-1902 and 8-1904 and repealing the existing sections."

Be amended:

On page 2, in line 70, by striking "during certain seasons"; in line 72, before the period, by inserting "and no vehicle so loaded may be moved later than 30 minutes after sunset and before 30 minutes before sunrise"; in line 77, after "bales", by inserting "secured"; in line 79, by striking "negligently"; in line 80, following the period, by inserting the following: "The secretary of transportation may adopt rules and regulations for the movement of such loads of cylindrically shaped bales of hay.";

And the bill be passed as amended.

Chairperson