

MINUTES OF THE SENATE TRANSPORTATION COMMITTEE

The meeting was called to order by Chairman Dwayne Umbarger at 8:30 a.m. on March 18, 2011, in Room 152-S of the Capitol.

All members were present except:
Senator Les Donovan

Committee staff present:
Daniel Yoza, Office of the Revisor of Statutes
Jill Shelley, Kansas Legislative Research Department
Toni Beck, Committee Assistant

Conferees appearing before the Committee:
Mary Ellen Conlee, Conlee Consulting Group, Inc.

Others attending:
See attached list.

SB 151 - Highway advertising; permitting spot zoning

Chairman opened for discussion and action on **SB151**.

Daniel Yoza, Revisor, reviewed **SB151** in reference to the grandfather clause prior to 2006 on zoned property. Lindsey Douglas, KDOT, offered additional research in regards to spot zoning in Minnesota where AHWA dealt with a non-compliance issue. Lindsey explained that a pre-warning and possible loss of federal funding could be an issue if commercial signs were posted in the Chanute corridor in violation of the Beautification Act. Chairman inquired about Missouri's statute on advertising signage. Jill Shelly commented 80% are legal, non-conforming, and grandfathered in. Senator Petersen questioned what the consequences would be on a two year signage contract that was found to be in non-compliance. Lindsey commented she would need to verify the effects it would have, but probably the sign would be removed in a short time frame, negating the contract. Senators Schmidt and Huntington are concerned about any chance to put the funds at risk due to the request of altering state statute for one person; even though it may be a very slight chance, and encourage others to be the exception. It was the consensus of the committee to table the bill. After discussion, the committee determined no action.

Chairman closed the discussion and action on **SB151**.

Senator Schmidt made a motion for no action on **SB151**. Seconded by Senator Huntington. Motion carried.

Mary Ellen Conlee spoke in favor of the Passenger Rail Development Corridor Expansion information presented. There are newly available grant funds, originally allocated in 2010, for passenger rail development. \$2.4 billion has been forfeited by several states, and are due to be reallocated. It was the consensus of the committee to have a letter drafted in support of KDOT moving forward with the re-allocation opportunity in a short time frame.

Senator Hensley made a motion to have a letter drafted for Service Development Programs. Seconded by Senator Reitz. Motion carried.

No further meetings are scheduled for the Transportation Committee this legislative session.

The meeting was adjourned at 9:00 a.m.