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road plans that we are going to rule on, because without this type of criteria system or some type of criteria system it will be my district against your district, my road against your road and that is going to be something totally new for this Legislature and I am not sure that that is going to produce the best highway system. I would move for adoption of my amendment.

SPEAKER MARVEL: Senator Warner and then Senator Wesely, and then Senator Maresh. Senator Warner.

SENATOR WARNER: Mr. President, I would rise to oppose the amendment as proposed by Senator Fowler, for two or three reasons. One is that in our conversation I think we tend to conclude that construction is a new road that did not exist before, but as a matter of fact under the technical language that is used both as far as federal funds are concerned as well as state funds, construction has two definitions, one of which is for a new location, but there is also technically correct to have construction on existing road, and to put a priority where construction as it is defined, there is a variety of things that come under it on existing road, as a last priority, would have the effect of preventing a great many things occurring. It could conceivably have the affect of some impact on the use of federal funds or even their availability, and the reason is that whenever federal funds are used on existing roads, then for maintenance purposes, to maintain as we would think of maintenance, they still have to be built to existing current standards that the federal government requires. Now this may require, for example, the acquisition of more right of way for if they make it sixty-six foot or eighty foot, or whatever the road might have, and under the amendment by Senator Fowler the acquisition of real estate becomes a lower priority and the inability to do it in order to meet those standards required by the use of federal funds, you could prohibit that use of funds by the amendment. I am sure that is not what is intended. I am trying to point out the technical application of what Senator Fowler is proposing becomes very difficult, and I would also suggest that what is being proposed is a rather major policy change and also that probably ought to have gone the route of individual legislation and ample time to have hearings and discussion of the issue. But I think that the kind of priority that is established here, while the ultimate goal that Senator Fowler has in mind may have some merit, I think as a practical matter it will create a great many more problems than it is going to solve, and I would urge the body not to accept the amendment

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