

REPORTS OF STANDING COMMITTEES

MR. SPEAKER:

The Committee on **Appropriations** recommends **HB 2369** be amended on page 1, following line 7, by inserting:

"Section 1. K.S.A. 68-2001 is hereby amended to read as follows: 68-2001. As used in this act, the following words and terms shall have the following meanings, unless the context shall indicate another or different meaning or intent:

(a) ~~The word "Authority" shall mean~~ means the Kansas turnpike authority, created by K.S.A. 68-2003, and amendments thereto, or, if ~~said~~ the authority shall be abolished, the board, body or commission succeeding to the principal functions thereof or to whom the powers given by this act to the authority shall be given by law.

(b) ~~The word "Project" or the words "turnpike project" shall mean~~ means any express highway or superhighway constructed under the provisions of this act ~~by the authority~~, including all bridges, tunnels, overpasses, underpasses, interchanges, entrance plazas, approaches, toll houses, service stations, and administration, storage and other buildings and facilities ~~which that~~ the authority may deem necessary for the operation of such project, together with all property, rights, easements, and interests ~~which that~~ may be acquired by the authority for the construction or the operation of such project.

(c) ~~The word "Cost," as applied to a turnpike project shall embrace,~~ means the cost of construction, the cost of the acquisition of all land, rights-of-way, property, rights, easements and interests acquired by the authority for such construction, and the cost of demolishing or removing any buildings or structures on land so acquired, including the cost of acquiring any lands to which such buildings or structures may be moved, the cost of all machinery and

equipment, financing charges, interest prior to and during construction and, if deemed advisable by the authority, for a period of not exceeding one year after completion of construction, cost of traffic estimates and of engineering and legal services, plans, specifications, surveys, estimates of cost and of revenues, other expenses necessary or ~~incident~~ incidental to determining the feasibility or practicability of constructing any such project, administrative expense, and such other expenses as may be necessary or incident to the construction of the project, the financing of such construction and the placing of the project in operation. Any obligation or expense ~~hereafter~~ incurred by the department of transportation with the approval of the authority for traffic surveys, borings, preparation of plans and specifications, and other engineering services in connection with the construction of a project shall be regarded as a part of the cost of such project and shall be reimbursed to ~~said~~ the department out of the proceeds of turnpike revenue bonds ~~hereinafter~~ authorized.

(d) ~~The words~~ "Public highways" shall include all public highways, roads and streets in the state, whether maintained by the state or by any county, city, town or other political subdivision.

(e) ~~The word~~ "Bonds" or ~~the words~~ "turnpike revenue bonds" ~~shall mean~~ means revenue bonds of the authority authorized under the provisions of this act.

(f) ~~The word~~ "Owner" ~~shall include~~ includes all individuals, copartnerships, associations or corporations having any title or interest in any property, rights, easements and interest authorized to be acquired by this act.";

On page 2, in line 14, by striking "constructed by it";

On page 3, in line 19, by striking "a new"; also in line 19 by striking the first "project" and inserting "projects"; also in line 19, by striking all after "turnpike"; by striking all in line 20; in line 21, by striking all before the period and inserting "projects"; in line 26, by striking "one or a combination of public funds, private funds or"; also in line 26, after "revenues" by inserting "in combination with other funds"; in line 28, by striking the first "projects" and inserting "project"; also in line 28, by striking "projects are" and inserting "project is"; in line 29, by striking "projects" and inserting

"project"; in line 31, by striking "participation" and inserting "contribution"; in line 32, by striking "and would be acceptable to the affected local community"; in line 38, by striking "a new" and inserting "the"; in line 39, by striking all after the second "project"; by striking all in line 40; in line 41, by striking all before the period; following line 41, by inserting:

(c) Toll projects or turnpike projects constructed under subsection (b) shall only be constructed to add capacity to existing highways or bridges, or to construct new highways or bridges where a highway or bridge did not previously exist.

(d) Prior to constructing a toll project or turnpike project, the secretary and local unit or units of government shall prepare a joint proposal for the construction of the toll project or turnpike project and present the joint proposal to the Kansas turnpike authority and the state finance council. The secretary and the local unit or units of government must receive:

(1) A resolution passed by the Kansas turnpike authority approving the construction of the toll project or turnpike project; and

(2) a resolution passed by the state finance council approving the construction of the toll project or turnpike project.

(e) For purposes of subsection (d):

(1) "Local unit or units of government" means the city council, if the toll project or turnpike project will be located partially or wholly within the limits of a city, and the county commission where the toll project or turnpike project is located, if the toll project or turnpike project is not wholly located within the limits of a city or cities; and

(2) "Approving" means a vote by the Kansas turnpike authority or the state finance council approving the construction of the toll project or turnpike project by a majority of the members present, when a quorum of the members are present for the vote.

(f) Tolls shall be charged only to users of the additional capacity of the highway or bridge constructed as a toll project or turnpike project. Tolls shall be charged to all users of toll projects or

turnpike projects that construct highways or bridges where none previously existed.

(g) The secretary shall use toll revenue for payment of the cost of the toll project or turnpike project for which the toll was collected. The secretary shall not use the toll revenue for payment of costs not associated with the toll project or turnpike project for which the toll was collected.

(h) Tolls shall be charged to all users of the toll project or turnpike project regardless of class, size or kind of traffic.

(i) The approvals by the state finance council required by subsection (d) are hereby characterized as matters of legislative delegation and subject to the guidelines prescribed in K.S.A. 75-3711c(c), and amendments thereto. Such approvals may be given by the state finance council when the legislature is in session.";

On page 6, in line 43, by striking "a portion or" and inserting "new or added capacity";

On page 7, in line 3, by striking "such" and inserting "new or added capacity"; by striking all in line 9; in line 10, by striking all before the period and inserting "may construct such toll road after meeting the requirements of K.S.A. 60-20,120, and amendments thereto"; in line 21, after "K.S.A." by inserting "68-2001,";

And by renumbering sections accordingly;

On page 1, in the title, in line 2, by striking all before the semicolon and inserting "certain toll projects for new projects or expanded capacity; required approval from local units of government, the Kansas turnpike authority and the state finance council"; in line 3, after "K.S.A." by inserting "68-2001,"; and the bill be passed as amended.

Chairperson