

Eisenhower Legacy Transportation Program Modifications; Senate Sub. for HB 2201

Senate Sub. for HB 2201 modifies certain provisions related to the Eisenhower Legacy Transportation Program (Eisenhower Program).

The bill authorizes the Secretary of Transportation (Secretary) to let to construction any modernization or expansion project under the Eisenhower Program that would utilize federal stimulus funds regardless of whether at least one phase of each of the remaining Transportation Works for Kansas Program (T-Works) modernization and expansion projects has been let. Current law requires at least one phase of each modernization or expansion project selected for construction during T-Works to be let before any Eisenhower Program modernization or expansion project is let to construction. The bill prohibits federal stimulus funds from being expended for modernization and expansion projects under the Eisenhower Program without approval by an appropriation or other act of the Legislature, or approval of the State Finance Council as a matter of legislative delegation, when the Legislature is not in session.

For purposes of bonding, the bill removes adjustments to projected State Highway Fund (SHF) revenues related to historical average annual increases or decreases, and to transfers. Continuing law prohibits the maximum annual debt service on all outstanding bonds issued by the Secretary, which are payable solely from the SHF, from exceeding 18 percent of projected SHF revenues. Continuing law also states projected SHF revenues for any fiscal year for which actual revenues cannot be determined are deemed to be the actual revenues for the most recently completed fiscal year.

The bill states bonds issued for the purpose of refunding will not be subject to the maximum debt limitations on the issuance of bonds by the Secretary under T-Works or the Eisenhower Program or dollar limits for bonds issued under previous similar programs.

The bill reduces the minimum costs for a project for which alternative delivery procurement methods could be used from \$100.0 million to \$10.0 million.

The bill clarifies transfers from the SHF to the Broadband Infrastructure Construction Grant Fund will occur each July 1, rather than each July.