

## SENATE BILL No. 186

By Senator Steineger

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9 AN ACT enacting the Kansas and Missouri regional mass transit district  
10 compact.

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

13 Section 1. The Kansas and Missouri regional mass transit district  
14 compact is hereby enacted into law and entered into with the state of  
15 Missouri legally joining therein in the form substantially as follows:

16

### I. AGREEMENT AND PLEDGE

17 The states of Kansas and Missouri agree to and pledge, each to the  
18 other, faithful cooperation in the support of a regional mass transit system  
19 to benefit and serve the Kansas City metropolitan area, holding in high  
20 trust for the benefit of the people and of the nation, the special blessings  
21 and natural advantages thereof.

22

### II. POLICY AND PURPOSE

23 The states of Kansas and Missouri desire, by common action, to provide  
24 support for a regional interconnected public mass transit system within  
25 the Kansas City metropolitan area and region.

26 Accordingly, the states of Kansas and Missouri hereby declare that it  
27 is the policy of each state to realize this desire on a basis of cooperation  
28 with one another, and that the purpose of this Compact is to provide a  
29 mechanism to secure and coordinate support for a regional public mass  
30 transit system that will produce significant benefit to the Kansas City  
31 metropolitan area.

32

### III. DEFINITIONS

33 As used herein:

34 A. "Commission" means the governing body of the Kansas and Mis-  
35 souri regional mass transit district.

36 B. "District" means the Kansas and Missouri regional mass transit  
37 district.

38 C. "Kansas and Missouri Regional Investment District" or "District"  
39 means a political subdivision of the states of Kansas and Missouri, which  
40 is created by this Compact and which is composed of those Kansas and  
41 Missouri counties, cities and other political subdivisions that are now or  
42 hereafter shall become parties to the Articles of Agreement executed on  
43 January 1, 1972, and thereafter amended, which geographic area covered

1 by those political subdivisions is therein designated as the Mid-America  
2 Regional Planning Area.

3 D. “Mid-America Regional Council or MARC” means the body cor-  
4 porate and politic created by the Articles of Agreement, originally exe-  
5 cuted on January 1, 1972, and as thereafter amended, which therein as-  
6 sumed all the rights, duties and obligations of the Mid-America Council  
7 of Governments and the Metropolitan Planning Commission - Kansas  
8 City Region.

9 E. “Public Mass Transit Program Plan” means a plan developed for  
10 a proposed ballot question by the Commission, as required by Article VI,  
11 Section C of this Compact, that describes a Public Mass Transit Program  
12 and provides for the appropriation and use of moneys derived from the  
13 sales tax authorized by this Compact in support of that Public Mass Tran-  
14 sit Program.

15 F. “Public Mass Transit System” or “Transit System” means, a re-  
16 gional system of public mass transit, consisting of vans, buses, bus rapid  
17 transit, and other fixed guideways, stops, park-n-ride lots.

#### 18 IV. DISTRICT

19 A. Upon this Compact being entered into law by the Legislatures of  
20 the respective states, the Regional Mass Transit District is created and  
21 shall include all the geographic area within the jurisdictional limits of  
22 those Kansas and Missouri counties that are parties to the Articles of  
23 Agreement executed on January 1, 1972, and thereafter amended, which  
24 is designated as the Mid-America Regional Planning Area, and currently  
25 includes the following counties:

26 Clay County, Missouri	Wyandotte County, Kansas
27 Platte County, Missouri	Johnson County, Kansas
28 Jackson County, Missouri	Leavenworth County, Kansas
29 Cass County, Missouri	Ray County, Missouri

30 B. The District automatically shall be expanded to include Kansas  
31 and Missouri cities, counties and other political subdivisions that hereafter  
32 shall become parties to the Articles of Agreement executed on January 1,  
33 1972, and thereafter amended, upon the execution of the Articles of  
34 Agreement by the governing body of such political subdivisions.

#### 35 V. THE COMMISSION

36 A. The District shall be governed by the Commission, which shall be  
37 a body corporate and politic and shall be composed of voting members  
38 of MARC, as that Council is constituted from time to time, and which is  
39 also known as the Board of Directors. All of the members of the Com-  
40 mission shall be elected officials from the jurisdiction that appointed them  
41 as voting members of MARC’s Board of Directors.

42 B. The terms of the members of the Commission shall expire con-  
43 currently with the member’s tenure as an elected official of a jurisdiction

1 that is a party to MARC's Articles of Agreement. If a jurisdiction that is  
2 a party to MARC's Articles of Agreement appoints a different member  
3 of its governing body to MARC, that newly appointed individual shall  
4 assume the position of the member replaced. Each member shall serve  
5 until that member's replacement has been sworn in as an elected official.

6 C. The Commission shall begin functioning immediately upon crea-  
7 tion of the District, as provided for in Article IV, Section A hereof.

8 D. The Commission shall select annually, from its membership, a  
9 chairperson, a vice chairperson, and a treasurer. The treasurer shall be  
10 bonded in the amounts the Commission may require.

11 E. The Commission may appoint the officers, agents and employees,  
12 as it may require for the performance of the Commission's duties, and  
13 shall determine the qualifications and duties and fix the compensation of  
14 those officers, agents and employees.

15 F. The Commission shall fix the time and place at which its meetings  
16 shall be held. Meetings shall be held within the District and shall be open  
17 to the public. Public notice shall be given of all meetings of the  
18 Commission.

19 G. A majority of the Commissioners from each state shall constitute,  
20 in the aggregate, a quorum for the transaction of business. No action of  
21 the Commission shall be binding unless taken at a meeting at which at  
22 least a quorum is present, and unless a majority of the Commissioners  
23 from each state, present at the meeting, shall vote in favor thereof. No  
24 action of the Commission taken at a meeting thereof shall be binding  
25 unless the subject of the action is included in a written agenda for the  
26 meeting, the agenda and notice of meeting having been provided to each  
27 Commissioner at least seven calendar days prior to the meeting.

28 H. The Commissioners from each state shall each be subject to the  
29 provisions of the laws of either the state of Kansas or the state of Missouri,  
30 depending upon the Commissioner's state of residence, relating to con-  
31 flicts of interest of public officers and employees. If any Commissioner  
32 has a direct or indirect financial interest in any facility, service provider,  
33 organization or activity supported by the District or Commission or in  
34 any other business transaction of the District or Commission, the Com-  
35 missioner shall disclose that interest in writing to the other Commis-  
36 sioners and shall abstain from voting on any matter in relation to that facility,  
37 organization or activity or to that business transaction.

38 I. If any action at law or equity, or other legal proceeding, shall be  
39 brought against any Commissioner for any act or omission arising out of  
40 the performance of their duties as a Commissioner, the Commissioner  
41 shall be indemnified in whole and held harmless by the Commission for  
42 any judgment or decree entered against the Commissioner and, further,  
43 shall be defended at the cost and expense of the Commission in any

1 resulting proceeding.

2 J. Each member of the Commission shall serve as a member of the  
3 Commission without compensation for that service, except for payment  
4 of their actual and reasonably necessary expenses, as provided by Article  
5 VIII, Section A, 1.

6 VI. POWERS AND DUTIES OF THE COMMISSION

7 A. The Commission, formally the governing body of the District, shall  
8 primarily function as the planning and administrative arm for the District.  
9 The Commission shall undertake public mass transit community planning  
10 that will produce significant benefit to the Kansas City metropolitan area  
11 in consultation with local officials and the public and prepare ballot ques-  
12 tions for programs and initiatives that the Commission determines could  
13 appropriately be supported by the sales tax authorized by this Compact.

14 B. The Commission shall adopt a seal and suitable bylaws governing  
15 its management, procedure and effective operation.

16 C. The Commission shall designate:

17 1. The counties or county in which a majority of the qualified electors  
18 voting on the ballot question must cast an affirmative vote before the  
19 sales tax may be imposed by any individual county for uses in accordance  
20 with the Public Mass Transit Program Plan;

21 2. the duration of the sales tax imposed in support of the Public Mass  
22 Transit Program, which may be described in terms of the number of years  
23 the sales tax shall be imposed, a maximum number of dollars that may be  
24 raised by the sales tax imposed or any other reasonable means of estab-  
25 lishing the duration of the sales tax; provided that the sales tax shall not  
26 extend beyond 15 years following the date of the first receipt by the  
27 county treasurer of revenue from the sales tax imposed to support the  
28 Public Mass Transit Program; and

29 3. the composition of the Oversight Committee to be appointed by  
30 the Commission for that Regional Program, which composition shall be  
31 consistent with Article IX, Section A of this Compact.

32 D. The Commission shall set the date or dates by which the first  
33 election and any subsequent election shall be held pursuant to this Com-  
34 pact and shall recommend those counties or county which shall hold a  
35 vote on the ballot questions prepared by the Commission for that Re-  
36 gional Program.

37 E. For each election to be held pursuant to this Compact, the Com-  
38 mission shall prepare and submit a ballot question to the governing body  
39 of each county within the District. Each such question shall be in the  
40 form set forth in Article VII, Section D of this Compact.

41 F. The Commission may prepare additional ballot language generally  
42 describing the Public Mass Transit Program and the use and allocation  
43 of the sales tax proposed to be imposed for the support of that Public

1 Mass Transit Program, and shall submit that additional language to each  
2 county within the District. If additional ballot language is so submitted  
3 by the Commission, and a county governing body decides to place the  
4 ballot question before the qualified electors of that county, the additional  
5 ballot language shall be placed on the subject ballot by that governing  
6 body.

7 G. When a majority of the qualified electors in the county or counties  
8 designated in the Public Mass Transit Program Plan as one of those coun-  
9 ties that must cast an affirmative vote on the ballot question before the  
10 sales tax may be imposed, have cast an affirmative vote, the Commission  
11 shall, in accordance with Article IX, Section A of this Compact, appoint  
12 one Committee for that Program Plan.

13 H. The Commission shall have the power to contract and to be con-  
14 tracted with and to sue and to be sued.

15 I. The Commission, when it deems it necessary and when requested  
16 to do so by a Committee appointed to paragraph G, shall interpret or  
17 provide guidance and further details, or both, on a Program Plan to assist  
18 in the oversight of the appropriation and use of moneys by such Com-  
19 mittee for that Program Plan.

20 J. In accordance with written guidelines adopted by the Commission,  
21 which guidelines shall be consistent with the goals stated in Article II  
22 hereof and the Public Mass Transit Program Plans, the Commission may  
23 receive donations, contributions, and grants or other support, financial or  
24 otherwise, for Program Plans and the Eligible Uses set forth in Article  
25 VIII of this Compact.

26 K. The Commission may appoint advisory committees to provide in-  
27 put, consultation, guidance and assistance to the Commission on matters  
28 and issues related to any purposes for which the District and the Com-  
29 mission are hereby created.

30 L. The Commission may form whatever partnerships, associations,  
31 joint ventures or other affiliations, formal or otherwise, as it deems ap-  
32 propriate and that are in furtherance of the purposes for which the Dis-  
33 trict and the Commission are hereby created.

34 M. The Commission may utilize assistance from any governmental or  
35 non-governmental entity, as it shall determine appropriate, in the form  
36 of personnel, technical expertise or other resources, to further the poli-  
37 cies, purposes and goals of the District, as stated in Article II of this  
38 Compact, except that the Commission shall not expend any sales tax dol-  
39 lars authorized by this Compact for such purpose.

40 N. The Commission shall cause to be prepared annually a report on  
41 the operations and transactions conducted by the Commission during the  
42 preceding year. The report shall be and open record submitted to the  
43 legislatures and governors of the compacting states and to the governing

1 bodies of the jurisdictions that are then a party to MARC's Articles of  
 2 Agreement on or before March 15 of each calendar year, commencing  
 3 on March 15 of the year following the year in which the certification  
 4 described in Article IV, Section B occurs. The Commission shall take  
 5 those actions as are reasonably required to make this report readily avail-  
 6 able to the public.

7 O. The Commission shall have the power to apply to the Congress  
 8 of the United States for its consent and approval of this Compact, if it is  
 9 determined by the Commission that such consent is appropriate. In the  
 10 absence of the consent of the Congress and until consent is secured, if  
 11 that consent is determined appropriate, this Compact is binding upon the  
 12 states of Missouri and Kansas in all respects permitted by law of the two  
 13 states.

#### 14 VII. BALLOT QUESTIONS

15 A. The Commission, as required by Article VI, Section C, shall de-  
 16 velop Public Mass Transit Program Plans to be submitted to the qualified  
 17 electors within the District. Each Public Mass Transit Program Plan de-  
 18 veloped by the Commission shall be available to the public no later than  
 19 120 days before the date or dates set by the Commission for submission  
 20 of a ballot question to the electors in the District.

21 B. The governing body of each county in the District shall determine  
 22 whether the provision of financial support for the Public Mass Transit  
 23 Program is in the best interests of the citizens of the county and whether  
 24 the levy of a sales tax to provide, on a cooperative basis with another  
 25 county or counties, for financial support of such program would be eco-  
 26 nomically practicable and cost beneficial to the citizens of the county and  
 27 the district. Each governing body that makes an affirmative determination  
 28 with respect hereto shall adopt a resolution evidencing that determination  
 29 and authorizing a vote of its citizens on the ballot question for such pro-  
 30 gram by a  $\frac{2}{3}$  majority vote of the members-elect of the governing body.

31 C. Upon adoption of a resolution pursuant to Section B of this Article,  
 32 the governing body of that county, promptly after adoption of the reso-  
 33 lution, shall request the county election commissioner to submit the ballot  
 34 question for the Public Mass Transit Program to the qualified electors of  
 35 that county. Each such ballot question shall be printed on the ballot and  
 36 in the notice of the election. Each ballot question shall be submitted to  
 37 the qualified electors of that County at the primary or general election  
 38 next following the date the request was filed with the county election  
 39 officer.

40 D. The ballot for the proposition in each county shall be in substan-  
 41 tially the following form:

42 Shall a sales tax \_\_\_\_\_ (insert amount, not to exceed  $\frac{1}{2}$  cent) be  
 43 levied and collected in \_\_\_\_\_ County for the Support of a Public

1 Mass Transit Program, including the purchase of buses and vans, the  
2 payment of bus driver salaries and benefits and the purchase of fuel that  
3 will produce significant benefit within the Kansas and Missouri Regional  
4 Investment District

5 ( ) YES ( ) NO

6 E. The governing body of each of the counties that requested their  
7 county election commissioner submit the ballot question to its qualified  
8 electors also shall provide their respective county election officers with  
9 copies of the additional language prepared by the Commission, pursuant  
10 to Article VI, Section F, which additional language shall be included by  
11 each such county on the ballot.

12 F. The governing body of any county in the District that does not  
13 pass the resolution contemplated by Section B of this Article in time to  
14 cause the placement of the ballot question before the qualified electors  
15 of that county at the first election or any subsequent election to be held  
16 on the Public Mass Transit Program, pursuant to this Compact, may adopt  
17 that resolution at any time thereafter, and that ballot question shall be  
18 provided to the election commissioner of that county and submitted to  
19 the qualified electors of the county at the next primary or general election,  
20 in accordance with Section C of this Article.

21 G. In each county where a majority of the qualified electors voting  
22 in an election shall cast an affirmative vote on this question, the ballot  
23 question shall be approved.

24 H. If a ballot question is submitted to the qualified electors of a  
25 county in the District and the ballot question is not approved in that  
26 county, following defeat of the ballot question, the governing body of that  
27 county or counties may renew procedures to levy the sales tax in support  
28 of that Public Mass Transit Program. A defeat of a ballot question in any  
29 county shall not affect the approval of that ballot question in any other  
30 county, which approval shall continue to have effect.

31 I. No county in the District shall levy a sales tax specified herein until  
32 the qualified electors in all the counties designated by the Commission  
33 in the Public Mass Transit Program Plan for the subject Public Mass  
34 Transit Program, as those that must approve the sales tax, have approved  
35 the levy of the sales tax to support the Public Mass Transit Program Plan  
36 for that program.

37 J. With respect to the first election to be held pursuant to this Com-  
38 pact, no sales tax shall be levied by any county which has adopted the  
39 resolution contemplated by Section B and submitted the ballot question  
40 to the qualified voters of that county pursuant to Section C, both of this  
41 Article, unless and until a majority of the qualified electors of at least  
42 Johnson and Wyandotte Counties, Kansas, and Jackson County, Missouri,  
43 has approved the levy of a sales tax for a Public Mass Transit Program.

1 K. When, but only when, the electors in all of the counties designated  
2 by the Commission in the Public Mass Transit Program Plan for the  
3 subject Public Mass Transit Program, as those that must approve the sales  
4 tax, have approved this ballot question, the governing body of each such  
5 county, at the first available opportunity, shall take all required actions to  
6 begin levying this tax.

7 L. Any of the counties that have elected by a vote of its electors to  
8 levy a sales tax authorized by this section may cease to levy this sales tax  
9 upon the majority vote of the qualified electors of the county on a ballot  
10 question submitted to qualified electors asking if that county should cease  
11 to levy this sales tax. This vote shall take place in the same manner pro-  
12 vided in this section for levying this sales tax; provided that, no vote to  
13 cease to levy this sales tax shall take place in any county on a date earlier  
14 than a date that is five years from the date that county approved this sales  
15 tax. Provided further, in no event shall any county cease to levy this sales  
16 tax until that county has entered into a written agreement with the Com-  
17 mission, which agreement shall provide for the terms of cessation, and  
18 shall specifically provide: (1) A means to ensure that the county pays a  
19 fair share of the outstanding obligations incurred by the District in fur-  
20 therance of its established purposes; and (2) for the ongoing operations  
21 and maintenance or the termination of any public mass transit system  
22 established in the county with support provided by the Commission. The  
23 governing body of a county that has decided by this vote to cease to levy  
24 this sales tax shall send formal written notice thereof to each of the other  
25 counties comprising the District. In no event shall the county cease to  
26 levy the sales tax earlier than 90 days after this notice has been sent. If  
27 any county in the District decides to cease levying the sales tax, the status  
28 of the District as a political subdivision of the states of Kansas and Mis-  
29 souri shall be unaltered and that county shall continue to have the rep-  
30 resentation on the Commission, as set forth in Article V of this Compact.

#### 31 VIII. ELIGIBLE USES OF FUNDS

32 A. Subject to the provisions of section C of this Article, the Com-  
33 mission shall only budget and authorize the appropriation of moneys for  
34 the following eligible purposes:

35 1. The actual and reasonably necessary expenses of a public mass  
36 transit system, except that such expenses shall be limited to the purchase  
37 of buses and vans, bus driver salaries and benefits and fuel, and shall not  
38 include design, engineering, architectural, legal, construction or other  
39 finance-related expenses; and

40 2. only pursuant to a contract with bodies corporate and politic, po-  
41 litical subdivisions of the states of Missouri or Kansas, or both, or local  
42 units of government in the states of Missouri or Kansas, provided, how-  
43 ever, the Commission may, in its discretion, require that entities con-



1 tracted with may procure a set percentage of public mass transit system  
2 services from third party contractors on a competitive basis; and

3 3. only in support of a Public Mass Transit Program in counties that  
4 have voted affirmatively to impose a sales tax in support of that program.

5 B. The aggregate amount of sales taxes imposed by any county within  
6 the District, pursuant to the authority granted in this Compact, shall not  
7 exceed one-half cent.

8 C. The Commission shall not receive nor appropriate sales tax dollars  
9 authorized by this Compact unless and until a complete and total merger  
10 and consolidation of the governance structures and management struc-  
11 tures of the existing public or mass transit agencies in the District, in-  
12 cluding, but not limited to, the Area Transit Authority, Unified Govern-  
13 ment Transit and Johnson County Transit.

#### 14 IX. FINANCE

15 A. The moneys necessary to finance the operation of the District,  
16 implement the voter-approved Public Mass Transit Program Plans and  
17 execute the powers, duties and responsibilities of the Commission shall  
18 be appropriated to the Commission by the counties comprising the Dis-  
19 trict, which, in accordance with Article VII, Section H, of the Compact,  
20 have approved the ballot question for the subject Public Mass Transit  
21 Program. The moneys to be appropriated to the Commission shall be  
22 raised by the governing bodies of the respective counties by the levy of  
23 taxes, fees, charges or any other revenue, as authorized by the legislatures  
24 of the respective party states.

25 B. The Commission nor any committee appointed pursuant to sub-  
26 section G of Article VI of the Compact shall incur any indebtedness of  
27 any kind; nor pledge the credit of MARC or any jurisdiction that is party  
28 to MARC's Articles of Agreement or either of the states party to this  
29 Compact, except as specifically authorized by this Compact. The budget  
30 of the District shall be prepared, adopted and published, as provided by  
31 law, for other political subdivisions of the party states.

32 C. The Commission and each such committee shall keep accurate  
33 accounts of all receipts and disbursements. The receipts and disburse-  
34 ments of the Commission shall be audited yearly by a certified or licensed  
35 public accountant and the report of the audit shall be included in and  
36 become a part of the annual report of the Commission.

37 D. The accounts of the Commission shall be open at any reasonable  
38 time for inspection by duly authorized representatives of the compacting  
39 states, the counties comprising the District, and other persons authorized  
40 by the Commission.

#### 41 X. ENTRY INTO FORCE

42 A. This Compact shall enter into force and become effective and  
43 binding upon the states of Kansas and Missouri when it has been entered

1 into law by the legislatures of the respective states.

2 B. Amendments to the Compact shall become effective upon enact-  
3 ment by the legislatures of the respective states.

#### 4 XI. TERMINATION

5 A. The Compact shall continue in force and remain binding upon a  
6 party state until its legislature shall have enacted a statute repealing the  
7 same and providing for the sending of formal written notice of enactment  
8 of that statute to the legislature of the other party state. Upon enactment  
9 of that statute by the legislature of either party state, the sending of notice  
10 thereof to the other party and payment of any obligations that the Com-  
11 mission may have incurred prior to the effective date of that statute, the  
12 agreement of the party states embodied in the Compact shall be deemed  
13 fully executed, the Compact shall be null and void and of no further force  
14 or effect, the District shall be dissolved, and the Commission shall be  
15 abolished. If any moneys remain in the Regional Investment Fund upon  
16 dissolution of this Compact, the Commission may distribute these moneys  
17 to an entity or organization selected by the Commission to be used to  
18 support purposes for which the District is hereby created, as stated in  
19 Article II of this Compact.

#### 20 XII. CONSTRUCTION AND SEVERABILITY

21 A. The provisions of this Compact shall be liberally construed and  
22 shall be severable. If any phrase, clause, sentence or provision of this  
23 Compact is declared to be contrary to the constitutions of either of the  
24 party states or of the United States or the applicability thereof to any  
25 government, agency, person or circumstance is held invalid, the validity  
26 of the remainder of this Compact and the applicability thereof to any  
27 government, agency, person or circumstance shall not be affected  
28 thereby. If this Compact shall be held contrary to the constitution of  
29 either party state hereto, the Compact shall thereby be nullified and  
30 voided and of no further force or effect.

31 Sec. 2. The provisions of the Kansas tort claims act, K.S.A. 75-6101  
32 et seq., and amendments thereto, shall apply to the district and to the  
33 Kansas members of the commission created and appointed pursuant to  
34 the Kansas and Missouri regional mass transit district compact, Section  
35 1.

36 Sec. 3. Kansas members of the commission appointed pursuant to  
37 the Kansas and Missouri regional mass transit district compact, section 1,  
38 shall be reimbursed for actual and necessary expenses incurred in the  
39 performance of their official duties as provided for in subsection (e) of  
40 K.S.A. 75-3223, and amendments thereto.

41 Sec. 4. (a) The board of county commissioners of any county that has  
42 been authorized by a majority of the electors of the county to levy and  
43 collect a tax for the purpose of contributing to the financial support of

1 the Kansas and Missouri regional mass transit district shall adopt a res-  
2 olution imposing a countywide retailers' sales tax and in addition to and  
3 notwithstanding any limitations on the aggregate amount of the retailers'  
4 sales tax contained in K.S.A. 12-187 through 12-192, and amendments  
5 thereto, shall impose such a countywide retailers' sales tax on the selling  
6 of tangible personal property at retail or vendoring or furnishing services  
7 pursuant to the provisions of the Kansas retailers' sales tax act, and  
8 amendments thereto, within the county for such purpose in an aggregate  
9 amount not to exceed .5%. The sales tax authorized by this section shall  
10 be administered, enforced, collected and subject to the provisions of  
11 K.S.A. 12-187 through 12-192, and amendments thereto. Upon receipt  
12 of a certified copy of a resolution authorizing the levy of a countywide  
13 retailers' sales tax pursuant to this section, the state director of taxation  
14 shall cause this tax to be collected within and outside the boundaries of  
15 this county at the same time and in the same manner provided for the  
16 collection of the state retailers' sales tax. All moneys collected and remit-  
17 ted by the secretary of revenue to the state treasurer in accordance with  
18 the provisions of K.S.A. 75-4215, and amendments thereto. Upon receipt  
19 of each such remittance, the state treasurer shall deposit the entire  
20 amount of such moneys collected under the provisions of this section in  
21 the state treasury to the credit of the regional mass transit district retailers'  
22 sales tax fund which fund is hereby established in the state treasury. Any  
23 refund due on any countywide retailers' sales tax collected pursuant to  
24 this section shall be paid out of the regional mass transit district retailers'  
25 sales tax refund fund, which is hereby established in the state treasury,  
26 and reimbursed by the director of taxation from retailers' sales tax revenue  
27 collected pursuant to this section. All moneys in the regional mass transit  
28 district retailers' sales tax fund shall be remitted at least quarterly by the  
29 state treasurer, on instruction from the director of taxation, to the trea-  
30 surer of such county.

31 (b) All revenue received by any county treasurer from a countywide  
32 retailers' sales tax imposed pursuant to this section, for the purposes of  
33 subsection (a)(1)(F) of K.S.A. 12-1774, and amendments thereto, shall be  
34 deemed committed to other use by election of voters and shall not be  
35 pledged for a redevelopment project or credited, allocated or paid by a  
36 county treasurer to the treasurer of any city or county for deposit in a  
37 special fund of the city to pay redevelopment project costs authorized by  
38 K.S.A. 12-1770 et seq., and amendments thereto.

39 (c) All revenue received by any county treasurer from a countywide  
40 retailers' sales tax imposed pursuant to this section shall be appropriated  
41 by the county to the commission within 60 days of receipt of the funds  
42 by the county for expenditure by the commission pursuant to and in  
43 accordance with the provisions of the Kansas and Missouri regional mass

1 transit district compact. If any of this revenue remains upon nullification  
2 and voidance of the Kansas and regional mass transit district compact,  
3 the county treasurer shall deposit such revenue to the credit of the general  
4 fund of the county.

5 (d) Any countywide retailers' sales tax imposed pursuant to this sec-  
6 tion shall expire upon the date determined in accordance with the pro-  
7 gram plan for the regional program that is the subject of the ballot ques-  
8 tion approved by the qualified electors of such county for that subject  
9 regional program, except that, no sales tax shall be levied for a period of  
10 more than 15 years from the date of the first receipt by the county trea-  
11 surer of revenue from that sales tax unless renewed by the qualified elec-  
12 tors of that county prior to its expiration, or as determined by the last  
13 ballot question or renewal approved by such electors or on the date of  
14 actual withdrawal of the county from the district or upon compliance by  
15 the county with the provisions of article IV, section J, or at any time the  
16 Kansas and Missouri regional mass transit district compact becomes null  
17 and void and of no further force or effect. If any moneys remain in the  
18 regional mass transit district retailers' sales tax fund upon nullification  
19 and voidance of the Kansas and Missouri regional mass transit district  
20 compact, the state treasurer shall transfer such moneys to the county and  
21 city retailers' sales tax fund to be apportioned and remitted at the same  
22 time and in the same manner as other countywide retailers' sales tax  
23 revenues are apportioned and remitted.

24 Sec. 5. The provisions of this act shall expire upon nullification and  
25 voidance of the Kansas and Missouri regional mass transit district com-  
26 pact, section 1, pursuant to article XI of the compact.

27 Sec. 6. This act shall take effect and be in force from and after its  
28 publication in the statute book.