

Approved 3/5/87 Date

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES

The meeting was called to order by Sen. Bill Morris at
Chairperson

9:00 a.m./~~p.m.~~ on March 4, 19⁸⁷ in room 254-E of the Capitol.

All members were present except:

Committee staff present:

| | |
|--|----------------------------------|
| Hank Avila, Legislative Research Department | Tom Severn, Legislative Research |
| Ben Barrett, Legislative Research Department | Louise Cunningham, Committee |
| Bruce Kinzie, Revisor | Secretary |
| Fred Carman, Revisor | |
| Robin Hunn, Legislative Research Department | |

Conferees appearing before the committee:

DISCUSSION AND ACTION ON S.B. 137 - Construction of Highways and Freeways;
issuance of bonds, increase in fuel taxes.

Sen. Norvell made a motion to amend S.B. 137 on page 2 line 59 to conceptually change the route to a northwesterly direction through the vicinity of Hays. Motion was seconded by Sen. Doyen.

Sen. Norvell said this route has been studied for the past 30 years and was always the selection of the legislature. The present study undermines, ignores and contradicts 30 years of feasibility studies and legislative intent. He also said this route would be the most cost effective and would repay the extra \$72 million cost in vehicle travel expense. A copy of his statement and pertinent information is attached. (Att. 1).

It was brought out that the study was to utilize existing highways where possible and the route to Hays would increase the amount by \$72 million. This added cost could jeopardize the whole highway program.

The motion carried.

A motion was made by Sen. Hayden and was seconded by Sen. Vidricksen to conceptually strike lines 27 through 35 on page 1 of the bill. Sen. Hayden said he did not think it was necessary to "editorialize" a bill. Motion did not carry.

There was some discussion as to whether all work on the highway would start in the vicinity of Wichita rather than to start at places such as the Oklahoma line and work toward Wichita. This was taken care of in the bill and work could start at any point.

Bruce Kinzie explained the technical amendments in the bill with balloon amendments. A copy is attached. (Att. 2).

Tom Severn explained the distribution of funds and also showed amounts under current law, increased amounts and new totals. A copy showing this distribution is attached. (Att. 3).

Some members of the Committee objected to the distribution formula and also stated that a new highway will not necessarily add to employment. It was also brought out that many of our highways need more maintenance and new roads should be based on amount of traffic and this large expenditure could not be justified just hoping for economic development. It would also work a hardship on gas stations on our borders. The Governor's Task Force should be given time to study this in a comprehensive way.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON TRANSPORTATION AND UTILITIES,
room 254-E, Statehouse, at 9:00 a.m./~~p.m.~~ on March 4, 19 87.

Sen. Hoferer made a conceptual motion to make the Kansas Historical Museum accessible from the proposed I-70/I-470 Interchange. Motion was seconded by Sen. Martin. Motion carried.

A motion was made by Sen. Martin and was seconded by Sen. Frey to recommend S.B. 137, as amended, favorably for passage. Motion carried.

Sen. Bond, Vidricksen and Doyen voted against the bill.

Meeting was adjourned at 10:00 a.m.

SENATE TRANSPORTATION AND UTILITIES COMMITTEE

Date 3-4-87 Place 254-E Time 9⁰⁰

GUEST LIST

| NAME | ADDRESS | ORGANIZATION |
|--------------------|------------|-------------------------|
| Jerry Roder | Hays KS | Hays Ambassador Club |
| Marlene Bull | Hays, Ks. | Hays Ambassador Club |
| Sharon Wilson | Hays, Ks. | Hays Co of C |
| Glenn Simmons | Hays KS | Hays Ambassador Co |
| Don Peterson | Hays, Ks | Hays Ambassador Club |
| Henry Schwaller Jr | Hays | |
| Bonnie Schwaller, | Hays | |
| Glenn Butler | Topeka | KS Contractors Assoc |
| CHARLES BELT | WICHITA | SW Ks. HIGHWAY ASSOC. |
| BILL PERDUE | TOPEKA | NW PASSAGE HIGHWAY Co. |
| Art Collins | Hutchinson | ditto |
| Dr JOSEFASO | W. ditto | Wichita charger |
| Shelley Sutton | Topeka | Ks. Engineering Society |
| Singer Britton | Marion | Marion High School |
| Gay Wheeler | Marion | MHS |

SENATE TRANSPORTATION AND UTILITIES COMMITTEE

Date 3-4-87 Place 254-E Time 9⁰⁰

GUEST LIST

| NAME | ADDRESS | ORGANIZATION |
|-----------------|-------------------|-------------------------|
| Wendy Winter | Marion Ks | Marion High School |
| Michelle Falk | Marion, Ks. | Marion High School |
| Jisk Rogers | 128 Eves, Russell | Russell, Chamber |
| Jamra Jirik | Box 240 Larned | Larned Chamber |
| Manda Yinko | Box 613 | Russell Chamber |
| Tom Whitaker | Topeka | Ks. Motor Carriers Assn |
| Bill Clendening | Olathe | KCA |
| D.W. ZIMMERMAN | TOPEKA | KCA |
| Arnold Laird | Garden City | Garden City Chamber |
| Wendy Schiappa | Manhattan | Chamber |
| Jan Davlin | Hutchinson | Chamber |

SENATE TRANSPORTATION & UTILITIES COMMITTEE

RE: SENATE BILL No. 137

FACTS PERTAINING TO NORTHWEST PASSAGE HIGHWAY
AND THE PROPOSED DIAGONAL ROUTE FROM GREAT BEND
TO HAYS

PRESENTED BY: SENATOR JOSEPH F. NORVELL
37TH DISTRICT

MARCH 4, 1987

ATT. 1
T&U 3/4/87

IN 1956, THE KANSAS TURNPIKE AUTHORITY AUTHORIZED EXPLORATORY STUDIES OF A ROUTE WHICH DIRECTLY LINKED HAYS TO WICHITA VIA A DIAGONAL CORRIDOR. IN 1956, THE KANSAS TURNPIKE AUTHORITY WAS COMPLETING THE DIAGONAL ROUTE FROM TOPEKA TO WICHITA WHEN THEY INVISIONED A SIMILAR DIAGONAL FROM HAYS TO WICHITA.

IN 1962, THE KANSAS LEGISLATIVE COUNCIL PUBLISHED A REPORT WHICH INDICATED THE NEED FOR ADDITIONAL HIGH-STANDARD HIGHWAYS. HIGH PRIORITY OF NEED WAS SHOWN FOR A TRAVEL CORRIDOR FROM HAYS TO WICHITA.

IN 1965, THE KANSAS LEGISLATURE PASSED S.B. 104, WHICH AUTHORIZED THE STUDY OF THE HAYS TO WICHITA CORRIDOR. IN THAT SAME YEAR, 1965, THE KANSAS TURNPIKE AUTHORITY INITIATED A STUDY BY HOWARD, NEEDLES, TAMMEN AND BERGENDOFF TO STUDY THE HAYS TO WICHITA CORRIDOR.

IN 1966, A FOLLOW-UP STUDY WAS DONE BY WILBUR SMITH & ASSOCIATES WHICH ENDORSED THE PROPOSED ROUTE FROM HAYS TO WICHITA.

IN 1969, AFTER BEING IDENTIFIED AS A VIABLE AND ECONOMICALLY FEASIBLE HIGHWAY, THE KANSAS LEGISLATURE PASSED H.B. 1142, MAKING THE HAYS TO WICHITA CORRIDOR PART OF THE STATE HIGHWAY AND EXPRESSWAY SYSTEM. THAT STATUTE, K.S.A. 68-2301, IS STILL LAW TODAY.

I WOULD LIKE TO CALL YOUR ATTENTION TO PAGE 11
FOR A REVIEW OF K.S.A. 68-2301.

IN 1975, WILBUR SMITH AND ASSOCIATES ONCE AGAIN LOOKED AT THE CONSTRUCTION OF THE TOTAL HIGHWAY SYSTEM INCLUDING THE HAYS TO WICHITA CORRIDOR.

IN 1976, A REPORT BY THE DIVISION OF LEGISLATIVE POST AUDIT EXAMINED THE CONSTRUCTION OF THE HAYS TO WICHITA CORRIDOR AS WELL AS THE ENTIRE STATE HIGHWAY AND EXPRESSWAY SYSTEM.

IN 1986, WE PASSED S.B. 693 WHICH AUTHORIZED ANOTHER FEASIBILITY STUDY OF THE HAYS TO WICHITA CORRIDOR.

BY STUDYING THE HISTORY OF THIS HAYS TO WICHITA CORRIDOR, ONE CAN CLEARLY SEE THAT THE 1986 STUDY TOTALLY UNDERMINES, IGNORES, AND CONTRADICTS 30 YEARS OF FEASIBILITY STUDIES, A LEGISLATIVE POST AUDIT STUDY, EXISTING KANSAS LAW AND LEGISLATIVE INTENT.

NOW THAT THE HISTORY OF THE HAYS TO WICHITA CORRIDOR HAS BEEN CLEARLY DOCUMENTED OVER A 30-YEAR PERIOD OF TIME, I WOULD LIKE TO ADDRESS THE ISSUE OF COST. IF A DIAGONAL HIGHWAY IS CONSTRUCTED FROM GREAT BEND TO HAYS, IT WILL COST 72 MILLION DOLLARS MORE THAN USING THE EXISTING HIGHWAY FROM GREAT BEND TO RUSSELL. NOW, LET'S LOOK AT WHICH PROPOSED ROUTE WILL ACTUALLY BE MORE COST EFFECTIVE.

I HAVE ASKED THE KANSAS DEPARTMENT OF TRANSPORTATION TO DO A COST ANALYSIS TO DETERMINE WHICH PROPOSED ROUTE WILL BE MORE COST EFFECTIVE. THE DEPARTMENT OF TRANSPORTATION COST ANALYSIS CONSIDERED THE 16 MILES WHICH WOULD BE SAVED BY HAVING A DIAGONAL HIGHWAY FROM GREAT BEND TO HAYS, AND THE COST OF OPERATING AUTOMOBILES AND HEAVY TRUCKS. THEY ESTIMATED THAT 80% OF THE TRAFFIC WOULD BE AUTOMOBILES AND 20% WOULD BE HEAVY TRUCKS.

KDOT CALCULATED THE AMOUNT OF TRAFFIC THAT WOULD USE THE DIAGONAL HIGHWAY TODAY, AS WELL AS 20 YEARS FROM NOW AS PROJECTED BY THE 1986 FEASIBILITY STUDY. THE BOTTOM LINE OF THE COST ANALYSIS IS THIS:

DURING THE NEXT 20 YEARS THE DIAGONAL FROM GREAT BEND TO HAYS WILL SAVE \$146,525,600 IN VEHICLE TRAVEL EXPENSE. THIS PROJECTED SAVINGS IS BASED UPON 1986 FIGURES ONLY. NO INFLATION FACTOR WAS BUILT IN FOR THE 20-YEAR PERIOD; THEREFORE, THE ACTUAL SAVINGS WILL BE MUCH GREATER THAN \$146 MILLION DOLLARS.

IN 20 SHORT YEARS THE DIAGONAL ROUTE WILL NOT ONLY REPAY THE INITIAL 72 MILLION DOLLAR INVESTMENT BUT IT WILL SAVE AT LEAST AN ADDITIONAL 74 MILLION DOLLARS IN CONSUMER VEHICLE OPERATION COST.

IT IS UNWISE TO MAKE A HIGHWAY PLACEMENT DECISION ON THE BASIS OF COST ALONE. THIS IGNORES INHERENT ADVANTAGES OF BETTER ROUTES WHICH WILL HAVE GREATER FUTURE ECONOMIC IMPACT. IN FACT, IN 1965, THE STUDY BY HOWARD, NEEDLES, TAMMEN & BERGENDOFF, THE SAME ENGINEERING FIRM THAT PERFORMED THE 1986 STUDY, ASSERTED THAT THE COST OF CREATING THE CORRIDOR FROM

HAYS TO WICHITA WAS INDEED SUBSTANTIAL; HOWEVER, THE FUTURE ECONOMIC BENEFITS TO NORTHWEST KANSAS WOULD FAR EXCEED THE INITIAL FINANCIAL COMMITMENT INVOLVED. THE SAME CONCLUSION WAS REACHED IN 1975 BY WILBUR SMITH & ASSOCIATES AND IN 1987 BY THE KANSAS DEPARTMENT OF TRANSPORTATION.

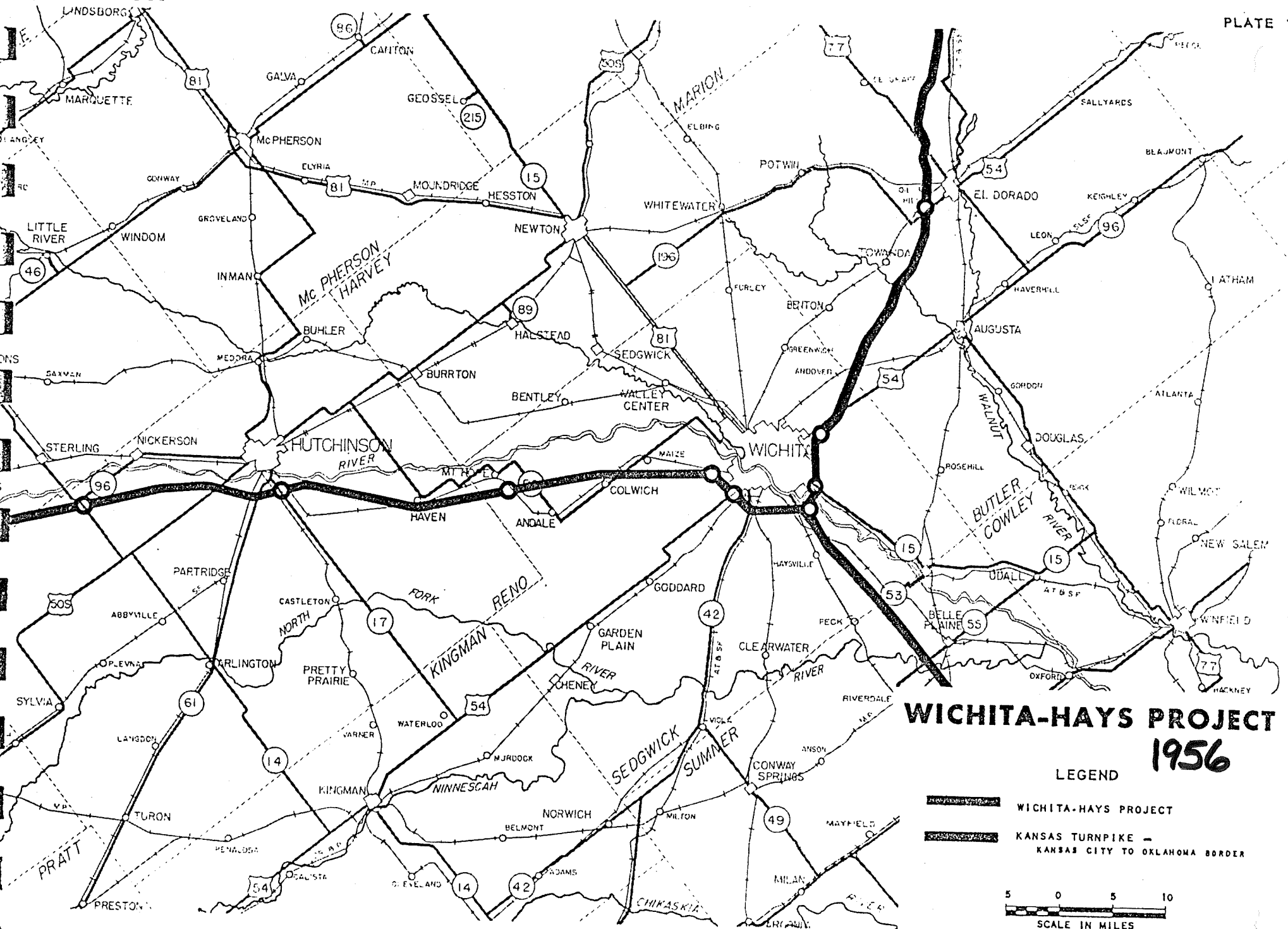
HAYS IS THE TRANSPORTATION HUB OF NORTHWEST KANSAS. THAT IS WHY THE HAYS TO WICHITA CORRIDOR HAS BEEN RECOMMENDED TIME AND TIME AGAIN. ALL OF NORTHWEST KANSAS GAINS ACCESS TO THE PASSAGEWAY IF IT TERMINATES IN HAYS BUT ONLY ONE CUMMUNITY GAINS IF IT TERMINATES IN RUSSELL. U.S. HIGHWAY 183, A PRINCIPAL HIGHWAY ARTERY PROVIDES CLEAR ACCESS TO OTHER MAJOR HIGHWAY ARTERIES: U.S. 36 AND U.S. 24. THESE ROADS SERVE NORTHWEST KANSAS AND WILL BE ENHANCED BY A DIAGONAL ROUTE. THE BENEFITS DO NOT END HERE. HIGHWAY 183 ALSO CONNECTS WITH HIGHWAY 80 IN NEBRASKA AND HIGHWAY 90 IN SOUTH DAKOTA. EQUALLY IMPORTANT THE CORRIDOR PROVIDES EASY ACCESS TO THE PORT OF CATOOSA IN OKLAHOMA AND OTHER PORTS ON THE GULF. HAYS IS THE CONNECTING LINK IN THIS VITAL TRANSPORTATION HUB. REROUTING THE CORRIDOR TO RUSSELL CREATES A MUCH LESS DESIRABLE ROUTE. IT WILL COST KANSANS HUNDREDS OF MILLIONS OF DOLLARS IN INCREASED TRAVEL EXPENSE AND PROHIBITS EASY ACCESS FROM NORTHWEST KANSAS TO NEIGHBORING STATES.

THE FACTS ARE CLEAR.

1. THE PROPOSED NORTHWEST PASSAGE FROM HAYS TO WICHITA HAS BEEN CONSIDERED AND RECOMMENDED OVER A 30 YEAR PERIOD OF TIME.
2. 20 YEARS FROM NOW, ACCORDING TO THE CONSULTANTS' REPORT, THE DIAGONAL ROUTE FROM GREAT BEND TO HAYS WILL TRANSPORT 3600 VEHICLES PER DAY, WHEREAS THE GREAT BEND TO RUSSELL ROUTE WILL TRANSPORT ONLY 2400 VEHICLES PER DAY. 1200 MORE VEHICLES WILL UTILIZE THE NORTHWEST PASSAGE CORRIDOR EACH DAY IF WE BUILD THE DIAGONAL HIGHWAY FROM GREAT BEND TO HAYS.
3. AS WE LOOK AT THE COST OF THE TWO PROPOSED ROUTES OVER THE NEXT 20 YEARS THE HAYS TO GREAT BEND DIAGONAL IS THE ONLY ROUTE WHICH IS COST EFFECTIVE. THE DIAGONAL ROUTE WILL BE A FINANCIAL INVESTMENT GAIN NOT A FINANCIAL DRAIN. FROM THE STANDPOINT OF COST THE DIAGONAL ROUTE IS AN INVESTMENT WHICH WILL NOT ONLY PAY FOR ITSELF, BUT WILL SAVE THE PEOPLE OF NORTHWEST KANSAS HUNDREDS OF MILLIONS OF DOLLARS IN THE YEARS TO COME.



IN CLOSING JUST LET ME SAY THAT I UNDERSTAND THE CITY OF RUSSELL'S INTEREST IN THIS HIGHWAY PROPOSAL, BUT WE MUST REMEMBER THAT THE NORTHWEST PASSAGE HIGHWAY IS NOT, NOR HAS IT EVER BEEN INTENDED TO SERVE THE INTERESTS OF A SINGLE COMMUNITY.

THE QUESTION WE MUST DECIDE TODAY IS: "WHICH OF THESE PROPOSED ROUTES WILL BEST SERVE ALL THE COMMUNITIES IN NORTHWEST KANSAS?"

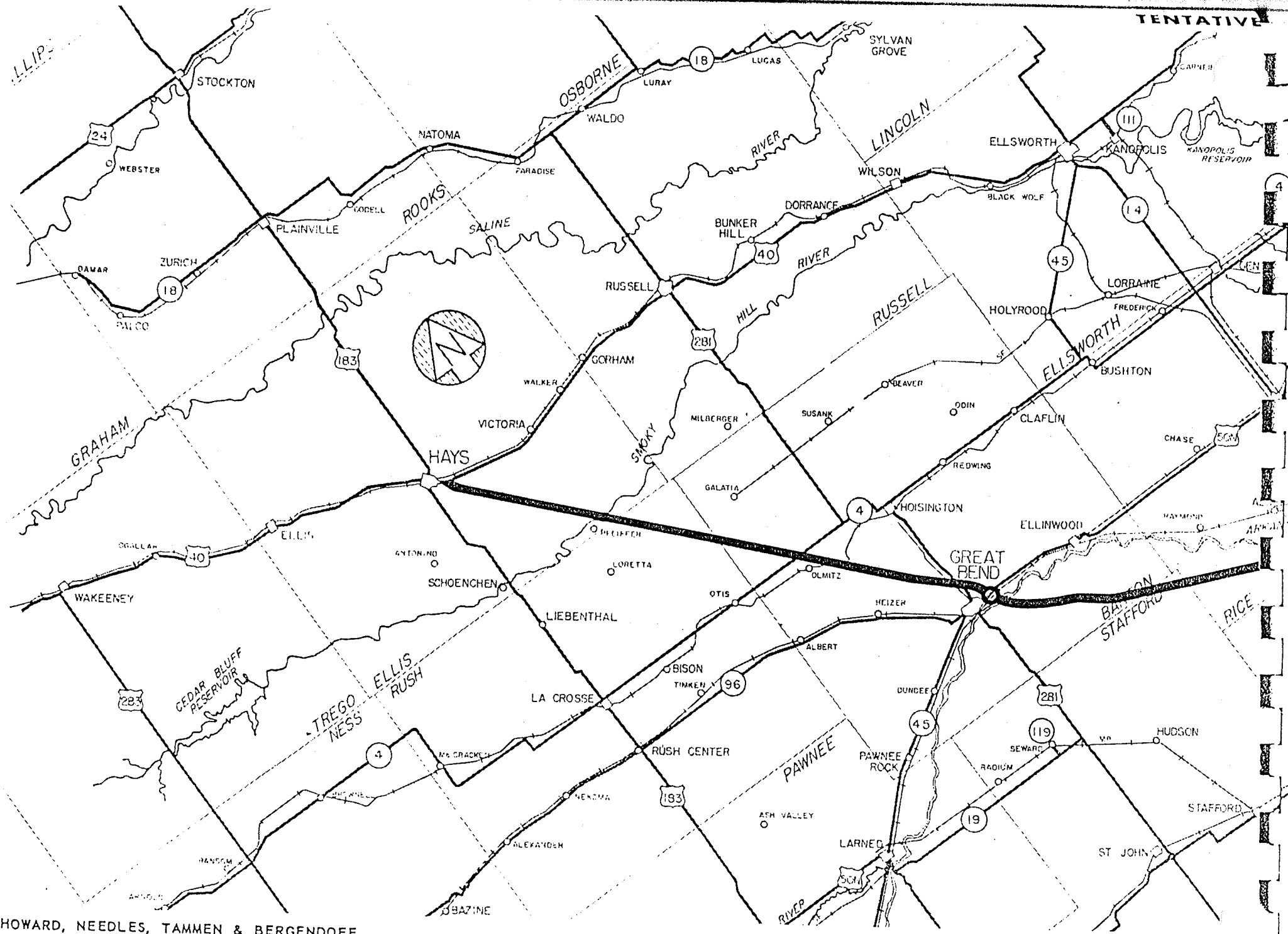


WICHITA-HAYS PROJECT 1956

LEGEND

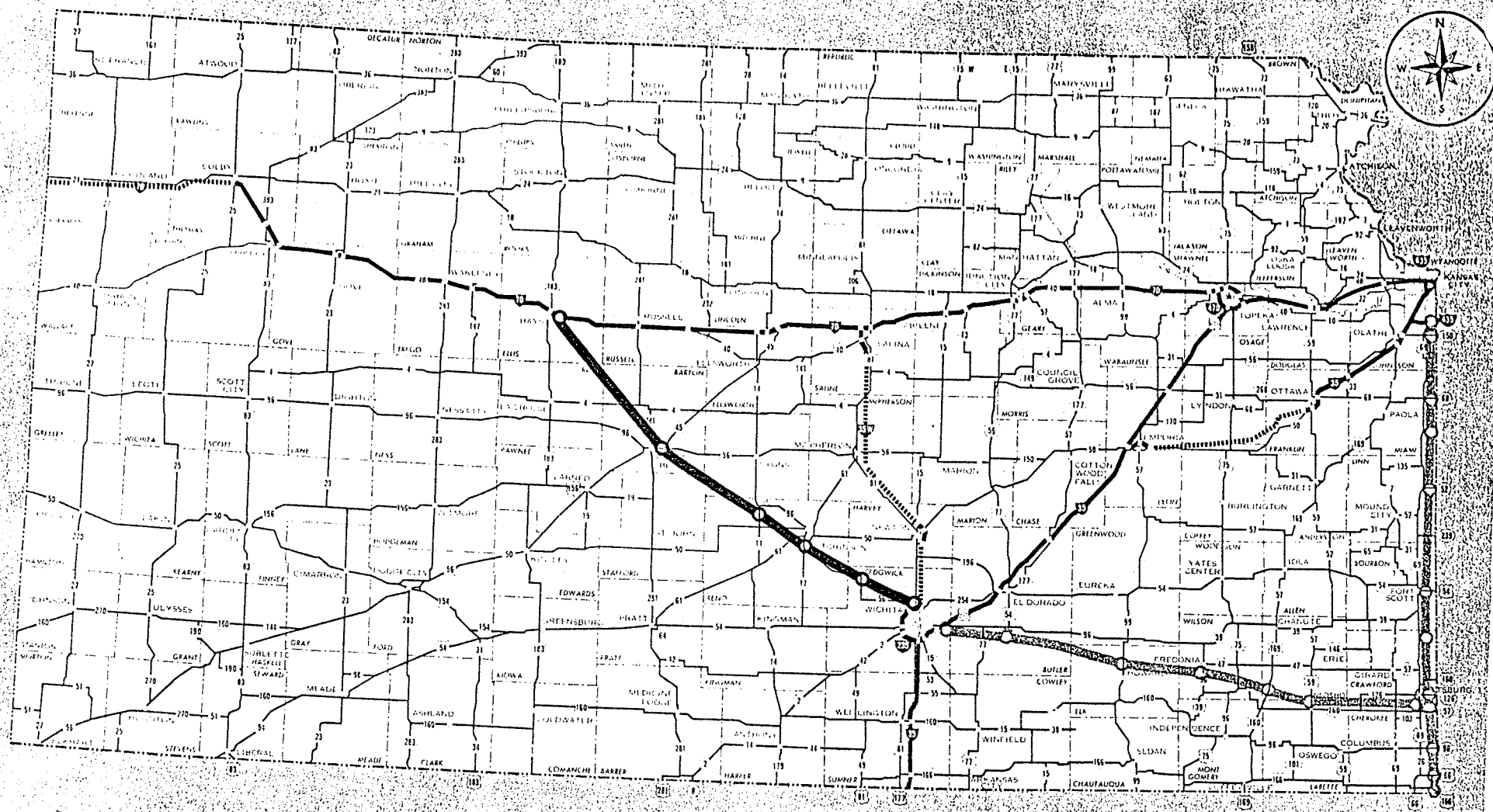
-  WICHITA-HAYS PROJECT
-  KANSAS TURNPIKE - KANSAS CITY TO OKLAHOMA BORDER





HOWARD, NEEDLES, TAMMEN & BERGENDOFF

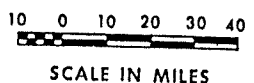
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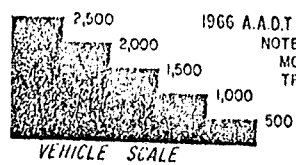
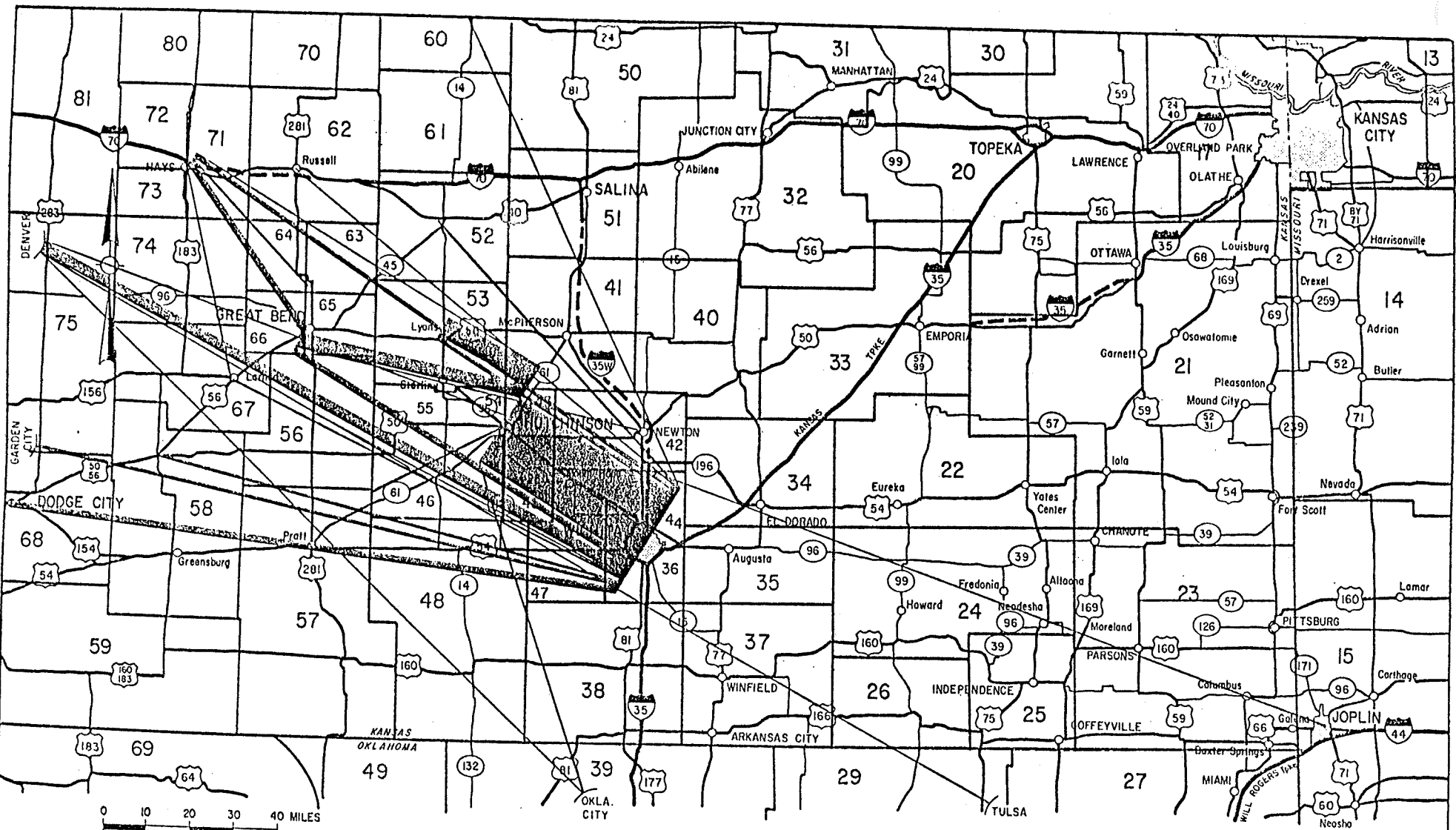
HOWARD, NEEDLES, TAMMEN & BERGENDOFF

1965

WICHITA - HAYS PROJECT TENTATIVE LOCATION



- LEGEND**
- WICHITA - HAYS PROJECT
 - KANSAS TURNPIKE PROJECTS
 - OTHER INTERSTATE ROUTES
 - OTHER PROPOSED TOLL PROJECTS



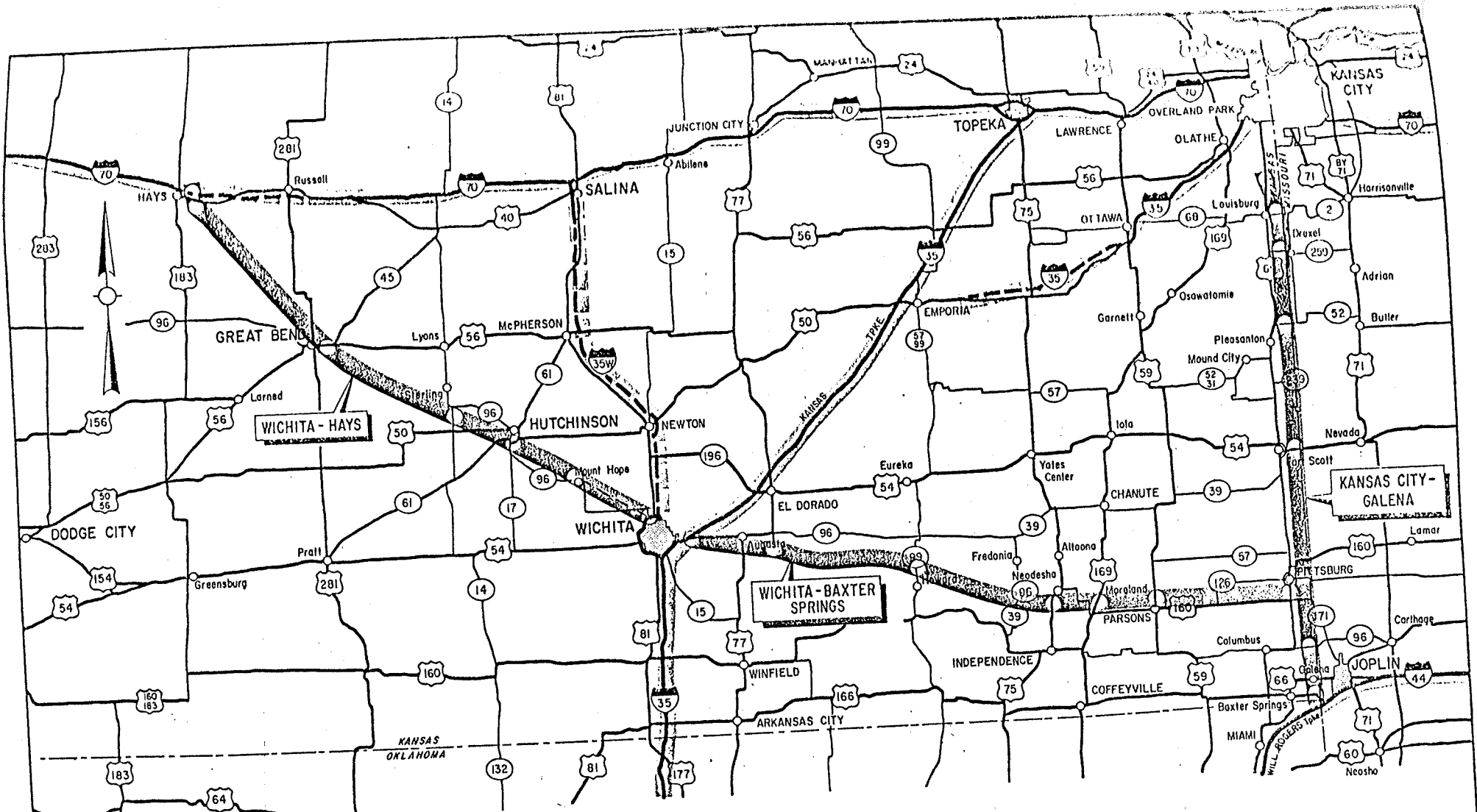
1966 A.A.D.T.
 NOTE:
 MOVEMENTS UNDER 25
 TRIPS NOT SHOWN.

1965 TRAVEL DESIRES WICHITA — HAYS CORRIDOR

Wilbur Smith and Associates

FIGURE 7

6



LOCATION MAP

1966

LEGEND




-  PROPOSED TURNPIKES
-  PROPOSED INTERCHANGES
-  EXISTING TURNPIKES AND INTERSTATE FREEWAYS

FIGURE 1

Wilbur Smith and Associates

**Article 23.—EXPRESS HIGHWAYS
AND FREEWAYS**

68-2301. Express highways and freeways; establishment of system; location; construction; transfer of funds to state highway fund; financing; allocation and programming of funds, priorities; annual status report by secretary of transportation; feasibility studies of designating portions of system as toll roads. (a) In order to provide for the construction of modern express highways and freeways to link the principal population centers of the state with the major express highways and freeways in this and other states, facilitate vehicular traffic in the areas to be served, remove many of the present handicaps and hazards on the congested highways in the state and promote the agricultural and industrial development of the state, the secretary of transportation is hereby authorized, empowered and directed to establish and construct a state system of modern express highways and freeways. The express highways and freeways within said system shall be constructed pursuant to the criteria established in subsection (b) of this section and shall be located by the secretary of transportation within the following corridors:

(1) Commencing in the vicinity of the intersection of U.S. highway 54 and the Kansas-Oklahoma border, thence proceeding in a northeasterly and easterly direction, within a corridor including and generally delineated by said U.S. highway 54, to the vicinity of the point in Butler county where said U.S. highway 54 and state highway 96 divide; thence proceeding in an easterly and southeasterly direction, generally described by said highway 96, to the vicinity of the juncture of state highway 96 and state highway 39; thence in a southeasterly direction, within a corridor including and generally delineated by state highway 96, U.S. highway 160 and state highway 57, to the Kansas-Missouri border;

(2) Commencing in the vicinity of the intersection of interstate highway 70 and U.S. highway 183, near the city of Hays in

Ellis county; thence in a southeasterly direction to the general vicinity of the intersection of the east city limits of the city of Great Bend in Barton county and state highway 96; thence in an easterly and southeasterly direction, within a corridor including and generally delineated by state highway 96, to the vicinity of the juncture of state highway 96 and U.S. highway 54 in Sedgwick county;

(3) Commencing in the vicinity of the intersection of the north city limits of the city of Hutchinson in Reno county and state highway 61; thence in a northeasterly direction, within a corridor including and generally delineated by state highway 61, to a point near the south city limits of the city of McPherson in McPherson county;

(4) Commencing in the vicinity of the intersection of U.S. highway 75 and the Kansas-Nebraska border; thence in a southerly direction, within a corridor including and generally delineated by U.S. highway 75, to a point near the intersection of said U.S. highway 75 and the proposed right-of-way for interstate highway 35, in the vicinity of the Osage-Coffey county line;

(5) Commencing in the vicinity of the intersection of U.S. highway 36 and the Kansas-Missouri border; thence in a westerly direction, within a corridor including and generally delineated by U.S. highway 36, to a point near the intersection of U.S. highways 36 and 81; thence in a southerly direction to a point in the vicinity of the intersection of said U.S. highway 81 and interstate highway 70;

(6) Commencing in the vicinity of the intersection of the city limits of the city of Atchison in Atchison county and state highway 7; thence in a southerly direction to the vicinity of the intersection of state highway 7 and interstate highway 35, near the city of Olathe in Johnson county;

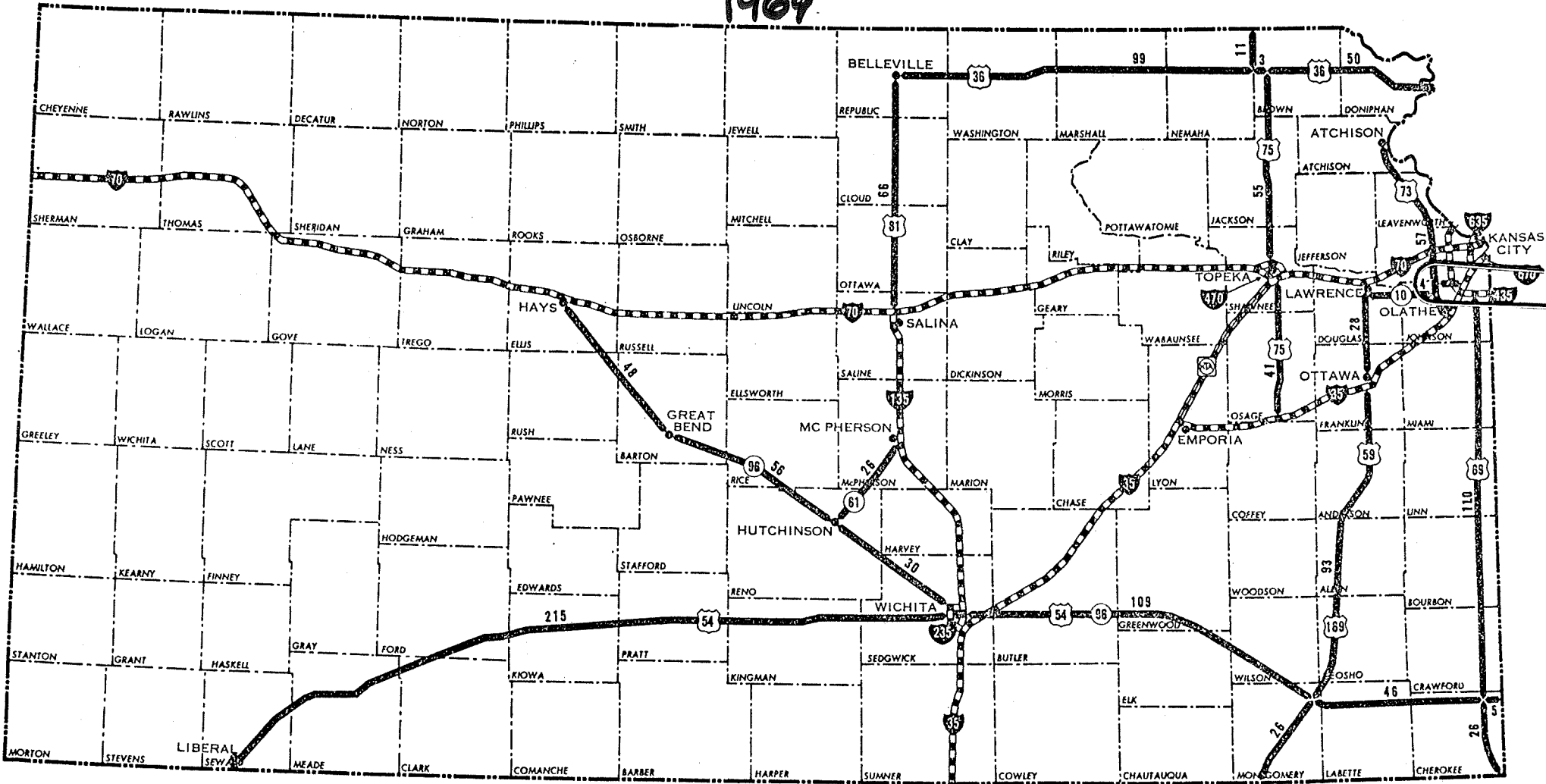
(7) Commencing in the vicinity of the intersection of U.S. highway 69 and interstate highway 435; thence in a southerly direction, within a corridor including and generally delineated by U.S. highway 69, to the Kansas-Oklahoma border;

(8) Commencing in the vicinity of the city of Lawrence in Douglas county; thence in a southerly direction within a corridor which includes the areas between U.S. highways 75, 59 and 169, to the Kansas-Oklahoma border in the general vicinity of a

KANSAS




STATE SYSTEM OF EXPRESS HIGHWAYS AND FREEWAYS
AS ESTABLISHED AND DESCRIBED BY K. S. A. 68-2301

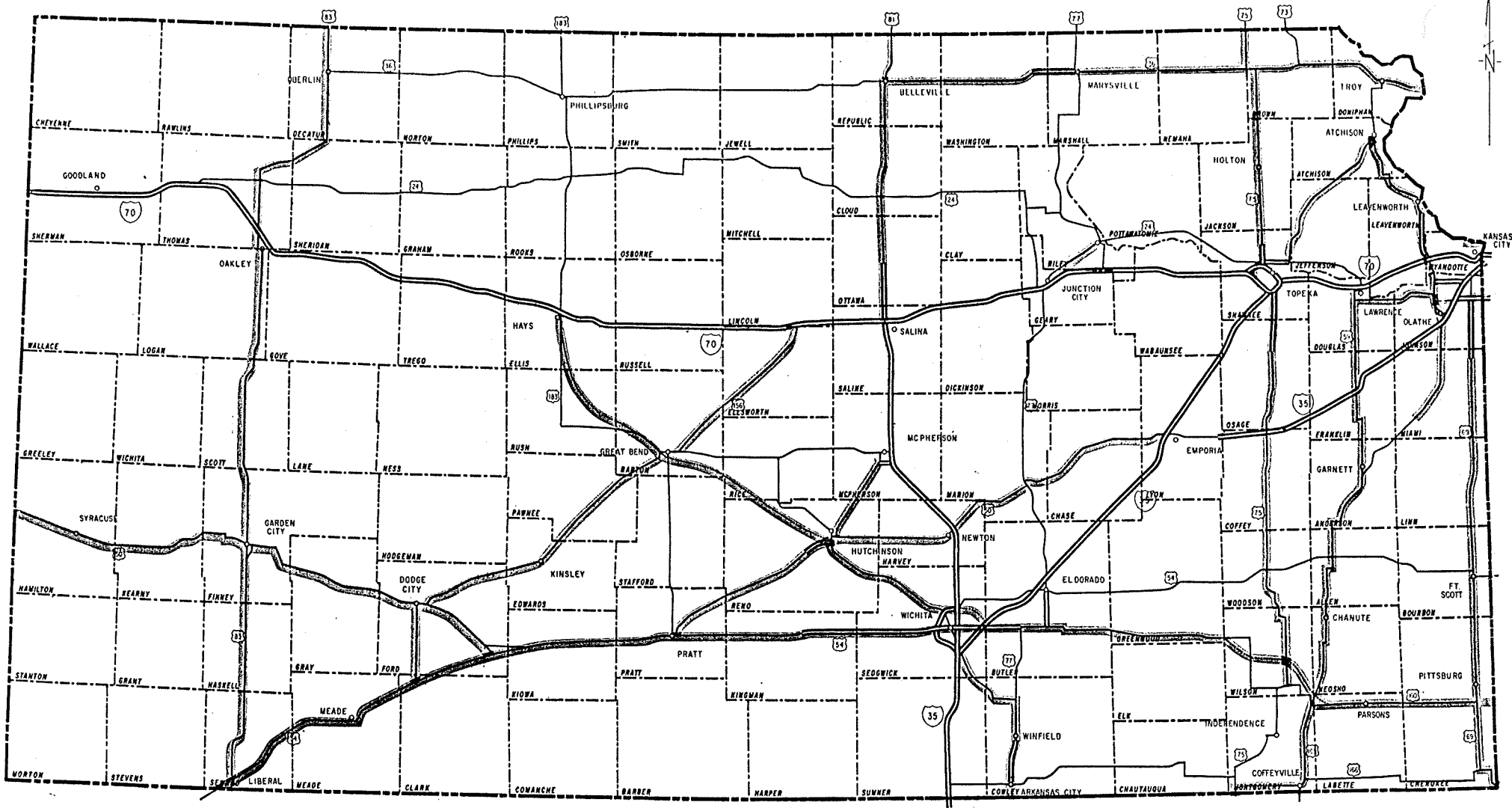
1969



- Corridor No. 1 Kansas-Oklahoma line southwest of Liberal east to Kansas-Missouri border. 376 Miles
 - Corridor No. 2 Hays southeasterly to Wichita. 134 Miles
 - Corridor No. 3 Hutchinson northeasterly to McPherson. 26 Miles.
 - Corridor No. 4 US-76 at the Kansas-Nebraska border southerly to Interstate highway 35. 107 Miles.
 - Corridor No. 5 US 36 at the Kansas-Missouri border westerly to intersection of US-36 and US-81, then southerly to Interstate highway 70. 218 Miles.
 - Corridor No. 6 Atchison southerly to Olathe. 57 Miles.
 - Corridor No. 7 The intersection of US-89 and interstate 435 southerly to the Kansas-Oklahoma border. 136 Miles.
 - Corridor No. 8 Lawrence southerly to the Kansas-Oklahoma border. 147 Miles.
 - Corridor No. 9 Lawrence easterly to intersection of highway US-50, US-56 and interstate 35. 34 Miles.
- Total Miles of express and freeway highways 1234.

LEGEND

-  26 MILES EXPRESS HIGHWAY AND FREEWAY SYSTEM
-  INTERSTATE SYSTEM
-  TURNPIKE





Kansas State Highway Needs and Corridor Analysis

Wilbur Smith and Associates

Corridor Selection

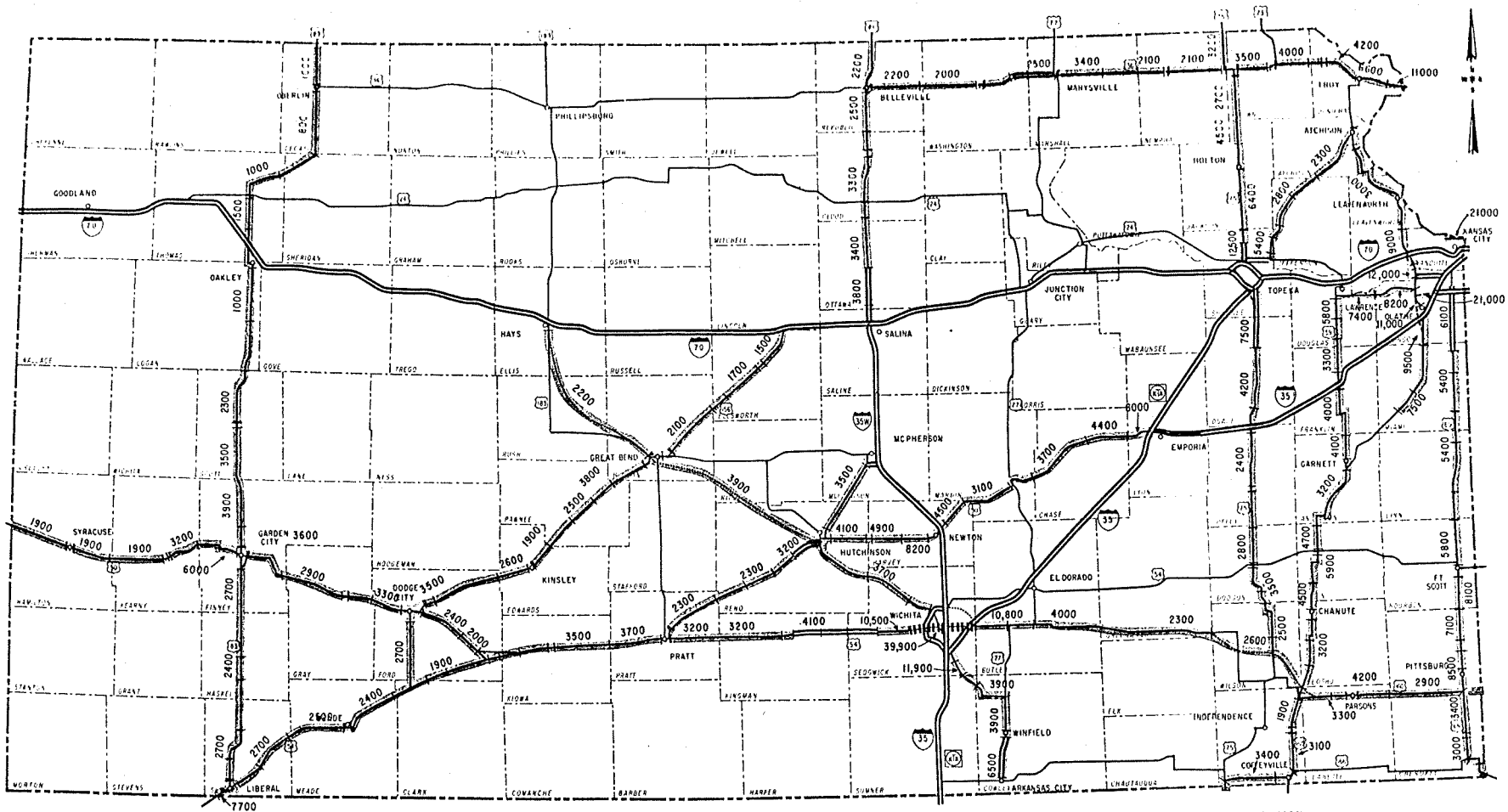
1975

Legend

-  State System of Express Highways and Freeways According to KSA, 1974 Supp. 68-2301
-  Additional Corridors to be Examined



0 2
mile



LEGEND

- TWO-LANE ROADWAY
- FOUR-LANE ROADWAY
- SIX-LANE ROADWAY
- 2200 AVERAGE DAILY TRAFFIC

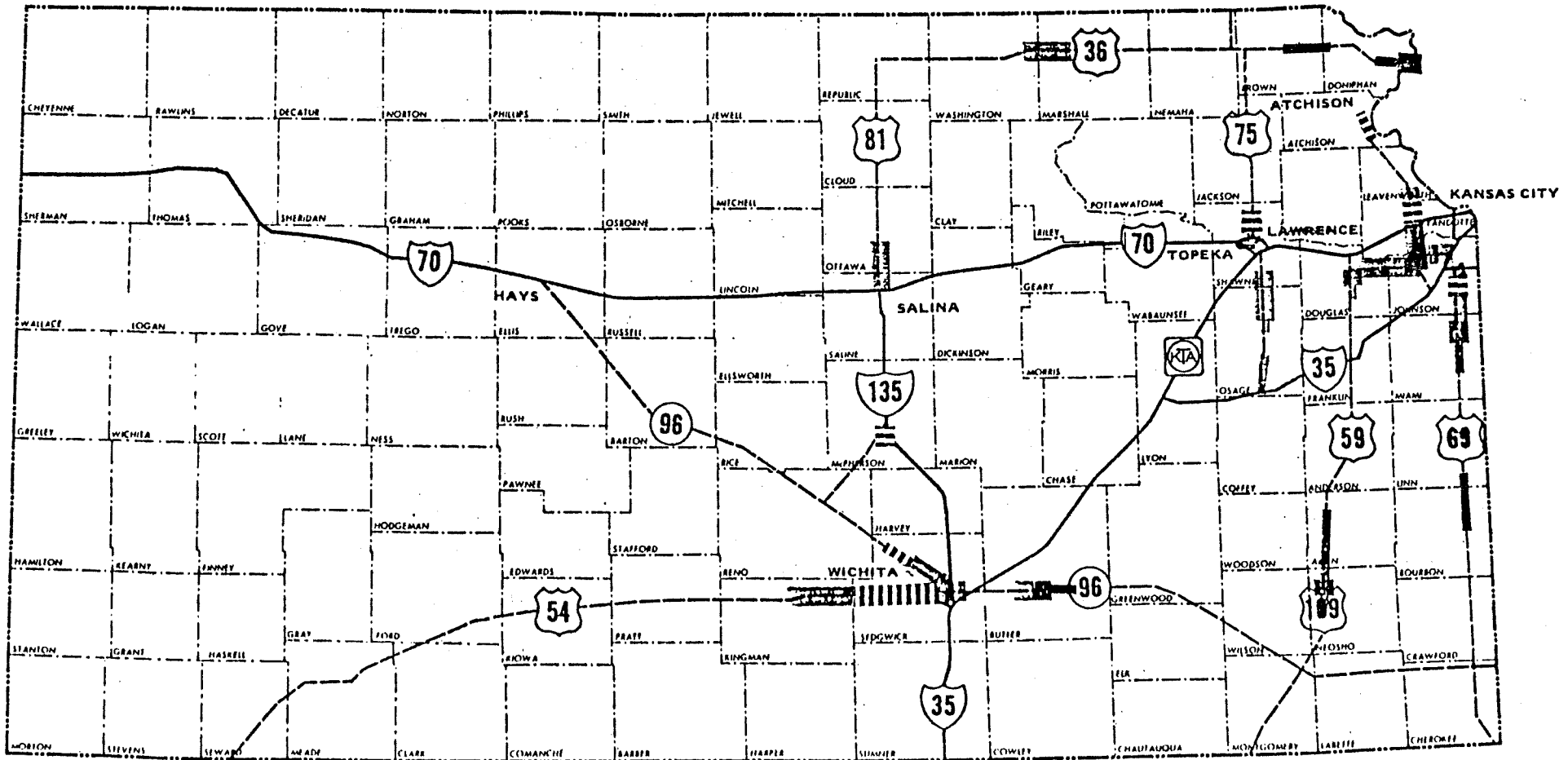
**LANE REQUIREMENTS AND
1990 TRAFFIC PROJECTIONS**

FIGURE 14

Wilbur Smith and Associates 1975

STATUS OF STATE SYSTEM OF EXPRESS HIGHWAYS AND FREEWAYS
AS ESTABLISHED AND DESCRIBED BY K.S.A. 68-2301

PROGRAM AUDIT REPORT 1976



| | 2-LANE | 4-LANE | TOTAL | | |
|--|--------------|--------------|--------------------|--|-------------------|
| PREVIOUSLY CONSTRUCTED (FUNDED PRIOR TO FREEWAY FUNDS) | 16.9 | 47.3 | 64.2 | EXPRESS HIGHWAY AND FREEWAY SYSTEM | INTERSTATE SYSTEM |
| CONSTRUCTED OR UNDER CONSTRUCTION (FUNDED WITH FREEWAY FUNDS) | 10.4 | 106.1 | 116.5 | 4-LANE | 2-LANE |
| FREEWAY PROGRAM (FY 1977-1984) | 74.7 | 37.0 | 111.7 | | |
| TOTALS | 102.0 | 190.4 | 292.4 MILES | | |

8-25-76

SENATE BILL No. 693

By Committee on Transportation and Utilities

2-25

0017 AN ACT authorizing and directing the Kansas turnpike authority
0018 to study the feasibility of constructing certain turnpike proj-
0019 ects or freeways including the methods of financing thereof;
0020 prescribing the location thereof; and concerning appropria-
0021 tions for fiscal years ending June 30, 1986, and June 30, 1987,
0022 for such purposes.

0023 *Be it enacted by the Legislature of the State of Kansas:*

0024 Section 1. The Kansas turnpike authority is hereby autho-
0025 rized and directed to study the feasibility of constructing turn-
0026 pike projects or freeways: (a) To commence and connect with the
0027 Kansas turnpike at the city of Wichita and proceeding in a
0028 westerly direction to the point where U.S. Highway 50 crosses
0029 the Kansas-Colorado border; (b) to commence and connect with
0030 the Kansas turnpike at the city of Wichita and proceeding in a
0031 westerly and southwesterly direction to the point where U.S.
0032 Highway 54 crosses the Kansas-Oklahoma border; and (c) to
0033 commence and connect with the Kansas turnpike at the city of
0034 Wichita and proceeding in a northwesterly direction to the cities
0035 of Hutchinson, Great Bend and Hays.

0036 Such study shall include recommendations for alternative
0037 routes between such points and the feasibility of each.

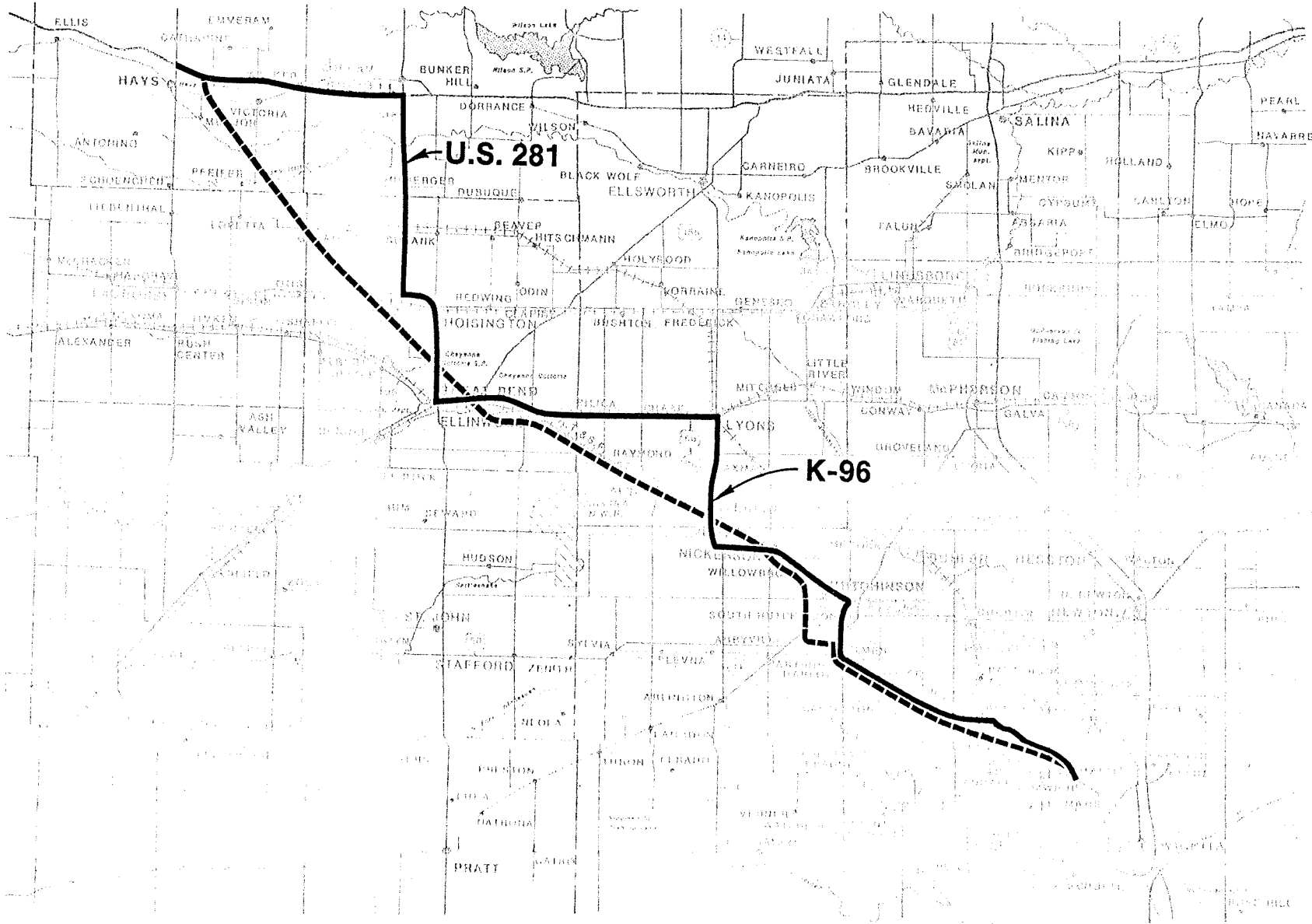
0038 The study of the feasibility of such projects shall be based
0039 upon the use of existing right-of-way where possible, and in
0040 addition shall include, but not be limited to:

0041 (a) An estimate of the total cost of each project, including
0042 those items defined as costs by K.S.A. 68-2093 and amendments
0043 thereto;

0044 (b) a determination of the extent to which each project can be
0045 financed by the collection of tolls or by alternative methods of
0046 finance;

since four-lane bypasses would be required around Nickerson, Sterling, Lyons, and Ellinwood. In summary, while this alternate would provide some

minimize residential and business displacement, increased travel distances and a considerable right-of-way.



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LOCATION

REQUEST OF SENATOR NORVELL
TRAFFIC ESTIMATES
GREAT BEND TO HAYS DIAGONAL

The following traffic estimates were made for a proposed corridor between Great Bend and Hays. Total traffic, growth rates and mileage data were taken from the "Western Kansas Turnpike/Freeway Feasibility Study: Hays to Wichita", by Howard Needles Tammen & Bergendoff and a truck percentage was estimated from current KDOT Traffic Flow Maps. Heavy trucks are expected to account for 20% of the total traffic on this route.

| | <u>Total Vehicles</u> | <u>Heavy Trucks</u> |
|--------------------------|-----------------------|---------------------|
| 1984 (Base year) traffic | 2875/day | 575/day |
| 2010 Forecast year | 3600/day | 720/day |
| Average for period | 3250/day | 650/day |

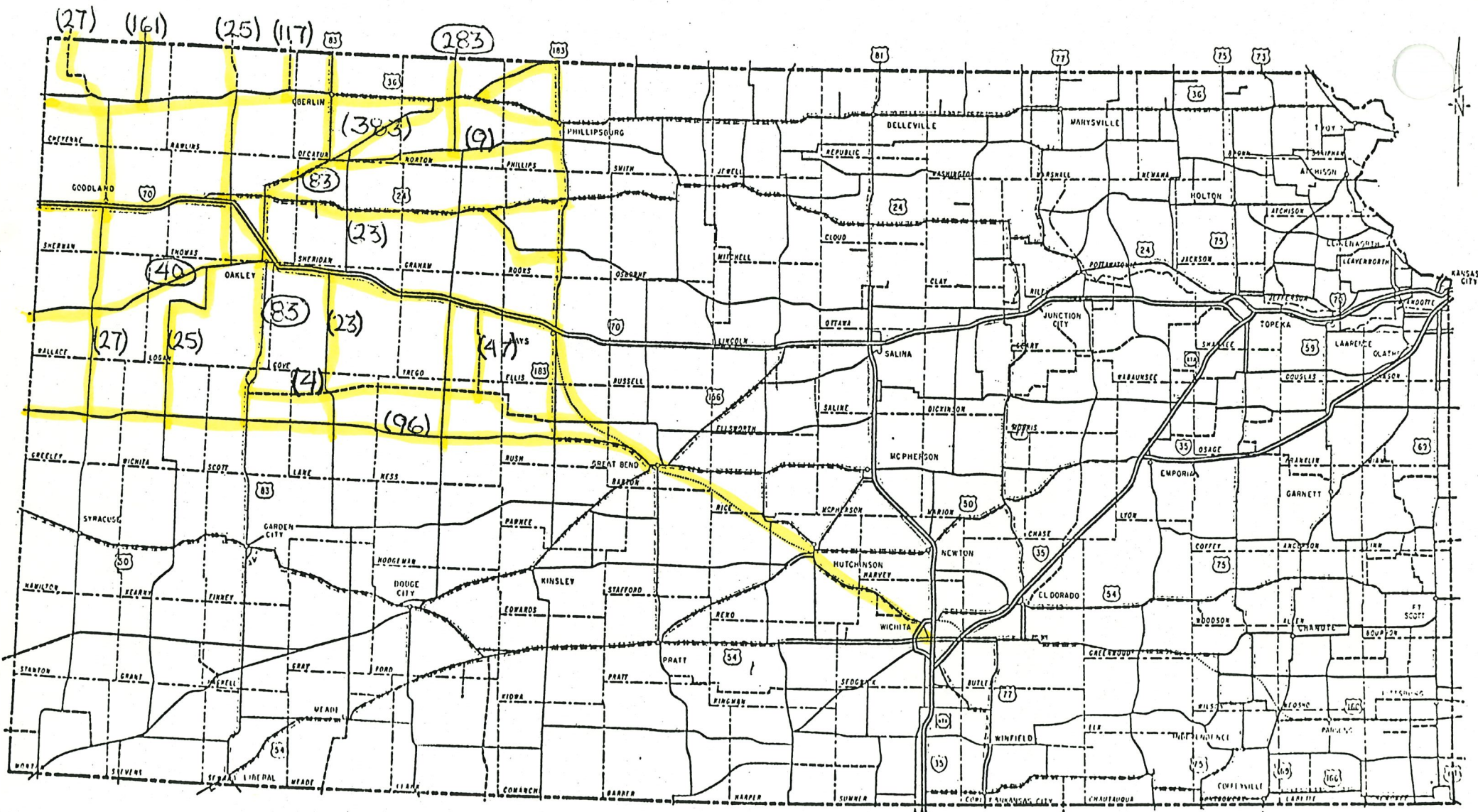
Sixteen (16) miles can be saved by using a diagonal route between Great Bend and Hays rather than by using existing highways, according to the Consultant's Report. Costs per mile of travel were obtained from the Federal Highway Administration Reports for autos and from the Kansas Motor Carrier Association. These values are \$0.21 and \$1.09 respectively for autos and heavy trucks.

Based on these figures the following road user savings can be achieved over a 20 year period by using a diagonal route.

Autos: $2600 \text{ aut/day} \times 16 \text{ Mi.} \times \$0.21/\text{mi.} \times 365\text{days/yr.} \times 20 \text{ yr.}$
\$63,772,800.

Trucks: $650 \text{ trk/day} \times 16 \text{ Mi.} \times \$1.09/\text{mi.} \times 365\text{days/yr.} \times 20 \text{ yr.}$
\$82,752,800.

Total: \$146,525,600.



**Kansas
State Highway Needs
and
Corridor Analysis**

Wilbur Smith and Associates

State Highway System

Legend

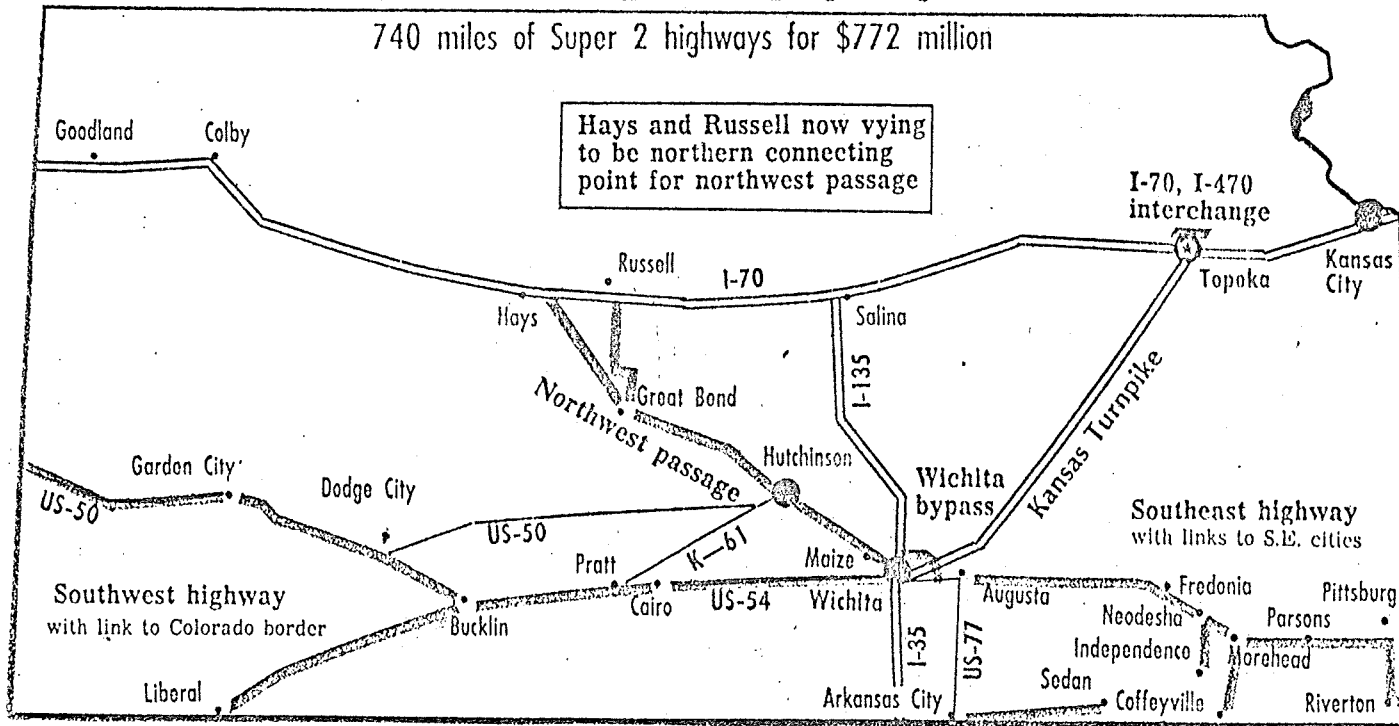
- Interstate and Turnpike
- Other Principal Arterials
- Minor Arterials
- Major Collector

N

0 20
miles

Proposed highway projects

740 miles of Super 2 highways for \$772 million



Hays and Russell now vying to be northern connecting point for northwest passage

SENATE BILL No. 137

By Committee on Transportation and Utilities

2-3

0017 AN ACT relating to roads and highways; authorizing the con-
0018 struction, improvement and maintenance of highways; autho-
0019 rizing revenue bonds for the payment of the cost of such
0020 construction, improvement and maintenance; increasing cer-
0021 tain vehicle fuel taxes; apportionment between local units and
0022 state; amending K.S.A. 79-3408c, 79-3425, 79-3475a, 79-3487,
0023 79-3491a, 79-34,104, 79-34,118, 79-34,126, 79-34,142 and 79-
0024 34,143 and K.S.A. 1986 Supp. 79-34,141 and repealing the
0025 existing sections.

0026 *Be it enacted by the Legislature of the State of Kansas:*

0027 New Section 1. In order to provide for the construction of
0028 modern express highways and freeways from the eastern to the
0029 western border of the state and within the portion of the state not
0030 presently served by modern express highways and freeways for
0031 the purpose of providing access to the cities of this area of the
0032 state, to facilitate the movement of goods produced or manufac-
0033 tured in such area and in general promote the agricultural and
0034 economic or industrial development of that portion of the state,
0035 an independent management team is hereby authorized and
0036 directed to establish and construct on a first and most important
0037 basis, and within five years of the effective date of this act, a
0038 system of modern super-two highways and expressways, using
0039 existing highway right-of-way where possible, between the fol-
0040 lowing:

0041 (a) Beginning at the Kansas turnpike at the city of Wichita;
0042 thence proceeding in an easterly and southeasterly direction to a
0043 point on the Kansas-Oklahoma border or the Kansas-Missouri
0044 border providing the most feasible connection with interstate 44
0045 in the vicinity of Joplin, Missouri;

0046 (b) commencing at the Kansas turnpike at the city of Wichita;

ATT: 2/3/87
T + U

0084 economic development freeway fund" mean the fund created by
0085 subsection (a) of K.S.A. 79-3425 and amendments thereto.

0086 (f) "Independent management team" means a body of five
0087 members comprised of the secretary of transportation, the chair-
0088 man of the house of representatives committee on transportation,
0089 the chairman of the senate committee on transportation and
0090 utilities and two persons appointed by the governor.

0091 New Sec. 4. On and after July 1, 1987, the secretary of
0092 transportation is hereby authorized and empowered to: (a) Issue
0093 highway bonds of the state of Kansas, payable solely from reve-
0094 nues accruing to the Kansas economic development freeway
0095 fund and pledged to their payment, for the purpose of providing
0096 funds for the construction, reconstruction and improvement of
0097 the highway projects in the state, to refund such bonds, and to
0098 pay all expenses incidental to the authorization and issuance of
0099 ~~said~~ bonds, including without limitation the acquisition of right-
0100 of-way, employment of financial advisors, engineers, attorneys
0101 and such other professional services as the secretary deems
0102 necessary to carry out the provisions of this act, all as provided in
0103 this act;

such

0104 (b) Make and enter into all contracts and agreements neces-
0105 sary or incidental to the performance of the secretary's duties and
0106 the execution of the secretary's powers under this act, including
0107 without limitation all contracts and agreements necessary to
0108 cooperate with the federal highway administration of the United
0109 States department of transportation, or with other federal agen-
0110 cies, and to do and perform all other acts required to obtain
0111 benefits under the terms and provisions of title 23 of the United
0112 States code or any other federal legislation amendatory thereof or
0113 supplementary thereto; and

0114 (c) Do all acts and things necessary or convenient to carry out
0115 the powers expressly granted in this act.

0116 New Sec. 5. On and after July 1, 1987, the secretary of
0117 transportation is hereby authorized to provide by one or more
0118 resolutions for the issuance of highway bonds of the state of
0119 Kansas, in the amounts and with the limitations provided in this
0120 section, for the purpose of providing funds for the construction,

0417 lating to the investment policies and practices and to specific
0418 investments of the funds as are considered necessary or desir-
0419 able.

0420 New Sec. 13. The foregoing sections of this act shall be
0421 deemed to provide an additional and alternative method for the
0422 doing of the things authorized thereby, and shall be regarded as
0423 supplemental and additional to powers conferred by other laws.
0424 The issuance of highway bonds or highway refunding bonds
0425 under the provisions of this act need not comply with the
0426 requirements of any other law applicable to the issuance of
0427 bonds, notes or other obligations.

0428 Except as otherwise expressly provided in this act, none of the
0429 powers granted to the secretary of transportation under the
0430 provisions of this act shall be subject to the supervision or
0431 regulation or require the approval or consent of any municipality
0432 or political subdivision or any commission, board, bureau, offi-
0433 cial or agency thereof or of the state.

0434 New Sec. 14. On or before the 10th day of each month, the
0435 director of accounts and reports shall transfer from the state
0436 general fund to the economic development freeway fund the
0437 amount of money certified by the pooled money investment
0438 board in accordance with this section. Prior to the 10th day of
0439 each month, the pooled money investment board shall certify to
0440 the director of accounts and reports an amount of money equal to
0441 the proportionate amount of all the interest credited to the state
0442 general fund for the preceding month pursuant to K.S.A. 75-
0443 4210a and amendments thereto, that is attributable to moneys in
0444 the ~~state highway~~ fund. Such amount of money shall be deter-
0445 mined by the pooled money investment board based on: (a) The
0446 average daily balance of moneys in the ~~state highway~~ fund
0447 during the preceding month as certified to the board by the
0448 secretary of transportation, and (b) the average interest rate on
0449 time deposit, open accounts for that period as determined under
0450 K.S.A. 75-4212 and amendments thereto. On or before the fifth
0451 day of each month, the secretary of transportation shall certify to
0452 the pooled money investment board the average daily balance of
0453 moneys in the ~~state highway~~ fund during the preceding month.

Kansas economic development freeway

0010 thereafter is less than the rate of tax upon such fuel in effect on
0011 the preceding day, the licensed distributor or unlicensed retail
0012 dealer owning such fuel at 12:01 a.m. on the date such reduction
0013 in taxes becomes effective shall be entitled to a refund of taxes
0014 paid upon such fuel in an amount equal to the amount by which
0015 taxes were reduced from the amount of motor-vehicle fuels taxes
0016 per gallon, or fraction thereof, actually paid upon each gallon, or
0017 fraction thereof, of motor-vehicle fuels multiplied by the number
0018 of gallons of motor-vehicle fuels owned by the distributor or
0019 dealer on such date. On or before the 25th day of the month in
0020 which such tax is reduced, every such distributor and retail
0021 dealer shall make a report to the director on a form prescribed
0022 and furnished by the director showing the total number of
0023 gallons of such motor-vehicle fuel owned by such distributor or
0024 dealer at 12:01 a.m. on the date upon which such tax was
0025 reduced. It shall be the duty of the director of taxation to examine
0026 all such claims and determine the amount to which each claim-
0027 ant is entitled. In the event any distributor or dealer entitled to
0028 such refund shall owe the state any motor-vehicle fuel tax,
0029 penalties, or interest, the refund authorized by this section shall
0030 upon being determined by the director be credited upon the
0031 amount of such taxes, penalties and interest. Whenever the
0032 director shall determine that any distributor or dealer shall be
0033 entitled to a refund under any of the provisions of this section,
0034 and such refund cannot be effected by giving credit therefor, as
0035 hereinbefore provided, or against the future motor-vehicle fuel
0036 tax liability of such taxpayer the director shall certify the amount
0037 of the refund to the state director of accounts and reports, who
0038 shall draw a warrant for the amount so certified on the state
0039 treasurer in favor of the distributor or dealer entitled to such
0040 refund, and mail, or otherwise deliver, the same to the distribu-
0041 tor entitled thereto. Such warrant shall be paid by the state
0042 treasurer to such distributor or dealer from the motor-vehicle
0043 fuel tax refund fund.

0044 Sec. 16. K.S.A. 79-3425 is hereby amended to read as fol-
0045 lows: 79-3425. (a) All of the amounts collected under the motor-
0046 fuel tax law and amendments thereto, except amounts collected

0047 pursuant to K.S.A. 79-3408c, and amendments thereto, shall be
 0048 remitted by the director to the state treasurer daily, and the state
 0049 treasurer shall deposit all such amounts in the state treasury. The
 0050 state treasurer shall credit such amount thereof as the director
 0051 shall order in the motor-vehicle fuel tax refund fund to be used
 0052 for the purpose of paying motor-vehicle fuel tax refunds as
 0053 provided by law. The state treasurer shall credit the remainder of
 0054 such amounts as follows: ~~On and after July 1, 1983,~~ To the state
 0055 freeway fund which fund is hereby created, amounts specified in
 0056 K.S.A. 79-34,142, *and amendments thereto*, to be expended in
 0057 the manner provided in K.S.A. 68-2301, and amendments
 0058 thereto, ~~and~~ to a special city and county highway fund which is
 0059 hereby created, amounts specified in K.S.A. 79-34,142, *and*
 0060 *amendments thereto*, to be apportioned and distributed in the
 0061 manner provided in K.S.A. 79-3425c, and amendments thereto,
 0062 *and on and after July 1, 1986,* to the Kansas economic develop-
 0063 *ment freeway fund, which is hereby created, amounts specified*
 0064 *in K.S.A. 79-34,142, and amendments thereto, to be expended in*
 0065 *the manner provided in section 2 of this act.*

0066 (b) ~~On July 2, 1983, and on each day thereafter,~~ after the state
 0067 treasurer has received certification from the secretary of trans-
 0068 portation that provisions have been made for the payment of the
 0069 pro rata share of the amount required to be paid on the next
 0070 ensuing payment date of either the principal of or the interest on
 0071 the outstanding highway bonds issued pursuant to K.S.A. 68-
 0072 2304 and amendments thereto, the state treasurer shall transfer
 0073 from the state freeway fund to the state highway fund an amount
 0074 specified in K.S.A. 79-34,143, *and amendments thereto.*

0075 Sec. 17. K.S.A. 79-3475a is hereby amended to read as fol-
 0076 lows: 79-3475a. (a) A tax is hereby imposed on all special fuels
 0077 owned at 12:01 a.m. July 1, 1983, ~~and at 12:01 a.m. on January 1,~~
 0078 ~~1984 1987,~~ and on July 1 of each year thereafter, by any special
 0079 fuel user or special fuel dealer at a rate per gallon, or fraction
 0080 thereof, equal to the amount, if any, by which the tax per gallon,
 0081 or fraction thereof, in effect on such date as prescribed by K.S.A.
 0082 79-3475, and amendments thereto, exceeds the rate of tax upon
 0083 such special fuels which was in effect on the preceding day.

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0121 number of gallons of fuel owned by the user or dealer on such
0122 date. On or before the 25th day of the month in which such tax is
0123 reduced, every such user or dealer shall make a report to the
0124 director on a form prescribed and furnished by the director
0125 showing the total number of gallons of such special fuels owned
0126 by such user or dealer at 12:01 a.m. on the date upon which such
0127 tax was reduced. It shall be the duty of the director of taxation to
0128 examine all such claims and determine the amount to which any
0129 claimant is entitled. In the event any user or dealer entitled to
0130 such refund shall owe the state any special fuel tax, penalties, or
0131 interest, the refund authorized by this section shall upon being
0132 determined by the director be credited upon the amount of such
0133 taxes, penalties and interest. Whenever the director shall deter-
0134 mine that any user or dealer shall be entitled to a refund under
0135 any of the provisions of this section, and such refund cannot be
0136 effected by giving credit therefor, as hereinbefore provided, or
0137 against the future special fuels tax liability of such taxpayer the
0138 director shall certify the amount of the refund to the state
0139 director of accounts and reports, who shall draw a warrant for the
0140 amount so certified on the state treasurer in favor of the user or
0141 dealer entitled to such refund, and mail, or otherwise deliver, the
0142 same to the user or dealer entitled thereto. Such warrant shall be
0143 paid by the state treasurer to such user or dealer from the special
0144 fuels tax refund fund, which fund is hereby established in the
0145 state treasury.

0146 (c) A fund designated as the special fuels tax refund fund not
0147 to exceed \$1,000,000 shall be set apart and maintained by the
0148 director of taxation from the special fuels tax collected under the
0149 provisions of article 34 of chapter 79 of Kansas Statutes Anno-
0150 tated, and amendments thereto, and held by the state treasurer
0151 for the payment of all refunds authorized by this section.

0152 Sec. 18. K.S.A. 79-3487 is hereby amended to read as fol-
0153 lows: 79-3487. (a) All amounts collected under the special fuels
0154 tax law, except amounts collected pursuant to K.S.A. 79-3475a,
0155 and amendments thereto, shall be remitted by the director to the
0156 state treasurer daily, and the state treasurer shall deposit the
0157 same in the state treasury. The state treasurer shall credit such

158 amounts as follows: ~~On and after July 1, 1983,~~ To the state
0159 freeway fund amounts specified in K.S.A. 79-34,142, and
0160 amendments thereto, to be expended in the manner provided in
0161 K.S.A. 68-2301 and amendments thereto, and amounts specified
0162 in K.S.A. 79-34,142, and amendments thereto, to a special city
0163 and county highway fund to be apportioned and distributed in
0164 the manner provided in K.S.A. 79-3425c, and amendments
0165 thereto, and on and after July 1, ~~1983,~~ to the Kansas economic
0166 development freeway fund amounts specified in K.S.A. 79-
0167 34,142, and amendments thereto, to be expended in the manner
0168 provided in section 2 of this act.

0169 (b) On ~~July 2, 1983,~~ and on each day thereafter, after the state
0170 treasurer has received certification from the secretary of trans-
0171 portation that provisions have been made for the payment of the
0172 pro rata share of the amount required to be paid on the next
0173 ensuing payment date of either principal and interest or interest
0174 on the outstanding highway bonds issued pursuant to K.S.A.
0175 68-2304 and amendments thereto, the state treasurer shall
0176 transfer from the state freeway fund to the state highway fund an
0177 amount specified in K.S.A. 79-34,143, and amendments thereto.

0178 Sec. 19. K.S.A. 79-3491a is hereby amended to read as fol-
0179 lows: 79-3491a. (a) A tax is hereby imposed on all LP-gas motor
0180 fuels owned at 12:01 a.m. July 1, 1983, and at ~~12:01 a.m. on~~
0181 ~~January 1, 1984~~ 1987, and on July 1 of each year thereafter, by
0182 any LP-gas motor fuels user or LP-gas motor fuels dealer at a rate
0183 per gallon, or fraction thereof, equal to the amount, if any, by
0184 which the tax per gallon, or fraction thereof, in effect on such
0185 date as prescribed by K.S.A. 79-3492, and amendments thereto,
0186 exceeds the rate of tax per gallon actually paid upon such fuel.
0187 Such tax shall be paid by the LP-gas motor fuel user or LP-gas
0188 motor fuel dealer owning said LP-gas motor fuels at such time
0189 and date. On or before the 25th day of the month in which such
0190 tax is imposed under this section, every such LP-gas motor fuel
0191 user and LP-gas motor fuel dealer shall make a report to the
0192 director on a form prescribed and furnished by the director
0193 showing the total number of gallons, or fraction thereof, of such
0194 LP-gas motor fuels owned by the user or dealer at the time the

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0232 which such tax was reduced. It shall be the duty of the director of
0233 taxation to examine all such claims and determine the amount to
0234 which any claimant is entitled. In the event any user or dealer
0235 entitled to such refund shall owe the state any LP-gas motor fuels
0236 tax, penalties or interest, the refund authorized by this section
0237 shall upon being determined by the director be credited upon
0238 the amount of such taxes, penalties and interest. Whenever the
0239 director shall determine that any user or dealer shall be entitled
0240 to a refund under any of the provisions of this section, and such
0241 refund cannot be effected by giving credit therefor, as herein-
0242 before provided, or against the future LP-gas motor fuel tax
0243 liability of such taxpayer the director shall certify the amount of
0244 the refund to the state director of accounts and reports, who shall
0245 draw a warrant for the amount so certified on the state treasurer
0246 in favor of the user or dealer entitled to such refund, and mail, or
0247 otherwise deliver, the same to the user or dealer entitled thereto.
0248 Such warrant shall be paid by the state treasurer to such user or
0249 dealer from the LP-gas motor fuels *tax* refund fund which is
0250 hereby established in the state treasury.

0251 (c) A fund designated as the LP-gas motor fuels tax refund
0252 fund not to exceed \$1,000,000 shall be set apart and maintained
0253 by the director of taxation from the LP-gas motor fuels tax
0254 collected under the provisions of article 34 of chapter 79 of
0255 Kansas Statutes Annotated, and amendments thereto, and held
0256 by the state treasurer for the payment of all refunds authorized
0257 by this section.

0258 Sec. 20. K.S.A. 79-34,104 is hereby amended to read as fol-
0259 lows: 79-34,104. (a) All amounts collected under the liquefied
0260 petroleum motor-fuel tax law, except amounts collected pursuant
0261 to K.S.A. 79-3491a ~~of this act, and amendments thereto~~, shall be
0262 remitted by the director to the state treasurer daily, and the state
0263 treasurer shall deposit the same in the state treasury. The state
0264 treasurer shall credit such amounts as follows: ~~On and after July~~
0265 ~~1, 1983~~, To the state freeway fund amounts specified in K.S.A.
0266 79-34,142, *and amendments thereto*, to be expended in the
0267 manner provided in K.S.A. 68-2301 and amendments thereto,
0268 ~~and~~ amounts specified in K.S.A. 79-34,142, *and amendments*

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0269 *thereto*, to a special city and county highway fund to be appor-
0270 tioned and distributed in the manner provided in K.S.A. 79-
0271 3425c, and amendments thereto, *and on and after July 1, [1989], to*
0272 *the Kansas economic development freeway fund amounts spec-*
0273 *ified in K.S.A. 79-34,142, and amendments thereto, to be ex-*
0274 *pended in the manner provided in section 2 of this act.*

0275 (b) On ~~July 2, 1983, and on~~ each day thereafter, after the state
0276 treasurer has received certification from the secretary of trans-
0277 portation that provisions have been made for the payment of the
0278 pro rata share of the amount required to be paid on the next
0279 ensuing payment date of either principal and interest or interest
0280 on the outstanding highway bonds issued pursuant to K.S.A.
0281 68-2304 and amendments thereto, the state treasurer shall
0282 transfer from the state freeway fund to the state highway fund an
0283 amount specified in K.S.A. 79-34,143, *and amendments thereto.*

0284 Sec. 21. K.S.A. 79-34,118 is hereby amended to read as fol-
0285 lows: 79-34,118. Upon application to the director of taxation and
0286 payment of the fee therefor prescribed under this section any
0287 interstate motor fuel user may obtain a trip permit which will
0288 authorize one commercial motor vehicle to be operated within
0289 this state without compliance with the other provisions of the
0290 interstate motor fuel use act and in lieu of the tax imposed by
0291 K.S.A. 79-34,109 and amendments thereto. The fee for each trip
0292 permit issued under this section shall be \$5, ~~except that on and~~
0293 ~~after July 1, 1983, the fee for such trip permit shall be \$6 until~~
0294 ~~January 1, 1984, and from January 1, 1984, to July 1, 1985, the fee~~
0295 ~~for such trip permit shall be \$6.50 until July 1, 1987, and shall be~~
0296 ~~\$9 on and after July 1, 1987, and shall be further increased or~~
0297 ~~decreased on July 1, 1985 1988, and on July 1 of each succeeding~~
0298 ~~year by an amount equal to \$.50 for each \$.01 of increase or~~
0299 ~~decrease in the rate of tax upon motor-vehicle fuels computed~~
0300 ~~under subsection (a) of K.S.A. 79-34,141, and amendments~~
0301 ~~thereto. After January 1, 1984 July 1, 1987, the fee for a trip~~
0302 ~~permit shall be not less than \$6.50 \$9. The secretary of revenue~~
0303 ~~shall adopt rules and regulations specifying the conditions under~~
0304 ~~which trip permits will be issued and providing for the issuance~~
5 thereof. The secretary may designate agents or contract with

0306 private individuals, firms or corporations to issue such trip per-
0307 mits so that such permits will be obtainable at convenient loca-
0308 tions.

0309 Sec. 22. K.S.A. 79-34,126 is hereby amended to read as fol-
0310 lows: 79-34,126. (a) All amounts collected under the interstate
0311 motor fuel use act shall be remitted by the director to the state
0312 treasurer daily, and the state treasurer shall deposit the same in
0313 the state treasury. The state treasurer shall credit such amounts
0314 as follows: ~~On and after July 1, 1983,~~ To the state freeway fund
0315 amounts specified in K.S.A. 79-34,142, *and amendments thereto*,
0316 to be expended in the manner provided in K.S.A. 68-2301 and
0317 amendments thereto, ~~and~~ amounts specified in K.S.A. 79-34,142,
0318 *and amendments thereto*, to a special city and county highway
0319 fund to be apportioned and distributed in the manner provided
0320 in K.S.A. 79-3425c, and amendments thereto, *and on and after*
0321 *July 1, ~~1983~~*, *to the Kansas economic development freeway fund*
0322 *amounts specified in K.S.A. 79-34,142, and amendments thereto,*
0323 *to be expended in the manner provided in section 2 of this act.*

0324 (b) On ~~July 2, 1983,~~ *and on each day thereafter*, after the state
0325 treasurer has received certification from the secretary of trans-
0326 portation that provisions have been made for the payment of the
0327 pro rata share of the amount required to be paid on the next
0328 ensuing payment date of either principal and interest or interest
0329 on the outstanding highway bonds issued pursuant to K.S.A.
0330 68-2304 and amendments thereto, the state treasurer shall
0331 transfer from the state freeway fund to the state highway fund an
0332 amount prescribed by K.S.A. 79-34,143, *and amendments*
0333 *thereto.*

0334 Sec. 23. K.S.A. 1986 Supp. 79-34,141 is hereby amended to
0335 read as follows: 79-34,141. (a) The director of taxation shall
0336 compute tax rates to the nearest cent per gallon on motor-vehicle
0337 fuels as provided in this section. For the twelve-month periods
0338 commencing at 12:01 a.m. on July 1, ~~1985~~ 1987, *the rates shall be*
0339 *\$.05 plus the rates for the calendar year preceding July 1, 1987,*
0340 and at 12:01 a.m. on July 1 of each year thereafter, the director
0341 shall compute such rate by ~~multiplying 10.5% times the un-~~
weighted average retail price per gallon of premium, regular and

1987

0343 unleaded motor-vehicle fuels sold during the month of No-
 0344 vember of the calendar year preceeding the July 1 that such
 0345 period commences as reported in the petroleum marketing
 0346 monthly report as published by the energy information adminis-
 0347 tration of the United States department of energy ~~by~~ increasing
 0348 the amount, ~~by the cost of living adjustment for such calendar~~
 0349 year. The cost of living adjustment for any calendar year is the
 0350 percentage by which the consumer price index for all-urban
 0351 consumers for the preceding calendar year exceeds the con-
 0352 sumer price index for all-urban consumers for the 1986 calendar
 0353 year.

0354 (b) The tax rate per gallon on special fuels shall be an amount
 0355 equal to the then current tax rate per gallon computed for
 0356 motor-vehicle fuels under the provisions of subsection (a) plus
 0357 \$.02 per gallon.

0358 (c) The tax rate per gallon on LP-gas motor fuels shall be an
 0359 amount equal to the then current tax rate per gallon computed for
 0360 motor-vehicle fuels under the provisions of subsection (a) minus
 0361 \$.01 per gallon.

0362 (d) Notwithstanding the provisions of subsections (a) and (e),
 0363 on and after ~~January 1, 1984~~ July 1, 1987, the tax rates imposed
 0364 under this act shall be not less than:

0365 (1) On motor-vehicle fuels, ~~\$.11~~ \$.16 per gallon, or fraction
 0366 thereof;

0367 (2) on special fuels, ~~\$.13~~ \$.18 per gallon, or fraction thereof;
 0368 and

0369 (3) on LP-gas, ~~\$.10~~ \$.15 per gallon, or fraction thereof.

0370 (e) The tax rate per gallon on motor-vehicle fuels for the
 0371 twelve-month periods which begin on July 1, ~~1985~~ 1988, and on
 0372 each July 1 thereafter shall not be more than \$.01 above nor less
 0373 than \$.01 below the tax rate computed for the immediately
 0374 preceding twelve-month period.

0375 Sec. 24. K.S.A. 79-34,142 is hereby amended to read as fol-
 0376 lows: 79-34,142. (a) ~~From the effective date of this act until July~~
 0377 ~~1, 1983, the state treasurer shall credit amounts received pursu-~~
 0378 ~~ant to K.S.A. 70-3408, 70-3408e, 70-3475, 70-3475a, 70-3491a,~~
 0379 ~~70-3492 and 70-34,118 and amendments thereto in accordance~~

in effect on July 1, 1987,

0380 with the allocation provided by law in effect on the day prior to
0381 the effective date of this act.

0382 (b) Except as otherwise provided in subsection (e), on and
0383 after July 1, 1983, the state treasurer shall credit amounts re-
0384 ceived pursuant to K.S.A. 79-3408, 79-3408c, 79-3475, 79-3475a,
0385 79-3491a, 79-3492 and 79-34,118 and amendments thereto as
0386 follows: To the state freeway fund 55.6% and to the special city
0387 and county highway fund 44.4%.

0388 (e) Except as otherwise provided in subsection (d) (c), on and
0389 after January 1, 1984 the effective date of this act until Sept-
0390 ember 1, 1987, the state treasurer shall credit amounts received
0391 pursuant to K.S.A. 79-3408, 79-3408c, 79-3475, 79-3475a, 79-
0392 3491a, 79-3492 and 79-34,118 and amendments thereto as fol-
0393 lows: To the state freeway fund 59.5% and to the special city and
0394 county highway fund 40.5%.

July

0395 (b) Except as otherwise provided in subsection (c), on and
0396 after September 1, 1987, the state treasurer shall credit amounts
0397 received pursuant to K.S.A. 79-3408, 79-3408c, 79-3475, 79-
0398 3475a, 79-3491a, 79-3492 and 79-34,118, and amendments
0399 thereto, as follows: First, to the Kansas economic development
0400 freeway fund 7.14%; and second, the balance of all moneys
0401 received pursuant to such sections shall be credited to the state
0402 freeway fund 65.8% and to the special city and county highway
0403 fund 34.2%.

July

24.7%

41.1%

0404 (d) (c) On and after July 1, 1985 1988, whenever the rate of
0405 tax upon motor vehicle fuels fixed pursuant to subsection (a) of
0406 K.S.A. 79-34,141, and amendments thereto, is increased or de-
0407 creased, the secretary of transportation shall adjust the percent-
0408 ages prescribed by subsection (e) subsections (a) and (b) of this
0409 section in such a manner that the amount in excess of the amount
0410 of revenue produced by the rates of tax prescribed in subsection

subsection

0411 (d) of K.S.A. 79-34,141, and amendments thereto, the \$6.50 \$9
0412 rate prescribed in K.S.A. 79-34,118, and amendments thereto,
0413 shall be allocated in proportion of 7.14% thereof to Kansas
0414 economic development freeway fund and the balance thereof to
0415 be allocated in proportion of 65% thereof to the freeway fund
0416 and 35% thereof to the special city and county highway fund,

24.7%

17 adjusted to the nearest .10%.

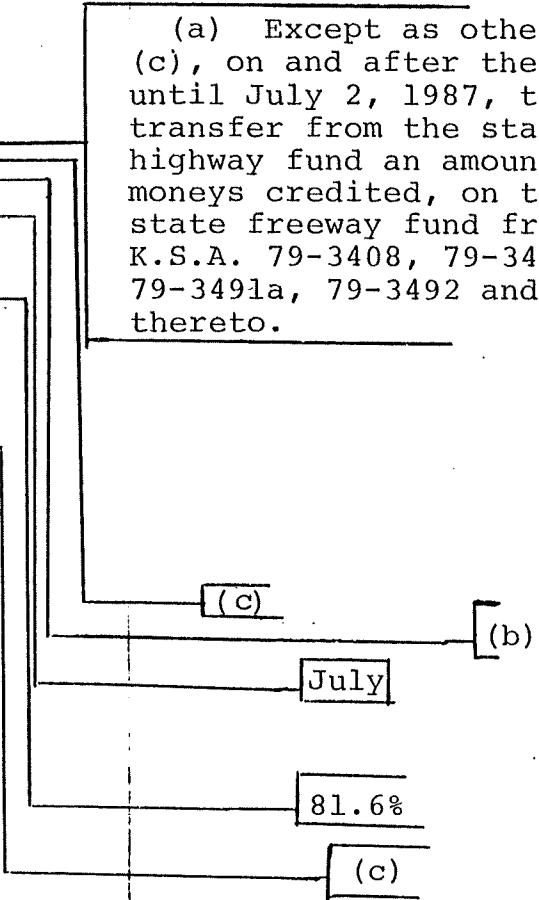
8 Sec. 25. K.S.A. 79-34,143 is hereby amended to read as follows: 79-34,143. (a) Except as otherwise provided in subsection (a) of K.S.A. 79-34,142, on and after July 2, 1983, the state treasurer shall transfer from the state freeway fund to the state highway fund an amount equal to 78.4% of the moneys credited, on the preceding day, to the state freeway fund from taxes imposed pursuant to K.S.A. 79-3408, 79-3408c, 79-3475, 79-3475a, 79-3491a, 79-3492 and 79-34,118 and amendments thereto.

0427 ~~(b)~~^(a) Except as otherwise provided in subsection (e)~~(b)~~ on 0428 and after January 2, 1984~~September 2, 1987~~, the state treasurer 0429 shall transfer from the state freeway fund to the state highway 0430 fund an amount equal to 81.6%~~88.5%~~ of the moneys credited, on 0431 the preceding day, to the state freeway fund from taxes imposed 0432 pursuant to K.S.A. 79-3408, 79-3408c, 79-3475, 79-3475a, 79- 0433 3491a, 79-3492 and 79-34,118 and amendments thereto.

0434 ~~(e)~~^(b) On and after July 2, 1985~~July 1, 1988~~, whenever the 0435 rate of tax upon motor vehicle fuels fixed pursuant to subsection 0436 (a) of K.S.A. 79-34,141 and amendments thereto is increased or 0437 decreased, the secretary of transportation shall adjust the per- 0438 centage prescribed by subsection (a) in such a manner that the 0439 amount in excess of the amount of revenue produced by the rates 0440 of tax prescribed in subsection (d) of K.S.A. 79-34,141 and 0441 amendments thereto and the \$6.50 \$9 rate prescribed in K.S.A. 0442 79-34,118 and amendments thereto shall be allocated entirely to 0443 the state highway fund, adjusted to the nearest .10%.

0444 ~~[New Sec. 26. All moneys received by the state in the annual 0445 apportionment of federal aid which is attributable to the inclu- 0446 sion of all lane miles and vehicle miles of travel for the Kansas 0447 turnpike pursuant to the agreement made between the Kansas 0448 turnpike authority, the state of Kansas acting through the secre- 0449 tary of transportation and the United States acting through the 0450 federal highway administration on the 14th day of September, 0451 1984, shall be credited to the Kansas economic development 0452 freeway fund created pursuant to K.S.A. 79-3425, and amend- 0453 ments thereto, and expended for the purposes provided by~~

(a) Except as otherwise provided in subsection (c), on and after the effective date of this act until July 2, 1987, the state treasurer shall transfer from the state freeway fund to the state highway fund an amount equal to 81.6% of the moneys credited, on the preceding day, to the state freeway fund from taxes imposed pursuant to K.S.A. 79-3408, 79-3408c, 79-3475, 79-3475a, 79-3491a, 79-3492 and 79-34,118, and amendments thereto.



154 section 2 of this act.

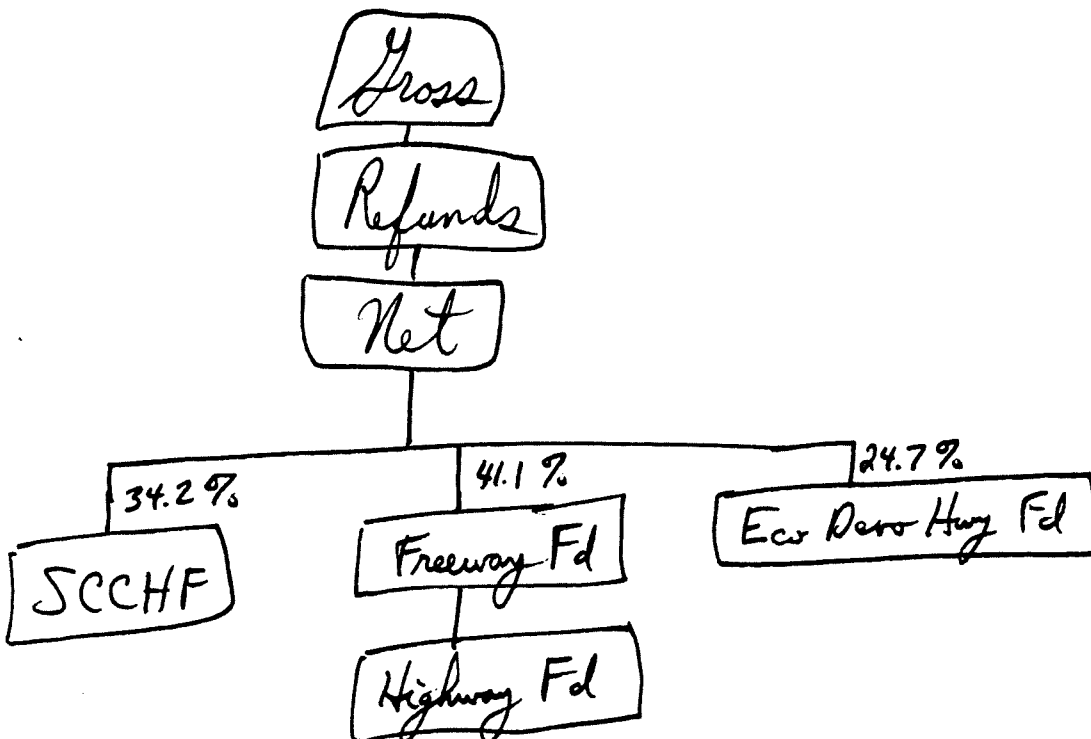
155 Sec. 27 K.S.A. 79-3408c, 79-3425, 79-3475a, 79-3487, 79-
0456 3491a, 79-34,104, 79-34,118, 79-34,126, 79-34,142 and 79-34,143
0457 and K.S.A. 1986 Supp. 79-34,141 are hereby repealed.

26.

0458 Sec. 28 This act shall take effect and be in force from and
0459 after its publication in the Kansas register.

27.

| | CURRENT LAW | INCREASE AMOUNTS | NEW TOTALS |
|--------------------|-------------|------------------|------------|
| Gross | \$170,600 | \$76,344 | \$246,944 |
| Refunds | \$6,800 | \$3,091 | \$9,891 |
| Net | \$163,800 | \$73,253 | \$237,053 |
| Pct Local | 40.5% | 20.0% | 34.17% |
| Local | \$66,339 | \$14,651 | \$80,990 |
| Eq & Adj | \$2,500 | | \$2,500 |
| Net | \$63,839 | | \$78,490 |
| Pct State | 59.5% | 0.0% | 41.11% |
| Freeway Fd | \$97,461 | \$0 | \$97,461 |
| Pct to SHF | 81.6% | 0.0% | 81.6% |
| Highway Fd | \$79,528 | \$0 | \$79,528 |
| Rem Freeway Fd | \$17,933 | \$0 | \$17,933 |
| Eco Devo Fund Amt. | 0.00% | 80.00% | 24.72% |
| | \$0 | \$58,602 | \$58,602 |



ATT. 3
T&U 3/4/87

1. The amount of the gross receipts is
 2. The amount of the net receipts is
 3. The amount of the net receipts is

