

FREE CONFERENCE COMMITTEE REPORT

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The Free Conference Committee on **HB 546** has met as provided in the Rules of the House and Senate and hereby reports the following to be adopted:

 X GA SCS HCS

For the above-referenced bill, with these amendments (if applicable):

Committee (list by chamber and number): ;

Floor (list by chamber and number): ; and

The following Free Conference Committee action:

On page 5, after line 25, by inserting the following:

"➔SECTION 6. A NEW SECTION OF KRS CHAPTER 177 IS CREATED TO READ AS FOLLOWS:

(1) The General Assembly finds that:

(a) The I-69 Ohio River Crossing Project, since its inception, was designed to be financed by tolling revenues;

(b) In 2016, the Governors of Kentucky and Indiana signed a memorandum of understanding directing both states to restart the I-69 Ohio River Crossing Project; and

(c) Based on the anticipated cost of the project and the current funding environment, the memorandum of understanding acknowledged that tolling would need to be part of the financial plan to achieve an implementable solution.

(2) No later than July 1, 2025, the Transportation Cabinet shall enter into a new memorandum of understanding with the State of Indiana to use tolling revenues to finance the I-69 Ohio River Crossing project.

➔Section 7. 2024 Ky. Acts ch. 180, Part I, A, 4., (3) Biennial Highway Construction

1 Program, at page 1970, is amended to read as follows:

2 **(3) Biennial Highway Construction Program:** Included in the State Supported
3 Construction Program is \$535,665,100 in fiscal year 2024-2025 and
4 \$434,260,500~~[\$435,407,500]~~ in fiscal year 2025-2026 from the Road Fund for state construction
5 projects and the state match for federal projects in the 2024-2026 Biennial Highway
6 Construction Program.

7 ➔Section 8. 2024 Kentucky Acts Chapter 180, Part I, A., 4., (15) Grant Anticipation
8 Revenue Vehicle (GARVEE) Bonds, at page 1972, is amended to read as follows:

9 **(15) Grant Anticipation Revenue Vehicle (GARVEE) Bonds:** Included in the above
10 Restricted Funds appropriation is \$150,000,000 in fiscal year 2025-2026 for GARVEE Bond
11 Funds to be issued for the I-69 Ohio River Crossing Project subject to the provision that funds
12 shall be released contingent on the incorporation of bridge tolling and GARVEE Bond debt
13 service in future financial plans to cover the costs of the project. Reconsideration of this
14 tolling provision may only occur if a federal grant is received to cover the cost of this
15 project~~and the completion of the Mountain Parkway Widening Project].~~

16 ➔Section 9. 2024 Kentucky Acts ch. 180, Part I, A., 4., (16) New Grant Anticipation
17 Revenue Vehicle (GARVEE) Debt Service, at page 1972, is amended to read as follows:

18 **(16) New Grant Anticipation Revenue Vehicle (GARVEE) Debt Service:** Included in
19 the above appropriations is \$7,584,400 in Federal Funds and \$1,896,100 in Road Fund in fiscal
20 year 2025-2026 to support GARVEE Bonds debt service payments relating to the I-69 Ohio
21 River Crossing Project subject to the provision that funds shall be released contingent on the
22 incorporation of bridge and GARVEE Bond debt service in future financial plans to cover the
23 costs of the project. Reconsideration of this tolling provision may only occur if a federal grant
24 is received to cover the cost of this project~~and the completion of the Mountain Parkway~~
25 ~~Widening Project].~~

26 ➔Section 10. 2024 Ky. Acts ch. 180, Part I, A, 4., (17) County Priority Projects Program,
27 at page 1972, is amended to read as follows:

1 **(17) County Priority Projects Program:** Included in the State Supported Construction
2 Program is \$20,000,000 in ~~each~~ fiscal year 2024-2025 and \$21,147,000 in fiscal year 2025-
3 2026 from the Road Fund to establish the County Priority Projects Program to assist with county
4 and city roads. This funding will be contingent on the Transportation Cabinet's submission of
5 projects and approval by the General Assembly. The submission of projects shall include a
6 detailed listing of qualified projects that were ranked either an 8, 9, or 10 to be completed using
7 funds from the Highway Construction Contingency Account by November 1 of each fiscal year.
8 Projects received after December 1 of each fiscal year may not be included in the following
9 year's County Priority Projects Program.

10 The County Priority Projects for fiscal year 2024-2025 are the projects approved and
11 itemized in 2024 Regular Session HJR 92. Notwithstanding KRS 48.710, any unexpended funds
12 in fiscal year 2024-2025 shall not lapse and shall carry forward to fiscal year 2025-2026.

13 The Transportation Cabinet shall provide an additional report to the Legislative Research
14 Commission and the Interim Joint Committee on Appropriations and Revenue detailing any
15 project submitted to be completed using funds from the Highway Construction Contingency
16 Account within 30 days after it has been ranked and shall detail the work requested, the county
17 that requested the project, and the date the request was received.

18 When a County Priority Project is completed, the Transportation Cabinet shall notify the
19 Legislative Research Commission and the Interim Joint Committee on Appropriations and
20 Revenue in writing.

21 ➔Section 11. 2024 Kentucky Acts ch. 180, Part I, A., 4., (27) Funding for Mega Projects,
22 at page 1973, is amended to read as follows:

23 **(27) Funding for Mega Projects:** It is the intent of the General Assembly that no funds
24 for any projects involving the Mountain Parkway~~, the I-69 Ohio River Crossing,~~ or the Hal
25 Rogers Parkway shall be expended unless those projects first acquire a federal grant.

26 ➔Section 12. Because portions of this Act amend the current Transportation Cabinet
27 budget, an emergency is declared to exist, and Sections 7 to 11 of this Act take effect upon its

1 passage and approval by the Governor or upon its otherwise becoming a law."; and

2 By amending the title to read: "AN ACT relating to transportation, making an

3 appropriation therefor, and declaring an emergency."
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Senate Members

House Members

The above-named members, in separate votes by house, all concur in the provisions of this report.

DATE

For Clerk's Use:

Adopted: _____

Repassage Vote: _____