GENERAL ASSEMBLY
COMMONWEALTH OF KENTUCKY

2009 REGULAR SESSION

HOUSE BILL NO. 330

AS ENACTED AND VETOED IN PART

INFORMATIONAL COPY

AN ACT relating to road projects, making an appropriation therefor, and declaring an emergency.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1 ➔Section 1. Notwithstanding KRS 45.245, 45.246, 45.247, 176.419(2), 176.420,
2 176.430, and 176.440, the projects authorized by the General Assembly in this Act shall
3 constitute the road plan for the current biennium. Projects with the "FS" designation that
4 cannot be completed due to insufficient funds from the American Recovery and
5 Reinvestment Act of 2009, H.R. 1, 111 Cong. (2009), shall revert back to their original
6 funding category. As used in the previous sentence, "original funding category" refers to
7 the funding categories contained in the road plan as submitted by the Executive Branch to
8 the 2008 General Assembly. Projects with the "SPB" designation that cannot be
9 completed due to insufficient bond funds shall be given funding priority over state
10 projects with a "SP" designation. Projects with "IMG," "NHG," and "STPG" designations
11 are deemed to meet the requirements of 2008 Kentucky Acts Chapter 127, Part I, L., 4.,
12 (18) as amended by 2008 Kentucky Acts Chapter 123.

13 ➔Section 2. The General Assembly acknowledges that the project authorizations
14 contained within this Act are based on the Transportation Cabinet's estimates. The
15 Transportation Cabinet shall have the authority to expend funds necessary to complete the
16 projects as authorized in this Act, amended only by variations dictated by bid or
17 unforeseen circumstances.

18 ➔Section 3. This Act in conjunction with 09 HJR 105 shall constitute the six year
19 road plan.

20 ~~[➔Section 4. The Transportation Cabinet shall advance, without any further delay,~~
21 ~~all design/build projects authorized pursuant to 2006 Ky. Acts ch. 252, I, L., 4., (14).~~
22 ~~Design/Build projects which have been awarded prior to the effective date of this Act~~
23 ~~shall continue to progress through the construction phase to completion during the~~
24 ~~remainder of the 2008-2010 biennium. The design/build projects shall continue to~~

1 ~~advance in accordance with the original contract provisions and the original contract~~
2 ~~project descriptions.]~~
3 ➔Section 5. Whereas the resources dedicated to the Commonwealth's highway
4 system have changed, an emergency is declared to exist, and this Act takes effect upon its
5 passage and approval by the Governor or upon its otherwise becoming law.
6 ➔Section 6. The 2008-2010 Biennial Highway Construction Plan is as follows: