

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

### **Committee Substitute**

**for**

### **House Bill 4239**

(BY DELEGATES MARCUM, R. PHILLIPS, O'NEAL, BATES,  
ARVON, GEARHEART, SHOTT, COOPER, P. WHITE,  
ELLINGTON AND MOYE)

[Originated in the Committee on Finance on February 26, 2016.]



1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,  
2 designated §17-2A-8d, relating to development of a highway project plan for the extension  
3 of the state of Kentucky's Mountain Parkway Expansion project from the eastern Kentucky  
4 border with West Virginia into Mercer County and Raleigh County; legislative findings;  
5 requiring the commissioner of highways to develop the highway project plan; requiring  
6 quarterly progress and status reports; requiring a full report to the Legislature by the first  
7 day of the 2017 regular session.

*Be it enacted by the Legislature of West Virginia:*

1 That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new  
2 section, designated §17-2A-8d, to read as follows:

**ARTICLE 2A. WEST VIRGINIA COMMISSIONER OF HIGHWAY.**

**§17-2A-8d. Mountain Parkway Expansion; additional powers, duties and responsibilities of  
commissioner.**

1 (a) Legislative findings—

2 (1) The state of Kentucky highway project known as the Mountain Parkway Expansion is  
3 part of several broader initiatives aimed at revitalizing areas of eastern Kentucky that have  
4 experienced high rates of unemployment in recent years. When completed the highway will run  
5 more than ninety miles between Interstate 64 and US 23 in Eastern Kentucky. The project will  
6 complete a four-lane, high-speed route across the length of the state, from Paducah, Kentucky to  
7 Prestonsburg and Pikeville, Kentucky.

8 (2) The Mountain Parkway Expansion project is already underway and is designed to:

9 (A) Create a safe and modern parkway that will improve the connections between Eastern  
10 Kentucky and the rest of the state;

11 (B) Support tourism, businesses and economic development efforts in Eastern Kentucky;  
12 and

13 (C) Complement ongoing state and national efforts to boost economic vitality across the  
14 Appalachian region.

15           (3) The Mountain Parkway Expansion project is the result of Shaping Our Appalachian  
16 Region (SOAR), a bi-partisan initiative lead by Kentucky Speaker of the House Greg Stumbo that  
17 seeks solutions to improve the economy throughout Eastern Kentucky and improve the quality of  
18 life in the region and is also supported by Kentucky U.S. Senator Rand Paul and Congressman  
19 Hal Rogers. In addition to working to improve transportation infrastructure in the region, a key  
20 SOAR initiative is to improve and expand broadband and internet services available to eastern  
21 Kentucky homes, businesses, schools and hospitals;

22           (4) The FAST Act is a five-year federal highway bill that will bring over \$2 billion in funding  
23 into the state over the next five years to rebuild roads, complete highway projects, repair bridges  
24 and improve rural transit programs. On December 15, 2015, Congressman Evan Jenkins  
25 announced that \$420 million in funding is already trickling into the state and is primarily earmarked  
26 for public transportation. However, Congressman Jenkins went on to say that the second category  
27 of the money is designated just for rural areas across the country, which he expects to help in a  
28 major way throughout the southern part of the state. U.S. Senator Joe Manchin also noted his  
29 support for the highway expansion. Thus, the remainder is a viable funding resource for extending  
30 the Mountain Parkway Expansion project from Kentucky to Mercer County, Wayne County, and  
31 Raleigh County, West Virginia: and

32           (5) As West Virginia faces many of the same hurdles as Kentucky, this state needs to  
33 improve its transportation infrastructure in order to improve its economy and create jobs for its  
34 citizens. Extending the Mountain Parkways Expansion project from the eastern Kentucky border  
35 into Mercer County, Wayne County, and Raleigh County into would open up a direct route from  
36 southern West Virginia to Lexington, Kentucky, Cincinnati, Ohio, Charlotte, North Carolina and  
37 points in between.

38           (b) The commissioner shall conduct a study and develop a highway project plan to extend  
39 the Mountain Parkway Expansion into West Virginia from the border with Kentucky, either in  
40 Martin County or Pike County, Kentucky, into Mercer and Raleigh Counties in West Virginia,  
41 hereinafter referred to as the “West Virginia project” which shall include the following:

42 (1) Determination of the possible routes and the various methods of road construction best  
43 adapted to the area of the state where the extension of the Mountain Parkway Expansion would  
44 be located, including using existing portions of the King Coal Highway and the Coalfields  
45 Expressway;

46 (2) Investigations and experiments, hearings and public meetings and attendance and  
47 participation in meetings and conferences within and without the state for purposes of acquiring  
48 information, making findings and determining courses of action and procedure relative to the West  
49 Virginia project;

50 (3) Determination the cost of the West Virginia project;

51 (4) Investigation and determination of the extent to which the recent federal Fixing  
52 America's Surface Transportation Act (FAST Act) can be used to facilitate the West Virginia  
53 project; and

54 (5) Cooperation and consultation with other agencies and departments of the state, as  
55 well as local governments and West Virginia's representatives in the United States Congress, to  
56 determine the most cost effective manner of constructing and funding the West Virginia project,  
57 including, but not limited to, additional federal funding sources, state, local funds and the issuance  
58 of bonds;

59 (c) Beginning July 1, 2016, the commissioner shall make quarterly reports on the status  
60 and progress of the West Virginia project plan to be developed pursuant to subsection (b) of this  
61 section to the Legislature. The commissioner shall make a full report of the plan to the Legislature  
62 no later than the first day of the 2017 regular session of the Legislature, including tentative routes,  
63 costs and funding sources.