

# **WEST VIRGINIA LEGISLATURE**

## **2016 REGULAR SESSION**

### **Committee Substitute**

**for**

### **Senate Bill 327**

BY SENATORS KIRKENDOLL, BEACH, FACEMIRE, HALL,  
KESSLER, LAIRD, PLYMALE, PREZIOSO, ROMANO,  
STOLLINGS, WOELFEL AND UNGER

[Originating in the Committee on Transportation and  
Infrastructure; reported on February 17, 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 construction of a modern highway from Pikeville,  
3 Kentucky, to Beckley, West Virginia; requiring Commissioner of Highways to determine  
4 how the highway can be best funded and constructed; stating legislative findings; and  
5 requiring reports and hearings and public meetings.

*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 HIGHWAYS.**

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

1 (a) Legislative findings. –

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

7 (2) The Mountain Parkway Expansion project is under way and designed to:

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

10 (B) Support tourism, businesses and economic development efforts in eastern Kentucky;

11 and

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

14 (3) The Mountain Parkway Expansion project is the result of Shaping Our Appalachian  
15 Region (SOAR), a bi-partisan initiative that seeks solutions to improve the economy throughout

16 eastern Kentucky and improve the quality of life in the region. In addition to working to improve  
17 transportation infrastructure in the region, a key SOAR initiative is to improve and expand  
18 broadband and Internet services available to eastern Kentucky homes, businesses, schools and  
19 hospitals.

20 (4) As West Virginia faces many of the same hurdles as Kentucky, the state needs to  
21 improve its transportation infrastructure in order to improve its economy and create jobs for its  
22 citizens. Completion of a West Virginia portion of the Mountain Parkways Expansion project would  
23 open up a direct route from southern West Virginia to Lexington, Kentucky and points in between.

24 (b) The commissioner shall take the following steps in determining how the State of West  
25 Virginia might best extend the Mountain Parkway Expansion from the border with Kentucky to  
26 Beckley:

27 (1) Determine the possible routes and the various methods of road construction best  
28 adapted to the area of the state where the Mountain Parkway Expansion would be located,  
29 including examining connection of the Mountain Parkway Expansion to I-73/I-74 and potential  
30 utilization of portions of I-73/I-74;

31 (2) Conduct investigations and experiments, hold hearings and public meetings and attend  
32 and participate in meetings and conferences within and outside the state for purposes of acquiring  
33 information, making findings and determining courses of action and procedure relative to the West  
34 Virginia project;

35 (3) Determine the cost of the West Virginia project;

36 (4) Investigate and determine to what extent the recent federal Fixing America's Surface  
37 Transportation Act (FAST Act) can be used to facilitate the West Virginia project; and

38 (5) Work with other agencies and departments of the state, as well as local governments  
39 and West Virginia's representatives in Congress, to determine the most cost effective manner of  
40 constructing and funding the highway, including, but not limited to, additional federal funding  
41 sources, state funds, local funds and the issuance of bonds.

42           (c) Beginning on July 1, 2016, the commissioner shall make quarterly reports to the  
43 Legislature and the Joint Committee on Government and Finance on the status and progress  
44 made on the West Virginia project. The commissioner shall make a full report to the Legislature  
45 and the Joint Committee on Government and Finance no later than the first day of the regular  
46 session of the 2017 Legislative Session, including tentative routes, costs and funding sources.

NOTE: The purpose of this bill is to propose the construction of a modern highway from Pikeville, Kentucky to Beckley, West Virginia. The bill requires the Commissioner of Highways to determine how the highway can be best funded and constructed. The bill requires reports.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.