

## 2018 Kansas Statutes

**68-1138. Same; application by county; conditions; application of tax levy revenues; approval of loan or advance; warrants; use of moneys.** Any county desiring to obtain a loan or advance shall make an application therefor to the secretary of transportation. Said application shall be filed in the secretary's office and shall be in such form as said secretary shall prescribe and shall be signed by at least two (2) members of the board of county commissioners and attested by the county clerk of the county making the application. Said application shall contain a provision whereby the board of county commissioners shall agree on behalf of the county to repay any loan or advance made thereunder by annually levying the maximum tax levy authorized by K.S.A. 68-1135 as long as it shall be necessary in order to repay in full the loan or advance and that the proceeds of such tax levy will be remitted by the county treasurer to the secretary of transportation: Provided, That if prior to the making of such application, such county shall have commenced the making of tax levies under K.S.A. 68-1135 for the purpose of building or reconstructing another bridge and constructing the approaches thereto, the funds derived from such tax levies first shall be applied to paying the cost of building or reconstructing such other bridge and constructing the approaches thereto, and when said cost has been paid the funds derived from subsequent tax levies shall be applied to the payment of the loan or advance as agreed to between the county and the secretary of transportation.

Said secretary shall examine the application and if the secretary shall find that it is in proper form and: (a) That the bridge to be built or reconstructed is one located as described in K.S.A. 68-1137; and (b) that the amount to be expended for the building or reconstruction of the bridge and the construction of approaches thereto is reasonable, it shall make the loan or advance by issuing its voucher against the highway fund and in favor of the county making the application for the amount of the loan or advance applied for. The warrant issued upon said voucher shall be forwarded to the county treasurer of the county making the application. Upon receipt of such warrant, the county treasurer shall place the same in a special fund to be used only for the building or reconstruction of the bridge for which the loan or advance was made and the construction of the approaches thereto. Any moneys received by a loan or advance under the provisions of this act in any budget year may be expended during such budget year even though such expenditure was not included in the budget for that year.

**History:** L. 1963, ch. 339, § 2; L. 1975, ch. 427, § 152; Aug. 15.