



**Kentucky Legislative Report
March 24, 2014 - Regular Session Update
Smith Management Group Government Solutions
Prepared by
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Scott's Thoughts

With about one week remaining, I heard this morning that there are 23 bills that have been [sent to the Governor](#) for his signature or veto. [Here](#) is a list of Bills that have been signed by the Governor. While there will be scrambling to get more legislation passed this week, the primary emphasis will be on Money. Two of the Bills awaiting a decision by the Governor are HB 472, which would allow by the drink alcohol sales at state parks and golf courses in dry counties if approved by local option election; the other is HB 388 that establishes the criteria by which the Energy and Environment Cabinet can establish performance standards for the regulation of carbon dioxide emissions from existing fossil fuel fired electric generating units. Keep your eye on this one to see how the Governor reacts.

On Monday, the Senate announced the changes that they made to House Bill 235-the operational budget for the executive branch. The Senate Bill would authorize \$263 million in general fund debt compared to more than a billion dollars in the House approved version. Proposed agency bonds were cut by more than \$700 million to \$270 million over the biennium. Any debt restructuring during that time would be prohibited.

The plan would not authorize the Rupp Arena and Lexington Convention Center renovation project nor the Kentucky International Convention Center expansion in Louisville. The amended bill would prohibit the use of general funds for a health benefits exchange or for expansion of the Affordable Care Act in Kentucky.

The Bills now go back to the House of Representatives for consideration. If House members do not agree with the changes, both chambers will likely meet in conference committee to figure out their differences.

Students, teachers and parents are waiting on some guidance from the Legislature regarding how much of the school year will bleed into summer. Many districts missed more than 20 days of school. The House would wave up to 10 days and the Senate plan would allow districts to keep classes in session an additional 30 minutes or more each day to make up for snow days. Absence an agreement this issue will go to a conference committee.

Eminent domain could not be used to build pipelines that transport natural gas liquids through the Commonwealth under a bill that passed the House last Friday. The only exception for natural gas liquids in the proposed statutes would be for those NGLs that are produced incidentally or as a result, of oil and gas production within the state.

Here is the schedule for the remaining days of the session.

March 28 & 31: Concurrence Days - Reserved to concur in bills with amendments from the other chamber

April 1-11: Veto Recess - Legislature in recess while the Governor considers vetoing any bills.

April 14 & 15: Veto Override Days - Set aside to finalize legislative business and override any vetoes

April 15: Sine Die Adjournment - Session Ends

The bill numbers found in this document are linked to the Kentucky Legislative Review Commission’s web page so you can review the legislation.

This is by no means an all encompassing list of bills. Don’t hesitate to contact me if you want me to add additional issues, need copies of the proposed legislation or have questions about these or other bills you’ve heard about.

DO YOU KNOW SOMEONE WHO WANTS TO RECEIVE THESE UPDATES?

Send this to a colleague and tell them to write us at scottr.smith@smithmanage.com if they want to receive notice when these postings are updated.

QUESTIONS, COMMENTS, ADDITIONAL INFORMATION

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Administrative Regulation

[SB 1](#) - [J. Bowen](#), [R. Stivers II](#), [J. Carpenter](#), [D. Givens](#), [S. Gregory](#), [E. Harris](#), [J. Higdon](#), [P. Hornback](#), [J. Schickel](#), [D. Thayer](#), [M. Wilson](#)

AN ACT proposing to amend Section 29 of the Constitution of Kentucky relating to administrative regulations.

Create a new section of the Constitution of Kentucky to permit the General Assembly by general law to prohibit the adoption of administrative regulations that it has found to be deficient.

[SB 1](#) - AMENDMENTS

[SCS](#) - Propose to amend Section 29 of the Constitution of Kentucky to permit the General Assembly or an agency or committee it creates to review, approve, or disapprove any administrative regulation of the executive branch during or between regular sessions of the General Assembly; submit to the voters for approval or disapproval; supply ballot language.

[SCA \(1/Title, J. Bowen\)](#) - Make title amendment.

Jan 7-introduced in Senate

Jan 13-to State & Local Government (S)

Jan 29-reported favorably, 1st reading, to Calendar with Committee Substitute, committee amendment (1-title)

Jan 30-2nd reading, to Rules

Feb 3-posted for passage in the Regular Orders of the Day for Wednesday, February 5, 2014

Feb 5-passed over and retained in the Orders of the Day

Feb 6-3rd reading, passed 24-14 with Committee Substitute, committee amendment

(1-title) ; received in House

Feb 11-to Elections, Const. Amendments & Intergovernmental Affairs (H)

[HB 229](#) - [R. Damron](#), [J. Gooch Jr.](#), [T. Mills](#), [T. Thompson](#)

AN ACT relating to state agency administrative requirements for regulated entities.

Amend KRS 13A.240 to require agencies to consider the impact of additional paperwork on regulated entities in order to comply with proposed administrative regulations.

Jan 17-introduced in House

Jan 21-to State Government (H)

Jan 28-posted in committee

Jan 30-reported favorably, 1st reading, to Consent Calendar

Jan 31-2nd reading, to Rules; taken from Rules; placed in the Consent Orders of the Day for Tuesday, February 4, 2014

Feb 4-3rd reading, passed 99-0

Feb 5-received in Senate

Feb 7-to State & Local Government (S)

Budget/General Fund

[HB 235](#) - [R. Rand](#), [G. Stumbo](#), [R. Adkins](#), [L. Clark](#), [S. Overly](#), [T. Thompson](#)

AN ACT relating to appropriations and revenue measures providing financing and conditions for the operations, maintenance, support, and functioning of the government of the Commonwealth of Kentucky and its various officers, cabinets, departments, boards, commissions, institutions, subdivisions, agencies, and other state-supported activities.

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HB 235 - AMENDMENTS

[HFA \(1, S. Lee\)](#) - Insert language directing the Office of the Attorney General to pay for outside counsel to appeal federal court ruling. [HFA \(2,](#)

J. Bell) - Insert language providing a Tourism Grant for the Plaza Theater in Glasgow.

[HFA \(3, J. Glenn\)](#) - Transfer \$300,000 from Criminal Justice Training to Military Affairs.

[HFA \(4, S. Lee\)](#) - Insert language directing the Office of the Attorney General to pay for outside counsel to appeal federal court ruling.

[HFA \(5, R. Damron\)](#) - Add provision to Diabetes Education Program language.

[HFA \(6, S. Westrom\)](#) - Insert Equine Research language provision under the Horse Racing Commission.

[HFA \(7, G. Watkins\)](#) - Add language regarding a historical and cultural display to General Provisions.

[HFA \(8, J. Hoover\)](#) - Delete language provisions concerning the Diabetes Education Program and the Appalachian Renewable Energy Efficiency Program.

[HFA \(9, J. Hoover\)](#) - Delete capital projects from KCTCS funded by student fees and delete language relating to the student fee.

[HFA \(10, J. Hoover\)](#) - Reduce appropriation by \$100,000 each year and credit to the General Fund.

[HFA \(11/Title, R. Rand\)](#) - Make title amendment.

[HFA \(12, R. Rand\)](#) - Revise criteria for the Retroactive Equalized Facility Funding Program, add single-county coal project pool for Pike County, insert language providing a Tourism Grant for the Plaza Theater in Glasgow; and transfer funds from Criminal Justice Training to SEEK and to the credit of the General Fund.

[HFA \(13, J. Fischer\)](#) - Delete Medicaid Affordable Care Act expansion and the Health Benefit Exchange.

[HFA \(14, R. Rand\)](#) - Amend original provisions of bill

[HFA \(15, J. Fischer\)](#) - Delete Medicaid Affordable Care Act expansion and the Health Benefit Exchange.

[HFA \(16, J. Fischer\)](#) - Delete Medicaid Affordable Care Act expansion and the Health Benefit Exchange.

Jan 22-introduced in House

Jan 23-to Appropriations & Revenue (H)

Feb 28-posted in committee

Mar 4-taken from Appropriations & Revenue (H); 1st reading; returned to Appropriations & Revenue (H)

Mar 5-taken from Appropriations & Revenue (H); 2nd reading; returned to Appropriations & Revenue (H)

Mar 7-floor amendment (1) filed

Mar 11-reported favorably, to Rules with Committee Substitute ; posted for passage in the Regular Orders of the Day for Wednesday, March 12, 2014; floor amendments (2) (3) (4) (5) (6) (7) (8) (9) (10) (12) and (13) filed to Committee Substitute, floor amendment (11-title) filed; floor amendments (2) and (7) withdrawn

Mar 12-floor amendment (14) filed

Mar 13-floor amendment (15) filed ; floor amendment (16) filed to floor amendment (14) ; 3rd reading; floor amendment (1) defeated ; passed 53-46 with floor amendments (11-title) and (14)

Mar 14-received in Senate

Mar 17-to Appropriations & Revenue (S)

Mar 20-taken from Appropriations & Revenue (S); 1st reading; returned to Appropriations & Revenue (S)

Mar 21-taken from Appropriations & Revenue (S); 2nd reading; returned to Appropriations & Revenue (S)

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[HB 237](#) - [R. Rand](#), [G. Stumbo](#), [R. Adkins](#), [L. Clark](#),
[S. Overly](#), [T. Thompson](#)

AN ACT relating to road projects and declaring an emergency.

Set out the fiscal year 2014-2016 Biennial Highway Construction Plan; EMERGENCY.

[HB 237](#) - AMENDMENTS

[HCS](#) - Delete original provisions; acknowledge that project authorizations were based upon Transportation Cabinet estimates; authorize the Transportation Cabinet to expend funds necessary to complete projects authorized in this bill, amended only by variations dictated by bid or unforeseen circumstances; establish funding criteria for road projects with certain designations; prioritize projects should any additional federal highway moneys become available; require this bill, in conjunction with 2014 HJR 62, to constitute the six-year road plan; set out the 2014-2016 Biennial Highway Construction Plan; declare an EMERGENCY.

[HFA \(1\)](#), [A. Koenig](#) - Delete original provisions; acknowledge that project authorizations were based upon Transportation Cabinet estimates; authorize the Transportation Cabinet to expend funds necessary to complete projects authorized in this bill, amended only by variations dictated by bid or unforeseen circumstances; establish funding criteria for road projects with certain designations; prioritize projects should any additional federal highway moneys become available; require this bill, in conjunction with 2014 HJR 62, to constitute the six-year road plan; set out the

2014-2016 Biennial Highway Construction Plan; declare an EMERGENCY.

Jan 22-introduced in House

Jan 23-to Appropriations & Revenue (H)

Feb 28-posted in committee

Mar 4-taken from Appropriations & Revenue (H); 1st reading; returned to Appropriations & Revenue (H)

Mar 5-taken from Appropriations & Revenue (H); 2nd reading; returned to Appropriations & Revenue (H)

Mar 18-reported favorably, to Rules with Committee Substitute ; floor amendment (1) filed ; taken from Rules; placed in the Orders of the Day for Tuesday, March 18, 2014; 3rd reading, passed 51-43 with Committee Substitute

Mar 19-received in Senate

Mar 21-taken from Committee on Committees (S); 1st reading; returned to Committee on Committees (S); to Transportation (S)

Energy

[SB 67](#) - [B. Leeper](#)

AN ACT relating to nuclear power.

Amend KRS 278.600 to define "storage" and amend a definition to require that nuclear power facilities have a plan for the storage of nuclear waste rather than a means of permanent disposal; amend KRS 278.610 to delete the requirement that the Public Service Commission certify the facility as having a means for disposal of high-level nuclear waste; change all references to disposal of nuclear waste to storage of nuclear waste; prohibit construction of low-level waste disposal sites in the Commonwealth except as provided in KRS

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211.852; require the Public Service Commission to determine whether the construction or operation of a nuclear power facility, including one constructed by an entity regulated under KRS Chapter 96, would create low-level nuclear waste or mixed wastes that would be required to be disposed of in low-level waste disposal sites in the Commonwealth; repeal KRS 278.605, relating to construction of nuclear power facilities.

Jan 10-introduced in Senate
 Jan 15-to Natural Resources & Energy (S)
 Jan 29-reported favorably, 1st reading, to Calendar
 Jan 30-2nd reading, to Rules
 Feb 3-posted for passage in the Regular Orders of the Day for Tuesday, February 4, 2014
 Feb 4-3rd reading, passed 29-6-1
 Feb 5-received in House
 Feb 10-to Natural Resources & Environment (H)

[SB 153 - E. Harris](#)

AN ACT relating to energy efficiency.
 Amend KRS 224.46-330 to authorize use of the pollution prevention fund dollars to match federal funds for the purpose of providing energy efficiency technical assistance.

[SB 153 - AMENDMENTS](#)

[HCS](#) - Retain original provisions, except amend KRS 103.200, 210, 220, 240, and 286, pertaining to city and county private activity revenue bonds; create a new section of KRS Chapter 103 to reserve 10% of the state private activity bond cap for small or medium manufacturing facility energy efficiency bond projects during the first half of the bond cap allocation period after which unused cap shall

revert to the single allocation pool; set requirements for issuance of manufacturing energy efficiency bonds; create new section of KRS 147A to allow DLG to establish an information clearinghouse to educate on issuance and uses of industrial revenue bonds.

Feb 21-introduced in Senate
 Feb 26-to Natural Resources & Energy (S)
 Mar 5-reported favorably, 1st reading, to Consent Calendar
 Mar 6-2nd reading, to Rules
 Mar 10-posted for passage in the Consent Orders of the Day for Tuesday, March 11, 2014
 Mar 11-3rd reading, passed 37-0; received in House
 Mar 12-to Natural Resources & Environment (H)
 Mar 18-posted in committee
 Mar 20-reported favorably, 1st reading, to Consent Calendar with Committee Substitute
 Mar 21-2nd reading, to Rules; taken from Rules; placed in the Consent Orders of the Day for Tuesday, March 25, 2014

[HB 31 - J. Tilley, D. Floyd, J. Kay, K. King, M. Marzian, T. Mills](#)

AN ACT relating to eminent domain.
 Amend KRS 278.502 to condition the exercise of condemnation authority upon approval of the Public Service Commission, which may be given only after review of delineated statutory criteria.

[HB 31 - AMENDMENTS](#)

[HCS](#) - Replace original bill text with provisions to amend KRS 278.502 to exclude natural gas liquids from the definition of oil or gas or oil and gas products as used in that statute; include transitional provision making the bill's provision

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retroactive to cover any eminent domain action filed under KRS 278.502; EMERGENCY.

[HFA \(1, J. Fischer\)](#) - Replace bill's provisions with new text amending KRS 278.502 to require that the oil or gas pipeline condemnation be for a public use in lieu of the current requirement of public service.

[HFA \(2/Title, J. Tilley\)](#) - Make title amendment.

[HFA \(3, D. Floyd\)](#) - Replace original bill text with provisions to amend KRS 278.502 to apply only to utilities.

[HFA \(4, S. Miles\)](#) - Amend to remove the retroactivity and emergency provisions.

[HFA \(5, D. Floyd\)](#) - Replace original bill text with provisions to amend KRS 278.502 to apply only to utilities.

[HFA \(6, J. Tilley\)](#) - Amend to provide that incidental production of natural gas liquids does not disqualify an oil or gas producer from utilizing the statute's provisions.

[HFA \(7, T. Thompson\)](#) - Create a new section of KRS Chapter 278 to include in the definition of "oil and gas" any pipelines which are regulated by the federal Interstate Commerce Act and which have at least a portion of pipeline constructed in Kentucky prior to the effective date of the Act.

[HFA \(8, G. Stumbo\)](#) - Amend to provide that incidental production of natural gas liquids does not disqualify an oil or gas producer from utilizing the statute's provisions.

Oct 2-To: Interim Joint Committee on Energy Special Subcommittee

Jan 7-introduced in House; to Judiciary (H)

Feb 18-posting waived

Feb 26-reported favorably, 1st reading, to Calendar with Committee Substitute

Feb 27-2nd reading, to Rules; floor amendment (1) filed to Committee Substitute

Mar 4-floor amendment (2-title) filed
Mar 6-posted for passage in the Regular Orders of the Day for Friday, March 7, 2014;
floor amendments (3) and (4) filed to Committee Substitute

Mar 10-floor amendment (5) filed
Mar 12-floor amendment (6) filed to Committee Substitute

Mar 14-floor amendment (7) filed to Committee Substitute

Mar 17-floor amendment (6) withdrawn

Mar 20-floor amendment (8) filed to Committee Substitute

Mar 21-3rd reading; floor amendment (4) defeated ; passed 75-16 with Committee Substitute, floor amendments (2-title) and (8)

[HB 170 - K. Flood, W. Stone](#)

AN ACT relating to the utility gross receipts license tax for schools.

Amend KRS 160.613 to clarify that if a manufacturer, processor, miner, or refiner chooses to claim that a portion of the energy or energy producing fuels purchased by that entity is exempt from the utility gross receipts license tax, the entity claiming the exemption becomes responsible to report and pay the portion of the tax due directly to the Department of Revenue; amend KRS 160.6156 to specify who may request a refund or credit of any overpayment of the tax and require that an appeal of the denial of a requested refund to the Circuit Court shall be made within 30 days from the mailing date of the denial.

Jan 8-introduced in House

Jan 9-to Appropriations & Revenue (H)

Jan 31-posted in committee

Feb 4-reported favorably, 1st reading, to Consent Calendar

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Feb 5-2nd reading, to Rules; posted for passage in the Consent Orders of the Day for Friday, February 7, 2014

Feb 7-taken from the Consent Orders of the Day, placed in the Regular Orders of the Day

Feb 11-3rd reading, passed 70-27

Feb 12-received in Senate

Feb 14-to Appropriations & Revenue (S)

[HB 291/FN](#) - [M. Denham](#)

AN ACT relating to construction of unregulated electric generation facilities and declaring an emergency.

Create a new section of KRS Chapter 278 to require an unregulated utility which is considering the siting of a generation facility to hold a public meeting in each county where the facility will be located if requested by a local government; specify how notice of the meeting shall be given; require notification of state government entities; provide penalty for violations; create a new section of KRS Chapter 65 to allow a local government to require a code of conduct between it and utility; allow Public Service Commission to create a model code; direct Public Service Commission to study effects of wind farms; EMERGENCY.

[HB 291](#) - AMENDMENTS

[HCS/FN](#) - Delete existing language; amend definition of "Merchant electric generating facility" in KRS 278.700 to use aggregate output of all structures and facilities; amend KRS 278.704 to include all generation facilities in setback requirements and add requirement for public meeting to inform and answer questions about a proposed facility construction project to be held upon request of local government or PSC; specify notice requirements; require that

state agencies be notified; apply to any project currently acquiring property rights; amend KRS 278.706 to require additional public meeting prior to filing application with the Siting Board; amend KRS 278.708 to add land use changes to site assessment report; amend KRS 278.710 to extend time in which siting board shall act on merchant plant application from 90 to 120 days and, if a hearing is requested, from 120 to 180 days; amend KRS 278.714 to extend time in which siting board shall act on transmission line or CO2 pipeline application from 90 to 120 days and, if a hearing is requested, from 120 to 180 days; create new section of KRS Chapter 278 to specify that home rule sections of the KRS are not diminished by this act; create new section of KRS Chapter 96 to require city-owned utilities to hold public meeting to inform and answer questions about a proposed wind generation facility construction project to be held upon request of local government; specify notice requirements; applicable to any project currently acquiring property rights; declare an EMERGENCY.

[HFA \(1\)](#), M. Denham) - Amend KRS 278.710, referring to setback requirements, to conform.

[HFA \(2\)](#), M. Denham) - Amend KRS 278.704, concerning notice of merchant generation project plans, to include notice to Attorney General; amend KRS 278.710, referring to setback requirements, to conform with changes to 278.704.

[SCS](#) - Retain original provisions; clarify that setback provisions include all proposed structures used for generation including any wind turbine; setbacks also apply to site compatibility certificates for solar or wind that are applied for after January 1, 2015; public meeting requirements not to apply to projects that already have a certificate of construction.

Jan 29-introduced in House

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Jan 30-to Tourism Development & Energy (H)
 Feb 11-posted in committee
 Feb 13-reported favorably, 1st reading, to
 Calendar with Committee Substitute
 Feb 14-2nd reading, to Rules; posted for
 passage in the Regular Orders of the Day for
 Tuesday, February 18, 2014
 Feb 18-floor amendment (1) filed to
 Committee Substitute
 Feb 19-floor amendment (2) filed to
 Committee Substitute
 Feb 20-3rd reading, passed 98-0 with
 Committee Substitute, floor amendment (2)
 Feb 21-received in Senate
 Feb 26-to Natural Resources & Energy (S)
 Mar 19-reported favorably, 1st reading, to
 Consent Calendar with Committee Substitute
 Mar 20-2nd reading, to Rules

[HB 388/LM](#) - [J. Gooch Jr.](#), [T. Couch](#), [M. Dossett](#),
[C. Embry Jr.](#), [S. Miles](#), [R. Quarles](#), [D. St. Onge](#), [E.](#)
[Steele](#), [R. Webber](#), [J. York](#)

AN ACT relating to best system emission
 reduction for existing electric generating units.
 Create new sections of KRS Chapter 224 to
 establish criteria by which the Energy and
 Environment Cabinet can establish performance
 standards for the regulation of carbon dioxide
 emissions from existing fossil fuel-fired electric
 generating units; establish different criteria for
 coal-fired electric generating units and natural
 gas-fired electric generating units; allow
 performance standards to be adjusted on a
 case-by-case basis; require that any state plan
 to regulate carbon dioxide emissions be issued
 under Section 111(d) of the federal Clean Air
 Act; direct the cabinet to promulgate
 administrative regulations to establish
 standards in a state plan; prohibit development
 or proposing of a state plan to the United States

Environmental Protection Agency unless the
 plan is consistent with Sections 1 to 7 of this Act
 and is prepared in consultation with the
 Kentucky PSC; declare that any plan or
 performance standard has no legal effect if the
 United States Environmental Protection Agency
 does not issue federal rules or guidelines for
 regulating carbon dioxide emissions from
 existing electric generating units or if the rules
 are withdrawn or invalidated by a court of
 competent jurisdiction.

Feb 13-introduced in House
 Feb 18-to Natural Resources & Environment
 (H); posted in committee
 Feb 20-reported favorably, 1st reading, to
 Consent Calendar
 Feb 21-2nd reading, to Rules; posted for
 passage in the Consent Orders of the Day for
 Wednesday, February 26, 2014
 Feb 26-3rd reading, passed 99-0
 Feb 27-received in Senate
 Mar 5-to Natural Resources & Energy (S)
 Mar 12-reported favorably, 1st reading, to
 Calendar
 Mar 13-2nd reading, to Rules
 Mar 18-posted for passage in the Regular
 Orders of the Day for Wednesday, March 19,
 2014
 Mar 19-3rd reading, passed 37-0
 Mar 20-received in House; enrolled, signed
 by Speaker of the House
 Mar 21-enrolled, signed by President of the
 Senate; delivered to Governor

[HB 466](#) - [K. Hall](#)

AN ACT relating to the development of the
 market for natural gas as an alternative
 transportation fuel.
 Amend KRS 154.20-410 to direct the deposit

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of the petroleum environmental assurance fees, also referred to as underground storage tank fees, imposed on liquefied and compressed natural gas used as alternative transportation fuel into the Kentucky alternative fuel and renewable energy fund; amend KRS 154.20-415 to specifically provide that the fund may be used to provide funding to Kentucky-based companies that undertake activities to develop and expand the market for using liquefied and compressed natural gas as alternative transportation fuel in Kentucky including development of fueling station infrastructure; amend KRS 224.60-140 and 224.60-145 to conform.

[HB 466](#) - AMENDMENTS

[HFA \(1](#), K. Hall) - Retain original provisions, designate one cent per gallon from tax on natural gas motor fuels to be paid to alternative fuel and renewable energy fund, and four-tenths of one cent to the financial responsibility account.

Feb 26-introduced in House

Feb 27-to Tourism Development & Energy (H)

Mar 4-posted in committee

Mar 6-reported favorably, 1st reading, to Calendar

Mar 7-2nd reading, to Rules; taken from Rules; placed in the Orders of the Day

Mar 11-floor amendment (1) filed

Mar 12-3rd reading, passed 93-4 with floor amendment (1)

Mar 13-received in Senate

Mar 17-to Appropriations & Revenue (S)

Environment/Natural Resources

[SB 31/LM](#) - [J. Schickel](#), [T. Buford](#), [R. Webb](#)

AN ACT relating to the prohibition against implementing the United Nations Agenda 21.

Create a new section of Subchapter 1 of KRS Chapter 224 to prohibit a state agency or political subdivision of the state from implementing any part of the United Nations Agenda 21 that is contrary to the United States or Kentucky Constitution, or being a member of or expending any public funds on a group or organization that will implement any part of the United Nations Agenda 21.

Jan 7-introduced in Senate

Jan 13-to State & Local Government (S)

Feb 5-reported favorably, 1st reading, to Calendar

Feb 6-2nd reading, to Rules

Feb 10-posted for passage in the Regular Orders of the Day for Tuesday, February 11, 2014

Feb 11-3rd reading, passed 32-5

Feb 12-received in House

Feb 13-to State Government (H)

[SB 228](#)- [E. Harris](#)

AN ACT relating to underground facility protection.

Amend KRS 367.4917 to include a fine for violating any provision of the Underground Facility Damage Prevention Act of 1994, which results in damage to a facility containing any flammable, toxic, corrosive, or hazardous materials or the release of the materials.

Mar 6-introduced in Senate

Mar 11-to Transportation (S)

Mar 19-reported favorably, 1st reading, to Consent Calendar

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Mar 20-2nd reading, to Rules; posted for passage in the Consent Orders of the Day for Friday, March 21, 2014

Mar 21-3rd reading, passed 38-0

[SB 170](#) - [D. Parrett](#), [P. Hornback](#)

AN ACT relating to noxious weeds and invasive plants.

Amend KRS 176.051 to revise the list of noxious weeds and invasive plants to be eradicated from the state rights-of-way; provide that the Department of Highways shall promote awareness of the eradication program through the use of electronic media and the Cooperative Extension Service; provide that the department may by administrative regulation add noxious weeds and invasive plants to or delete them from the list; establish factors the department may consider in making a determination regarding the addition or deletion of a plant; provide that the department shall review the regulation at least once every four years.

Feb 27-introduced in Senate

Mar 5-to Agriculture (S)

Mar 11-reported favorably, 1st reading, to Consent Calendar

Mar 12-2nd reading, to Rules

Mar 13-posted for passage in the Consent Orders of the Day for Thursday, March 13, 2014; 3rd reading, passed 38-0; received in House

Mar 17-to Agriculture & Small Business (H)

Mar 18-posted in committee

Mar 19-reported favorably, 1st reading, to Consent Calendar

Mar 20-2nd reading, to Rules; posting waived retroactively; posted for passage in the Consent Orders of the Day for Tuesday, March 25, 2014

Boards and Commissions

[SB 74](#) - [J. Higdon](#), [T. Buford](#)

AN ACT relating to disaster and emergency response.

Amend KRS 39A.280 to provide civil liability protections to licensed professional engineers and licensed architects who voluntarily provide professional services at the request of officials during or after a declared emergency, disaster, or catastrophe; establish limitations to liability protection; require the Division of Emergency Management to promulgate administrative regulations.

[SB 74](#) - AMENDMENTS

[SCS](#) - Amend KRS 39A.280 to provide civil liability protections to licensed professional engineers and licensed architects who voluntarily provide professional services at the request of officials during or after a declared emergency, disaster, or catastrophe; establish limitations to liability protection.

[SFA \(1\)](#), [J. Higdon](#) - Amend KRS 39A.280 to authorize liability protection for licensed professional engineers and licensed architects and to specify that this liability protection occurs if the services rendered arise out of a declared emergency and if the professional rendering the services acts as an ordinary reasonably prudent member of the profession.

Jan 13-introduced in Senate

Jan 15-to Veterans, Military Affairs, & Public Protection (S)

Jan 23-reported favorably, 1st reading, to Calendar with Committee Substitute

Jan 24-2nd reading, to Rules

Jan 27-posted for passage in the Regular

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Orders of the Day for Tuesday, January 28, 2014

Jan 28-passed over and retained in the
Orders of the Day

Jan 29-passed over and retained in the
Orders of the Day; floor amendment (1) filed to
Committee Substitute

Jan 30-3rd reading, passed 37-0 with
Committee Substitute, floor amendment (1)

Jan 31-received in House

Feb 3-to Veterans, Military Affairs, & Public
Safety (H)

[HB 381](#) - [D. Graham](#), [R. Damron](#)

AN ACT relating to the Kentucky
Infrastructure Authority.

Amend KRS 224A.030 to decrease the board
membership of Kentucky Infrastructure
Authority from eleven to ten members and to
decrease the number of members the Governor
appoints from six to five by deleting the
representative of a for-profit water company.

[HB 381](#) - AMENDMENTS

[HCS](#) - Amend KRS 224A.030 replacing the
reference to a Kentucky Infrastructure
Authority board representative from for profit
private water companies with a member
selected from a list of three nominees
submitted by the Kentucky Farm Bureau
Federation.

Feb 12-introduced in House

Feb 13-to Local Government (H)

Feb 18-posted in committee

Mar 5-reported favorably, 1st reading, to
Calendar with Committee Substitute

Mar 6-2nd reading, to Rules

Mar 12-recommitted to State Government
(H)

Other

[HB 407](#) - [L. Combs](#), [S. Overly](#), [R. Adkins](#), [L. Clark](#),
[H. Collins](#), [W. Coursey](#), [R. Damron](#), [J. DeCesare](#),
[J. Gooch Jr.](#), [J. Greer](#), [G. Stumbo](#), [T. Thompson](#),
[K. Upchurch](#), [S. Westrom](#)

AN ACT relating to financing of public-private
partnerships.

Amend KRS 45A.030 and 45A.075 and create
a new section of KRS Chapter 45A to define
"public-private partnership" and "private
partner"; allow the use of a public-private
partnership as an alternative method to finance
a project; provide for evaluation and oversight,
and ratification by the General Assembly;
amend KRS 65.025 and create a new section of
KRS Chapter 65 to allow the use of a public-
private partnership by local governments;
provide for evaluation and oversight; provide
for a model system for the use of a public-
private partnership to be developed; require
use of the model and approval by the Finance
and Administration Cabinet before a local
government can utilize a public-private
partnership; create a new section of KRS
Chapter 175B and amend KRS 175B.005,
175B.010, 175B.020, 175B.030, 175B.035,
175B.040 and 175B.095 to define "public-
private partnership"; and "private partner";
allow the use of a public-private partnership by
an authority to provide an alternative structure
for developing and financing a major
transportation project.

[HB 407](#) - AMENDMENTS

[HCS](#) - Retain original provisions; clarify
several provisions relating to state-level public-
private partnerships; clarify process for local
governments to utilize public-private

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partnerships; adjust the definition of a transportation project to align with current federal usage; clarify several issues relating to the use of a public-private partnership for transportation projects; affirmatively require General Assembly approval for a public-private partnership to be used with a project connecting Kentucky and Ohio.

[HFA \(1, S. Santoro\)](#) - Require ratification by the General Assembly for use of a public-private partnership within a bi-state authority that includes the state of Ohio.

[HFA \(2, A. Simpson\)](#) - Prohibit the use of tolls on an interstate project than connects Kentucky to Ohio.

[HFA \(3, A. Simpson\)](#) - Clarify the entities that may develop a project.

[HFA \(4, A. Simpson\)](#) - Prohibit tolls on any interstate project that connects Kentucky to Ohio.

[HFA \(5, A. Simpson\)](#) - Clarify that projects can only be developed by the permitted entities.

[HFA \(6, J. Fischer\)](#) - Remove requirements to comply with prevailing wage law.

[HFA \(7, J. Fischer\)](#) - Remove requirement to comply with prevailing wage laws.

Feb 19-introduced in House

Feb 20-to Appropriations & Revenue (H); floor amendment (1) filed

Feb 28-posted in committee

Mar 6-reported favorably, 1st reading, to Calendar with Committee Substitute ; floor amendments (2) and (3) filed to Committee Substitute, floor amendments (4) and (5) filed

Mar 7-2nd reading, to Rules; floor amendment (7) filed to Committee Substitute, floor amendment (6) filed

Mar 11-posted for passage in the Regular Orders of the Day for Wednesday, March 12, 2014

Mar 17-floor amendments (6) and (7) withdrawn ; 3rd reading, passed 82-7 with Committee Substitute, floor amendments (2) and (3)

Mar 18-received in Senate

Mar 19-to Transportation (S)

Mar 21-taken from Transportation (S); 1st reading; returned to Transportation (S)

[SB 63 - C. McDaniel, J. Schickel, C. Girdler, S. Gregory](#)

AN ACT relating to the workers' compensation special fund and Funding Commission.

Amend KRS 342.120 require the Division of Workers' Compensation Funds to engage in an aggressive attempt to settle special fund claims; amend KRS 342.122 and eliminate all funding provided to the Labor Cabinet from special fund assessments.

[SB 63](#) - AMENDMENTS

[SCS](#) - Amend KRS 342.120 and direct that the Division of Workers' Compensation Funds engage in an aggressive attempt to settle special fund claims; set forth provisions to provide financial or legal advice for special fund claimants and provide for a fee; amend KRS 342.122 and eliminate all funding provided to the Labor Cabinet from special fund assessments.

[SFA \(1, C. McDaniel\)](#) - Replace Subsection (4) of Section 1 (KRS 342.120) with reworded language; replace subsection (1)(a) of Section 2 (KRS 342.122) to include the Division of Workers' Compensation Funds and Occupational safety and health Review Commission in receiving Funding Commission assessments funds; require a cap on the funding

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provided; add amendments to KRS 342.1223 and 342.1224.

[SFA \(2, C. McDaniel\)](#) - Make minor amendments to Section 1(4); delete added language in Section 2(1)(a) and reinsert current statutory language, only striking out of date language; amend KRS 342.1223 by requiring certain items to be reported to interim joint committees; amend KRS 342.1224 to add two members to the board of directors.

Jan 9-introduced in Senate

Jan 15-to Licensing, Occupations, & Administrative Regulations (S)

Feb 11-reported favorably, 1st reading, to Calendar with Committee Substitute

Feb 12-2nd reading, to Rules

Feb 28-floor amendment (1) filed to Committee Substitute

Mar 5-floor amendment (2) filed to Committee Substitute

Mar 6-posted for passage in the Regular Orders of the Day for Thursday, March 6, 2014; 3rd reading; floor amendment (1) withdrawn ; passed 22-16 with Committee Substitute, floor amendment (2)

Mar 7-received in House

Mar 10-to Labor & Industry (H)

Feb 20-2nd reading, to Rules
Feb 25-posted for passage in the Regular Orders of the Day for Wednesday, February 26, 2014

Feb 26-3rd reading, passed 36-0

Feb 27-received in House

Mar 4-to State Government (H)

Mar 11-posted in committee

Mar 13-reported favorably, 1st reading, to Consent Calendar

Mar 14-2nd reading, to Rules

Mar 17-taken from Rules; placed in the Consent Orders of the Day for Tuesday, March 25, 2014

[SB 129](#) - [J. Carpenter](#)

AN ACT relating to reorganization.

Amend KRS 12.020 to confirm Executive Order 2013-893 and abolish the Environmental Protection Legal Division within the Office of the General Counsel.

Feb 7-introduced in Senate

Feb 12-to Natural Resources & Energy (S)

Feb 19-reported favorably, 1st reading, to Consent Calendar

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