



**Kentucky Legislative Report  
April 1, 2016 - Regular Session Update**

**Prepared by  
Scott R. Smith and Kori Andrews**

[scottr.smith@smithmanage.com](mailto:scottr.smith@smithmanage.com) 859-231-8936 x116

**Scott's Thoughts**

We are just about ready to close the books on the 2016 General Assembly. The biggest item on the agenda, the state budget, has reached an impasse in the House and Senate. Currently the lawmakers have one legislative day left before they reach the constitutional limit of 60 days and must adjourn. Under the constitution, the session cannot extend beyond April 15. If no spending plan is agreed upon by that time, lawmakers face the prospect of returning for a special session, which can only be called by the Governor.

There were about 900 Bills filed this year. 50 of the Senate Bills and 49 House Bills have been approved by both chambers and have been sent to the Governor. Two of the bills that we were tracking have already been signed by the Governor. They include [HB 187](#)-reauthorization of the underground storage tank program and [HJR 152](#) which requires Kentucky's Division of Water to meet with the Corps of Engineers and the Natural Resource Conservation Service to determine procedures for developing water resources for agriculture.

The following Senate Bills that we were tracking have been sent to the Governor for his consideration: [SB 90](#) Siting of Cellular Antenna Towers; [SB 129](#) Administrative Regulations and [SB 188](#), a Bill relating to oil and gas well sites.

House Bills that we tracked and are awaiting a decision from the Governor include: [HB 106](#)-chemical munitions disposal; [HB 216](#)-Ky. Economic Development Partnership (added the chair person on Small Business Advocacy and a member of the National Federation of Independent Business/KY); [HB 402](#)-taxation of property used as a landfill and [HB 431](#), a bill relating to water conservation.

The remaining issues that did not make it through this session will be reconsidered by the legislative sponsors and supporters. We may see some of those issues discussed during the interim session this summer and fall and could see them again in 2017.

We'll continue to track the Bills under consideration by the Governor and keep you informed about what's going on throughout the year. Check our [Reg Watch](#) for updates throughout the year. I hope our information has been useful and informative.

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](mailto:scottr.smith@smithmanage.com) if they want to receive notice when these postings are updated.

**QUESTIONS, COMMENTS, ADDITIONAL INFORMATION**

Scott R. Smith, [scottr.smith@smithmanage.com](mailto:scottr.smith@smithmanage.com), 859-231-8936 x 116 or Kori Andrews, [koria@smithmanage.com](mailto:koria@smithmanage.com), 502-587-6482 x207.

| <u>Contents</u>         |   |
|-------------------------|---|
| Energy/Utilities.....   | 2 |
| Waste.....              | 4 |
| Administrative Law..... | 6 |
| Water.....              | 9 |
| Other.....              | 9 |

**Energy/Utilities**

**HB449 - T. Riner**

AN ACT relating to waste-to-energy facilities.  
 Amend KRS 224.40-310 to require the cabinet to promulgate administrative regulations on waste-to-energy facilities to take effect by January 1, 2017; prohibit the cabinet from approving a permit for a waste-to-energy facility that is or will be located within a certain distance of a school, hospital, place of worship, or residential property; allow the cabinet to promulgate administrative regulations establishing additional minimum setback distances for waste-to-energy facilities from other dangerous or vulnerable locations; exempt waste-to-energy facilities located on landfills, wastewater treatment

facilities, and agricultural property from the minimum setback requirements; define "waste-to-energy facility" for the purposes of the subsection.

**HB449 - AMENDMENTS**

**HCS1** - Retain original provisions; change the definition of "waste-to-energy facility" so that it only applies to facilities that are located or will be located in counties with populations of 500,000 or more people.

Feb 19, 2016 - introduced in House  
 Feb 22, 2016 - to Tourism Development & Energy (H)  
 Mar 01, 2016 - posted in committee

**Lexington**  
 1405 Mercer Road  
 Lexington, KY 40511  
 859-231-8936  
 859-231-8997 fax

**Louisville**  
 1860 B Williamson Court  
 Louisville, KY 40223  
 502-587-6482  
 502-587-6572 fax



Mar 15, 2016 - posted in committee  
 Mar 17, 2016 - reported favorably, 1st reading, to Calendar with Committee Substitute (1)  
 Mar 18, 2016 - 2nd reading, to Rules; posted for passage in the Regular Orders of the Day for Monday, March 21, 2016  
 Mar 22, 2016 - 3rd reading, passed 74-24 with Committee Substitute (1)  
 Mar 23, 2016 - received in Senate  
 Mar 24, 2016 - to Natural Resources & Energy (S)  
 Mar 28, 2016 - taken from Natural Resources & Energy (S); 1st reading; returned to Natural Resources & Energy (S)  
 Mar 29, 2016 - reassigned to Appropriations & Revenue (S); taken from Appropriations & Revenue (S); 2nd reading; returned to Appropriations & Revenue (S); reported favorably, to Rules

#### SB188 - J. Carpenter

AN ACT relating to oil and gas well sites.  
 Amend KRS 353.510 to add a definition for "stratigraphic test well"; amend KRS 353.570 to require a permit before drilling a stratigraphic test well and delete test holes from permitting requirement; amend KRS 353.590 to subject a permitted stratigraphic test well to various sections of KRS Chapter 353 for regulatory purposes and to impose plugging requirements; require stratigraphic test wells to be permitted as oil and gas wells prior to producing oil or gas and deviating from true vertical; and impose stratigraphic test wells converted to oil and gas wells to regulatory requirements of KRS 353.590 and 353.660 once the permit terminates; delete confidentiality requirements on test holes; amend KRS 353.660 to change termination of operations to completion of drilling; require that persons applying for a permit for a stratigraphic test well be granted a 3-year confidentiality period for all drilling records and subject well records, surveys and other logs on stratigraphic wells to confidentiality requirements; delete references to test holes.

#### SB188 - AMENDMENTS

**Lexington**  
 1405 Mercer Road  
 Lexington, KY 40511  
 859-231-8936  
 859-231-8997 fax

**Louisville**  
 1860 B Williamson Court  
 Louisville, KY 40223  
 502-587-6482  
 502-587-6572 fax

SCS1 - Make technical corrections to delete references to termination of operations and completion of drilling as technical change.

Feb 16, 2016 - introduced in Senate  
 Feb 18, 2016 - to Natural Resources & Energy (S)  
 Feb 24, 2016 - reported favorably, 1st reading, to Calendar with Committee Substitute (1)  
 Feb 25, 2016 - 2nd reading, to Rules  
 Feb 29, 2016 - posted for passage in the Regular Orders of the Day for Thursday, March 3, 2016  
 Mar 03, 2016 - 3rd reading, passed 38-0 with Committee Substitute (1)  
 Mar 04, 2016 - received in House  
 Mar 07, 2016 - to Natural Resources & Environment (H)  
 Mar 14, 2016 - posted in committee  
 Mar 17, 2016 - reported favorably, 1st reading, to Consent Calendar  
 Mar 18, 2016 - 2nd reading, to Rules; posted for passage in the Consent Orders of the Day for Wednesday, March 23, 2016  
 Mar 23, 2016 - 3rd reading, passed 99-0  
 Mar 24, 2016 - received in Senate; enrolled, signed by each presiding officer; delivered to Governor

#### SB224 - B. Smith

AN ACT relating to mine safety education and training requirements and declaring an emergency.  
 Amend KRS 351.106 to establish an alternative method of satisfying mine foreman annual training requirements under 30 C.F.R. pt. 75; EMERGENCY.

#### SB224 - AMENDMENTS

SCS1 - Retain original provisions of HB 224 except, replace the federal mine foreman training under 30 C.F.R. Part 75 with training by a Kentucky certified instructor or one certified by the United States Department of Labor, Mine Safety and Health Administration.

Feb 23, 2016 - introduced in Senate  
 Feb 25, 2016 - to Natural Resources & Energy (S)  
 Mar 09, 2016 - reported favorably, 1st reading, to





Calendar with Committee Substitute (1)  
 Mar 10, 2016 - 2nd reading, to Rules  
 Mar 16, 2016 - posted for passage in the Regular Orders of the Day for Thursday, March 17, 2016  
 Mar 17, 2016 - 3rd reading, passed 26-10 with Committee Substitute (1); received in House  
 Mar 22, 2016 - to Natural Resources & Environment (H); posting waived; taken from Natural Resources & Environment (H); 1st reading; returned to Natural Resources & Environment (H)  
 Mar 24, 2016 - reported favorably, 2nd reading, to Rules; floor amendment (1) filed  
 Mar 25, 2016 - posted for passage in the Regular Orders of the Day for Monday, March 28, 2016

### Waste

[HB106](#) - [R. Smart](#), [G. Brown Jr.](#), [C. Howard](#), [M. Rader](#), [T. Riner](#)

AN ACT relating to chemical munitions disposal and declaring an emergency.

Amend KRS 224.50-130 to delete references to gaps in information on the acute and chronic health effects of exposure to compounds used in chemical munitions; require that, after the compounds in chemical munitions are treated to specific treatment or destruction values set by law or by the Energy and Environment Cabinet, the Energy and Environment Cabinet shall reclassify the residual wastes to ensure proper management and disposal; EMERGENCY.

Dec 09, 2015 - Prefiled by the sponsor(s).  
 Jan 05, 2016 - introduced in House; to Natural Resources & Environment (H)  
 Feb 02, 2016 - posted in committee  
 Feb 04, 2016 - reported favorably, 1st reading, to Consent Calendar  
 Feb 05, 2016 - 2nd reading, to Rules  
 Feb 08, 2016 - posted for passage in the Consent Orders of the Day for Wednesday, February 10  
 Feb 10, 2016 - 3rd reading, passed 95-0  
 Feb 11, 2016 - received in Senate  
 Feb 16, 2016 - to Natural Resources & Energy (S)  
 Mar 16, 2016 - reported favorably, 1st reading, to Consent Calendar  
 Mar 17, 2016 - 2nd reading, to Rules

Mar 18, 2016 - posted for passage in the Consent Orders of the Day for Monday, March 21, 2016 (Consent Orders #2)  
 Mar 21, 2016 - passed over and retained in the Consent Orders of the Day  
 Mar 22, 2016 - passed over and retained in the Consent Orders of the Day  
 Mar 23, 2016 - passed over and retained in the Consent Orders of the Day  
 Mar 24, 2016 - 3rd reading, passed 38-0  
 Mar 25, 2016 - received in House; enrolled, signed by each presiding officer; delivered to Governor

[HB187](#) - [B. Yonts](#), [R. Smart](#), [W. Stone](#), [T. Thompson](#)

AN ACT relating to petroleum storage tanks.

Amend KRS 224.60-142 to extend the date to participate in the petroleum storage tank fund from 2016 to 2021; amend KRS 224.60-130 to extend the date to perform corrective action using money from the petroleum storage tank account from 2019 to 2024; amend 224.60-145 to extend the date for the small operator assistance account from 2016 to 2021.

Jan 07, 2016 - introduced in House  
 Jan 11, 2016 - to Natural Resources & Environment (H)  
 Jan 14, 2016 - posted in committee  
 Feb 02, 2016 - posted in committee  
 Feb 04, 2016 - reported favorably, 1st reading, to Consent Calendar  
 Feb 05, 2016 - 2nd reading, to Rules  
 Feb 08, 2016 - posted for passage in the Consent Orders of the Day for Wednesday, February 10  
 Feb 10, 2016 - 3rd reading, passed 95-0  
 Feb 11, 2016 - received in Senate  
 Feb 16, 2016 - to Natural Resources & Energy (S)  
 Mar 16, 2016 - reported favorably, 1st reading, to Consent Calendar  
 Mar 17, 2016 - 2nd reading, to Rules  
 Mar 18, 2016 - posted for passage in the Consent Orders of the Day for Monday, March 21, 2016 (Consent Orders #2)  
 Mar 21, 2016 - 3rd reading, passed 38-0  
 Mar 22, 2016 - received in House; enrolled, signed by each presiding officer; delivered to Governor

**Lexington**  
 1405 Mercer Road  
 Lexington, KY 40511  
 859-231-8936  
 859-231-8997 fax

**Louisville**  
 1860 B Williamson Court  
 Louisville, KY 40223  
 502-587-6482  
 502-587-6572 fax



[HB402 - M. Denham](#)

AN ACT relating to the taxation of property used as a landfill.

Create a new section of KRS Chapter 132 to require the valuation and assessment of real and tangible personal property of a municipal solid waste disposal facility be performed by the department; amend KRS 132.020 and 132.200 to provide that tangible personal property which is incorporated into a landfill facility shall be presumed to remain tangible personal property if the property is used for its intended purposes; amend KRS 136.120 to remove municipal solid waste disposal facilities from the list of public service companies.

Feb 12, 2016 - introduced in House  
 Feb 16, 2016 - to Appropriations & Revenue (H)  
 Feb 19, 2016 - posted in committee  
 Feb 23, 2016 - reported favorably, 1st reading, to Consent Calendar  
 Feb 24, 2016 - 2nd reading, to Rules  
 Feb 25, 2016 - posted for passage in the Consent Orders of the Day for Monday, February 29, 2016  
 Feb 29, 2016 - 3rd reading, passed 86-1  
 Mar 01, 2016 - received in Senate  
 Mar 03, 2016 - to Appropriations & Revenue (S)  
 Mar 21, 2016 - taken from Appropriations & Revenue (S); 1st reading; returned to Appropriations & Revenue (S)  
 Mar 23, 2016 - reported favorably, 2nd reading, to Rules as a Consent Bill  
 Mar 24, 2016 - posted for passage in the Consent Orders of the Day for Friday, March 25, 2016 (Consent Orders #2)  
 Mar 25, 2016 - passed over and retained in the Consent Orders of the Day  
 Mar 28, 2016 - 3rd reading, passed 38-0  
 Mar 29, 2016 - received in House; enrolled, signed by each presiding officer; delivered to Governor

[HB431/LM - R. Adkins](#)

AN ACT relating to water conservation.  
 Amend KRS 211.350 to define gray water and black water; allow for conservation credits for gray water systems that reduce the waste flow

calculations; create a new section of KRS Chapter 211 to require the cabinet to promulgate administrative regulations to update daily waste flow charts for low water using fixtures and allow gray water conservation credits; prohibit any political subdivision from prohibiting use of gray water reductions from systems approved under permit by the cabinet.

[HB431 - AMENDMENTS](#)

[SCS1/LM](#) - Retain original provisions of HB 431/GA and make grammatical and technical changes.

Feb 18, 2016 - introduced in House  
 Feb 22, 2016 - to Natural Resources & Environment (H)  
 Feb 23, 2016 - posted in committee  
 Mar 03, 2016 - reported favorably, 1st reading, to Consent Calendar  
 Mar 04, 2016 - 2nd reading, to Rules  
 Mar 07, 2016 - posted for passage in the Consent Orders of the Day for Wednesday, March 9, 2016  
 Mar 09, 2016 - 3rd reading, passed 96-0  
 Mar 10, 2016 - received in Senate  
 Mar 14, 2016 - to Natural Resources & Energy (S)  
 Mar 22, 2016 - reported favorably, 1st reading, to Consent Calendar with Committee Substitute (1)  
 Mar 23, 2016 - 2nd reading, to Rules  
 Mar 24, 2016 - posted for passage in the Consent Orders of the Day for Friday, March 25, 2016 (Consent Orders #2)  
 Mar 25, 2016 - passed over and retained in the Consent Orders of the Day  
 Mar 28, 2016 - passed over and retained in the Consent Orders of the Day  
 Mar 29, 2016 - taken from the Consent Orders #2; placed in the Consent Orders #1; 3rd reading, passed 38-0 with Committee Substitute (1)

[HB563 - C. Howard, H. Collins, D. Hale, C. Harris, J. Richards](#)

AN ACT relating to solid waste.  
 Amend KRS 211.863 to clarify that solid wastes from oil and gas drilling operations that contain low-level radioactive wastes are included in prohibited imports; amend KRS 224.50-760 to prohibit

**Lexington**  
 1405 Mercer Road  
 Lexington, KY 40511  
 859-231-8936  
 859-231-8997 fax

**Louisville**  
 1860 B Williamson Court  
 Louisville, KY 40223  
 502-587-6482  
 502-587-6572 fax

importation of certain solid wastes resulting from oil and gas drilling operations.

#### [HB563](#) - AMENDMENTS

[HCS1](#) - Delete all sections of HB 563; declare findings of the General Assembly regarding naturally occurring radioactive material or "NORM"; direct the Energy and Environment Cabinet and the Cabinet for Health and Family Services to revise existing administrative regulations regarding the management of oil and gas related wastes containing NORM; encourage the Energy and Environment Cabinet and the Cabinet for Health and Family Services to include specific interest groups in the revision of administrative regulations; require report on compliance with updating regulations by December 1, 2016; declare an EMERGENCY.

[HCA1](#)( F. Steele ) - Make title amendment.

[SFA1](#)( J. Carpenter ) - Make title amendment.

[SFA2](#)( J. Carpenter ) - Change Naturally Occurring Radioactive Material or NORM to Technically Enhanced Naturally Occurring Radioactive Material or TENORM; include exploration in oil and gas activities; include Interstate in the title of the compact; delete reference to development of a manifest system for tracking NORM and replace with review of state waste and water permitting programs to ensure the safe disposal of TENORM; delete review of state waste and water permitting programs; include landfill operators in the groups offering input to the cabinet; make grammatical and technical corrections.

[SFA3](#)( J. Carpenter ) - Make title amendment.

[SFA4](#)( J. Carpenter ) - Qualify that NORM is concentrated through human activity; include exploration in oil and gas activities; include Interstate in the title of the compact; delete reference to tracking and generation in the development of a manifest system for NORM; include landfill operators in the groups offering input to the cabinet; make grammatical and technical corrections.

Mar 01, 2016 - introduced in House

Mar 02, 2016 - to Natural Resources &

Environment (H)

Mar 08, 2016 - posted in committee

Mar 10, 2016 - reported favorably, 1st reading, to Calendar with Committee Substitute (1) committee amendment (1-title)

Mar 11, 2016 - 2nd reading, to Rules; posted for passage in the Regular Orders of the Day for Monday, March 14, 2016

Mar 15, 2016 - 3rd reading, passed 97-0 with Committee Substitute (1), committee amendment (1-title)

Mar 16, 2016 - received in Senate

Mar 18, 2016 - to Natural Resources & Energy (S)

Mar 22, 2016 - reported favorably, 1st reading, to Calendar

Mar 23, 2016 - 2nd reading, to Rules; floor amendments (1-title) and (2) and (3-title) and (4) filed

Mar 28, 2016 - posted for passage in the Regular Orders of the Day for Monday, March 28, 2016; passed over and retained in the Orders of the Day

Mar 29, 2016 - 3rd reading; floor amendments (1-title) and (2) withdrawn; passed 38-0 with floor amendments (4) and (3-title)

#### **Administrative Law**

[HB80](#) - [C. Harris](#), [T. Riner](#), [D. Graham S. Santoro](#), [D. St. Onge](#)

AN ACT relating to open records.

Amend KRS 61.870 to narrow the funding criteria that determines exemptions from the definition of "public agency" in the Kentucky Open Records Act.

Nov 05, 2015 - Prefiled by the sponsor(s).

Jan 05, 2016 - introduced in House; to State Government (H)

Jan 19, 2016 - posted in committee

Jan 28, 2016 - reported favorably, 1st reading, to Consent Calendar

Jan 29, 2016 - 2nd reading, to Rules; taken from Rules (H); placed in the Consent Orders of the Day for Monday, February 1

Feb 01, 2016 - 3rd reading, passed 92-0

Feb 02, 2016 - received in Senate

Feb 04, 2016 - to State & Local Government (S)

#### **Lexington**

1405 Mercer Road  
Lexington, KY 40511  
859-231-8936  
859-231-8997 fax

#### **Louisville**

1860 B Williamson Court  
Louisville, KY 40223  
502-587-6482  
502-587-6572 fax





Mar 16, 2016 - taken from State & Local Government (S); 1st reading; returned to State & Local Government (S)

Mar 18, 2016 - taken from State & Local Government (S); 2nd reading; returned to State & Local Government (S)

Mar 22, 2016 - reported favorably, to Rules

**SB129 - E. Harris**

AN ACT relating to administrative regulations.

Amend KRS 13A.010 to change the defined term "government" to "local government" and to establish a definition for "written comments"; amend KRS 13A.020 to provide that a monthly meeting may be rescheduled, rather than canceled, by agreement of both co-chairs; amend KRS 13A.040 to clarify that an administrative body may submit a written request for a technical amendment and provide examples of technical amendments, rather than a complete list; require the regulations compiler to refuse to accept for filing administrative regulations that do not comply with specified requirements for emergency administrative regulations, statements of consideration, and amended-after-comments versions; amend KRS 13A.050 to correct the name of the Administrative Register of Kentucky; amend KRS 13A.070 to authorize, rather than require, the LRC to promulgate administrative regulations; delete the requirement that the regulations compiler refuse to accept any administrative regulation that does not conform to KRS Chapter 13A and the administrative regulations thereunder; specify that administrative regulations promulgated by LRC shall be signed by the President of the Senate and the Speaker of the House of Representatives; amend KRS 13A.125 to require that a current proposed administrative regulation be withdrawn prior to filing a subsequent proposed administrative regulation with the same number or title; amend KRS 13A.190 to require that emergency administrative regulations be published in the Administrative Register in accordance with the publication deadline established in KRS 13A.050(3); clarify provisions governing when a subsequent emergency administrative regulation with the same number or title or governing the same subject matter may be filed; establish the filing requirements

for emergency administrative regulations; amend KRS 13A.220 to require that the electronic version be filed at the same time as, or prior to, filing the paper version; require that the electronic version be saved as a single document for each administrative regulation; specify that a section shall not be divided into lower levels of division if there is only one item in that level of division; require that the contact person's information include an email address; authorize administrative bodies to file letters and notifications electronically with the regulations compiler; amend KRS 13A.221 to require that, before filing an administrative regulation, an administrative body review the entire administrative regulation for compliance with KRS Chapter 13A and current law governing the subject matter of the administrative regulation; amend KRS 13A.222 to require that all changes made to the text of an existing administrative regulation be marked with new words underlined and deleted words struck through and placed in brackets; establish requirements for definitions in administrative regulations; remove the prohibition against using the phrase "at the time" in an administrative regulation; authorize the use of "et seq." in citations; require that citations accompany only the first usage of a popular name in an administrative regulation; amend KRS 13A.2251 to require that the incorporation-by-reference section of an administrative regulation state the regular office hours of the administrative body, rather than the set times of 8:00 a.m. to 4:30 p.m.; amend KRS 13A.2255 to establish the process for amending material previously incorporated by reference; amend KRS 13A.230 to require that the electronic version of an administrative regulation be filed at the same as, or prior to, filing the paper version; require that the electronic version be saved as a single document for each administrative regulation; amend KRS 13A.240 to require the regulatory impact analysis to state the administrative regulation's number and the contact person's name, e-mail address, and telephone number; delete the requirement that the LRC prepare a written analysis of all regulatory impact analyses and administrative regulations; amend KRS 13A.250 and KRS 13A.255 to require inclusion of each contact person's name, e-

**Lexington**

1405 Mercer Road  
Lexington, KY 40511  
859-231-8936  
859-231-8997 fax

**Louisville**

1860 B Williamson Court  
Louisville, KY 40223  
502-587-6482  
502-587-6572 fax



mail address, and telephone number in the fiscal note and notification regarding fees; amend KRS 13A.270 to specify that the comment period shall end at 11:59 p.m. on the last day of the calendar month in which the administrative regulation is published in the Administrative Register, rather than having the end of the comment period dependent on whether the last day is a workday or a Saturday, Sunday, or legal holiday; require that the contact information include the contact person's e-mail address; clarify that the provisions for notification if a government may be impacted by an administrative regulation apply for local government, impact not both state and local government impact; delete the requirement that administrative bodies telephone the regulations compiler about the holding or canceling of public hearings and whether public comments were received; amend KRS 13A.280 to specify the filing requirements for a statement of consideration and an amended-after-comments version; amend KRS 13A.290 to require that ARRS review of an administrative regulation include the entire administrative regulation and all attachments filed with the administrative regulation; delete the requirement that a copy of the minutes of each meeting be sent to the promulgating administrative body; require that referrals to the second committee be made on the first Wednesday of the following month instead of at the next regularly scheduled LRC meeting; establish the voting requirements at the second committee level in order to amend an administrative regulation or find an administrative regulation deficient; amend KRS 13A.300 to establish requirements for deferring an administrative regulation scheduled for review at the second committee level; amend KRS 13A.310 to establish the effective date of a repealing administrative regulation if the repealer states an effective date that is after the normal effective date for an administrative regulation; amend KRS 13A.312 to specify that the regulations compiler shall alter administrative regulations pursuant to a statutory change or executive order after receipt of a written request from an administrative body; amend KRS 13A.315 to require that an administrative regulation expire if the statement of consideration and, if

applicable, the amended-after-comments version not filed before a specified deadline, rather than requiring expiration if any item is not filed before a deadline; amend KRS 13A.320 to establish requirements for amendments made at a subcommittee meeting; amend KRS 13A.100, 13A.110, 13A.120, 13A.130, 13A.180, 13A.200, and 13A.224 to make technical corrections; and repeal KRS 13A.075 and 13A.140, relating to promulgation of administrative regulations.

#### [SB129](#) - AMENDMENTS

[SCS1](#) - Retain original provisions; amend KRS 13A.2255 to require the summary of changes to material incorporated by reference to describe the changes being made rather than to describe each change.

[HCS1](#) - Retain original provisions; create a new section of KRS Chapter 141 to permit the Department of Revenue to publish tax forms and instructions to the forms without promulgating an administrative regulation; amend KRS 13A.110, 131.130, 141.050 and 41.068 to conform.

[HFA1](#)( M. Marzian ) - Delete the provision stating that tax forms and instructions to those forms shall not carry the force and effect of law.

[HFA2](#)( M. Marzian ) - Require, rather than authorize, the Department of Revenue to publish tax forms and instructions to those forms without promulgation of an administrative regulation; delete the provision stating that tax forms and instructions to those forms do not carry the force and effect of law.

Jan 26, 2016 - introduced in Senate  
 Jan 28, 2016 - to State & Local Government (S)  
 Feb 03, 2016 - reported favorably, 1st reading, to Calendar with Committee Substitute (1)  
 Feb 04, 2016 - 2nd reading, to Rules  
 Feb 08, 2016 - posted for passage in the Regular Orders of the Day for Tuesday, February 9  
 Feb 09, 2016 - 3rd reading, passed 37-0 with Committee Substitute (1)  
 Feb 10, 2016 - received in House  
 Feb 16, 2016 - to State Government (H)  
 Mar 15, 2016 - posted in committee

#### Lexington

1405 Mercer Road  
 Lexington, KY 40511  
 859-231-8936  
 859-231-8997 fax

#### Louisville

1860 B Williamson Court  
 Louisville, KY 40223  
 502-587-6482  
 502-587-6572 fax





Mar 17, 2016 - reported favorably, 1st reading, to Consent Calendar with Committee Substitute (1)

Mar 18, 2016 - 2nd reading, to Rules; posted for passage in the Consent Orders of the Day for Tuesday, March 22, 2016

Mar 21, 2016 - floor amendment (1) filed to Committee Substitute

Mar 22, 2016 - taken from the Consent Orders of the Day, placed in the Regular Orders of the Day; floor amendment (2) filed to Committee Substitute

Mar 23, 2016 - 3rd reading, passed 97-0 with Committee Substitute (1) floor amendment (2)

Mar 24, 2016 - received in Senate

Mar 29, 2016 - posted for passage for concurrence in House Committee Substitute (1) and floor amendment (2); Senate concurred in House Committee Substitute (1) and floor amendment (2); passed 37-0; enrolled, signed by each presiding officer; delivered to Governor

### Water

[HB529](#) - [R. Rand](#), [S. Rudy](#), [R. Adkins](#), [R. Crimm](#), [M. Denham](#), [R. Heath](#), [K. King](#), [M. Meredith](#), [T. Mills](#), [W. Stone](#), [T. Thompson](#), [J. Tipton](#)

AN ACT relating to water resources policy.

Create a new section of KRS 151.100 to 151.460 to establish the 11-member Kentucky Water Resources Board; set initial appointments and identify the role and function of the board in developing water resource policy; attach the board to the Energy and Environment Cabinet for administrative purposes; require the cabinet to provide staff to the board; amend KRS 151.110 to include agriculture in the list of reasons water resources have become of vital importance to the Commonwealth; require the cabinet to provide leadership for on-farm and rural community drought and water assessment monitoring, and improvements for agricultural purposes; and authorize the cabinet to receive and disperse federal, state, and other funds for on-farm and community drought and water assessment, monitoring, and improvements.

Feb 29, 2016 - introduced in House

Mar 01, 2016 - to Agriculture & Small Business

(H); posted in committee; posting waived

Mar 02, 2016 - reported favorably, 1st reading, to Consent Calendar

Mar 03, 2016 - 2nd reading, to Rules; posted for passage in the Consent Orders of the Day for Monday, March 7, 2016

Mar 07, 2016 - taken from the Consent Orders of the Day, placed in the Regular Orders of the Day

Mar 08, 2016 - 3rd reading, passed 95-0

Mar 09, 2016 - received in Senate

Mar 11, 2016 - to Agriculture (S)

Mar 15, 2016 - reported favorably, 1st reading, to Consent Calendar

Mar 16, 2016 - 2nd reading, to Rules

Mar 18, 2016 - posted for passage in the Consent Orders of the Day for Monday, March 21, 2016 (Consent Orders #2)

Mar 21, 2016 - passed over and retained in the Consent Orders of the Day

Mar 22, 2016 - 3rd reading, passed 38-0; received in House

Mar 23, 2016 - enrolled, signed by Speaker of the House

Mar 24, 2016 - enrolled, signed by President of the Senate; delivered to Governor

### Other

[SB90](#) - [E. Harris](#)

AN ACT relating to the siting of cellular antenna towers.

Amend KRS 100.987 to direct that applications for cell towers on state-owned property be approved by the Public Service Commission.

Jan 11, 2016 - introduced in Senate

Jan 13, 2016 - to Natural Resources & Energy (S)

Feb 03, 2016 - reported favorably, 1st reading, to Calendar

Feb 04, 2016 - 2nd reading, to Rules

Feb 08, 2016 - posted for passage in the Regular Orders of the Day for Tuesday, February 9

Feb 09, 2016 - 3rd reading, passed 36-1

Feb 10, 2016 - received in House

Feb 11, 2016 - to Local Government (H)

Feb 19, 2016 - posted in committee

#### Lexington

1405 Mercer Road  
Lexington, KY 40511  
859-231-8936  
859-231-8997 fax

#### Louisville

1860 B Williamson Court  
Louisville, KY 40223  
502-587-6482  
502-587-6572 fax



Mar 23, 2016 - reported favorably, 1st reading, to Calendar with Committee Substitute (1)

Mar 24, 2016 - 2nd reading, to Rules; posted for passage in the Regular Orders of the Day for Friday, March 25, 2016

Mar 29, 2016 - posted for passage for concurrence in House Committee Substitute (1); Senate concurred in House Committee Substitute (1); passed 36-1; enrolled, signed by each presiding officer; delivered to Governor

**Lexington**

1405 Mercer Road  
Lexington, KY 40511  
859-231-8936  
859-231-8997 fax

**Louisville**

1860 B Williamson Court  
Louisville, KY 40223  
502-587-6482  
502-587-6572 fax

