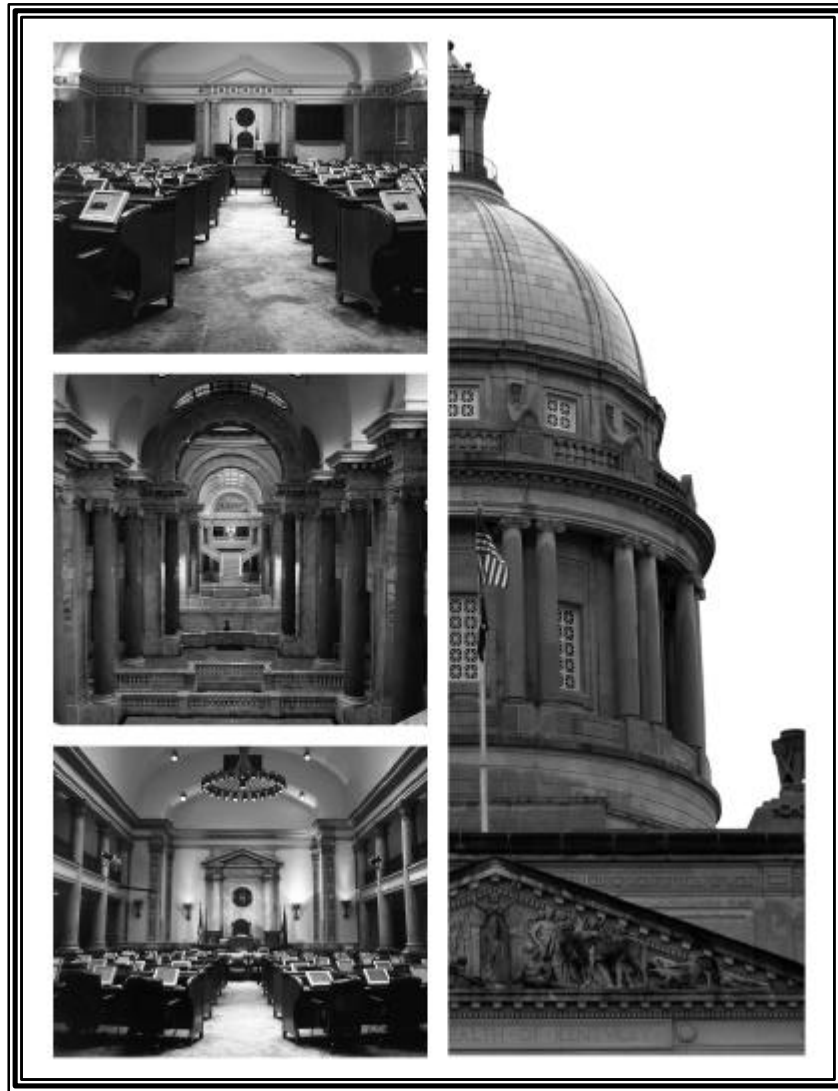


GENERAL ASSEMBLY ACTION

Regular Session 2003



Informational Bulletin No. 211
(Corrected)

Legislative Research Commission
Frankfort, Kentucky

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Regular Session 2003

A Staff Summary of Legislative Enactments

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(Corrected)

Legislative Research Commission
Frankfort, Kentucky
April 2003

This report was prepared by the Legislative Research Commission and paid for from state funds.

FOREWORD

The 2003 Regular Session of the General Assembly convened Tuesday, January 7, 2003, and adjourned sine die Tuesday, March 25, 2003, having met for thirty legislative days. During this session, 781 bills and 398 resolutions were introduced, including 221 Senate bills and 560 House bills.

Of the bills introduced, 58 Senate bills and 103 House bills passed both chambers and were delivered to the Governor.

The Governor also received 37 joint and concurrent resolutions.

This informational bulletin summarizes the bills and resolutions which were delivered to the Governor and the Secretary of State. It was prepared by the staff of the Legislative Research Commission.

ROBERT SHERMAN
Director

The Capitol
Frankfort, Kentucky
April 2003

2003 REGULAR SESSION

BILL NUMBERS TO ACTS CHAPTERS

Bill No.	Acts Ch.	Bill No.	Acts Ch.	Bill No.	Acts Ch.	Bill No.	Acts Ch.
SB 2	151	SB 192	88	HB 267	54	HB 468	171
SB 17	180	SB 193	29	HB 268	45	HB 481	172
SB 20	146	SB 195	27	HB 269	156	HB 489	43
SB 24	181	SB 213	90	HB 270	161	HB 493	107
SB 34	40	SB 219	152	HB 271	154	HB 496	173
SB 36	67	SB 221	185	HB 281	122	HB 501	108
SB 39	153			HB 287	64	HB 510	148
SB 43	41	SCR 17	9	HB 289	123	HB 517	137
SB 46	68	SJR 18	32	HB 293	124	HB 524	150
SB 48	182	SCR 61	44	HB 294	14		
SB 50	28			HB 296	98	HJR 3	178
SB 60	69	HB 15	63	HB 297	125	HJR 7	141
SB 63	34	HB 18	10	HB 303	162	HJR 28	2
SB 69	70	HB 24	11	HB 305	163	HCR 32	17
SB 71	89	HB 36	62	HB 309	164	HCR 34	18
SB 74	71	HB 40	115	HB 310	165	HCR 35	19
SB 75	33	HB 43	188	HB 312	126	HCR 36	20
SB 81	72	HB 49	4	HB 324	99	HCR 37	21
SB 85	49	HB 54	91	HB 328	127	HCR 39	109
SB 88	48	HB 56	61	HB 346	100	HCR 40	110
SB 91	73	HB 63	189	HB 353	101	HCR 41	174
SB 92	74	HB 64	60	HB 355	166	HCR 42	111
SB 93	75	HB 68	116	HB 357	167	HCR 43	112
SB 94	76	HB 73	59	HB 363	53	HCR 44	22
SB 95	6	HB 95	12	HB 364	128	HCR 45	186
SB 103	7	HB 99	190	HB 365	15	HCR 46	175
SB 107	183	HB 107	117	HB 366	102	HJR 64	179
SB 109	77	HB 109	118	HB 370	129	HJR 82	142
SB 114	36	HB 115	119	HB 372	65	HJR 83	143
SB 120	78	HB 117	3	HB 373	130	HCR 84	113
SB 121	37	HB 124	30	HB 376	131	HCR 86	114
SB 123	79	HB 136	92	HB 380	66	HCR 88	176
SB 127	38	HB 139	58	HB 384	16	HCR 89	177
SB 130	8	HB 144	93	HB 388	103	HCR 106	23
SB 132	147	HB 154	94	HB 389	104	HJR 110	144
SB 133	80	HB 157	191	HB 390	194	HJR 112	145
SB 134	81	HB 158	192	HB 391	42	HCR 113	138
SB 137	82	HB 163	120	HB 392	132	HJR 116	50
SB 138	83	HB 181	121	HB 397	168	HCR 126	24
SB 145	46	HB 183	193	HB 398	187	HCR 136	139
SB 146	84	HB 185	57	HB 403	105	HCR 141	140
SB 152	26	HB 194	5	HB 406	52		
SB 153	85	HB 206	158	HB 412	133		
SB 154	35	HB 211	95	HB 418	134		
SB 156	39	HB 219	13	HB 427	106		
SB 157	1	HB 223	56	HB 430	155		
SB 161	184	HB 224	159	HB 442	135		
SB 162	149	HB 225	55	HB 443	136		
SB 164	47	HB 234	96	HB 459	51		
SB 165	87	HB 245	97	HB 461	169		
SB 168	86	HB 250	25	HB 465	170		
SB 179	31	HB 252	160	HB 467	157		

SENATE BILLS

SB 2

AN ACT relating to the budget.

Amends KRS 48.115 to provide that the Legislative Research Commission or the state budget director may convene the consensus forecasting group if they determine a revision of the revenue estimates is needed; provides that the staff of the consensus forecasting group shall be provided by the Legislative Research Commission.

SB 17

AN ACT relating to reorganization.

Amends KRS 164.740 to make technical corrections to the definitions of the Kentucky Higher Education Assistance Authority; amends KRS 164.785 to permit that a Kentucky independent college or university may be accredited by a regional accrediting association recognized by the United States Department of Education rather than one specific association; amends KRS 164.753 to delete specific requirements regarding the total amount of insured student loans that may be guaranteed by the authority; amends KRS 164.7891, the Osteopathic Medicine Scholarship Program, to make recipients liable for the total repayment of the sum of all outstanding promissory notes and accrued interest, to provide that all moneys repaid to the authority under the Osteopathic Medicine Scholarship Program be added to the appropriations, and to provide that unobligated appropriations shall not lapse; amends KRS 164A.350, the Kentucky Educational Savings Plan Trust, to make permissive rather than mandatory certain penalties on the participant's account; amends KRS 164.746 to make changes to the membership of the Kentucky Higher Education Assistance Authority; amends KRS 164A.050 to make changes to the membership of the Kentucky Higher Education Student Loan Corporation; amends KRS 164A.370, 164.748, and 164.7874 to conform; amends KRS 164.740 to include in the definitions students who graduate at the end of the first semester; amends definition of "regional accrediting association" to include additional organizations; confirms Executive Orders 2002-849 and 2002-848; repeals KRS 164.7893.

SB 20

AN ACT relating to information required to be maintained and updated by long-term care facilities.

Amends KRS 216.595 to require long-term care facilities and assisted-living communities as defined by KRS 194A.700 to maintain and update, along with other information already maintained and updated, information relating to Alzheimer's and dementia-specific staff training for employees.

SB 24

AN ACT relating to animal cruelty.

Creates a new section of KRS Chapter 525 to create the crime of torture of a dog or cat; specifies the elements of the offense; provides penalty of Class A misdemeanor for first offense and Class D felony for subsequent offenses; creates exemptions for specified

acts which do not constitute torture when a dog or cat is killed or injured; amends KRS 525.130 relating to cruelty to animals in the second degree to delete reference to torturing a dog or cat; provides that intentional poisoning of a dog or cat is cruelty to animals in the second degree; expands legal reasons for the killing of an animal; amends KRS 258.245 relating to destruction or poisoning of dogs to delete references to poisoning of dogs to conform with provisions of KRS 525.130.

SB 34

AN ACT relating to reorganization.

Amends KRS 12.020 and 194A.030 to abolish the Office of Program Support within the Cabinet for Health Services; and confirms Executive Order 2002-761.

SB 36

AN ACT relating to families and children.

Amends KRS 194B.010 to require the Cabinet for Families and Children to collaborate with the Council on Accreditation for Children and Family Services or its equivalent in developing strategies consistent with best practice standards for delivery of services.

SB 39

AN ACT relating to the Capitol and Capitol Annex.

Amends KRS 56.463 to provide that, if a majority of the members of the Legislative Research Commission approve, the legislative branch may occupy additional space in the Capitol Annex; provides that until such a vote by LRC, the Finance Cabinet shall continue to determine the occupancy of the space.

SB 43

AN ACT relating to reorganization.

Amends KRS 12.020 and 194B.030 to abolish the Office of Performance Enhancement within the Cabinet for Families and Children and to transfer duties to other offices; confirms Executive Order 2002-1344.

SB 46

AN ACT relating to homeland security and declaring an emergency.

Requires the Office for Security Coordination to keep a record of federal homeland security funding received in Kentucky; requires state agencies and the Department for Local Government to report to the Office for Security Coordination on federal homeland security funding received in Kentucky; requires local units of government to report to the Department for Local Government on federal homeland security funding which they receive; requires the monitoring of federal homeland security funding on a Kentucky fiscal year basis; requires the Adjutant General, no later than September 15 each year, to report to the General Assembly, the Governor, and the Auditor of Public Accounts on both general Kentucky homeland security readiness and federal homeland security funding; permits the Auditor of Public Accounts to audit federal homeland security funding received in Kentucky; EMERGENCY.

SB 48

AN ACT relating to the budget process, making an appropriation therefor, and declaring an emergency.

Provides that the General Assembly appropriates for fiscal year 2002-2003 funds required for those expenditures that have been approved by the Secretary of the Finance and Administration Cabinet and which have been paid or for which a check has been written by the Office of the State Treasurer; provides that the General Assembly appropriates for fiscal year 2002-2003 funds required for those expenditures for which a Memorandum of Agreement has been approved by the Secretary of the Finance and Administration Cabinet and the Government Contract Review Committee of the Legislative Research Commission, except as modified by House Bill 269 in the 2003 Regular Session or for which the funding source has been changed; provides that the provisions of this Act apply for period preceding the effective date of House Bill 269 and House Bill 294 of the 2003 Regular Session; EMERGENCY.

SB 50

AN ACT relating to amusement rides and attractions and declaring an emergency.

Creates a new section of KRS 247.232 to 247.236 to require every person engaged in the for-profit business of providing temporary amusement attractions within the same county or within a five mile radius of any public fair or exposition sanctioned by the Department of Agriculture and operated by a public fair association to pay a license fee of \$2,000 to the fiscal court for each day of operation, within the time period of thirty days before and seven days after the sanctioned fair, if the temporary attraction is not operating in connection with the public fair; provides that the daily \$2,000 license fee shall not apply to temporary attractions sanctioned by the Department of Agriculture in contiguous counties, amusement attractions operating under the authority of a religious or educational organization, attractions with six or fewer kiddie rides, and attractions operating as nonprofit or charitable organizations before the effective date of this Act; amends KRS 247.232 to conform; EMERGENCY.

SB 60

AN ACT relating to public health and declaring an emergency.

Creates a new section of KRS Chapter 213 to provide, at a fee of \$35, for the issuance of a commemorative copy of a certificate of birth or certificate of marriage, with the fees collected to be deposited in a trust and agency account for the Emergency Medical Services for Children Program; provides that the Cabinet for Health Services may collect applications for 250 commemorative certificates before undertaking the costs associated with design and printing of the certificates; amends KRS 311A.045 to permit the Emergency Medical Services for Children Program to provide assistance with the purchase of equipment for the provision of medical services for children only, and to distribute funds based upon a matching grant system, not to exceed a grant of \$2,000 to an individual grantee; creates new sections of KRS Chapter 194A to define "bioterrorism," "commissioner," "department," "disaster location," and "emergency responder," and to implement a vaccination program for emergency responders who may

be exposed to infectious diseases when deployed to a disaster location; amends KRS 200.664 and KRS 200.658, relating to the Kentucky Early Intervention System, to develop outcome measures and require assessment and evaluation, and require parental agreement to accept responsibility for learning skills and participating in the child's plan; amends KRS 311A.195 to provide that any emergency medical technician and any paramedic shall be authorized to administer epinephrine for anaphylactic reactions in accordance with protocols established by the medical director of the ambulance service; EMERGENCY.

SB 63

AN ACT changing the classification of the City of Goshen, in Oldham County.

Reclassifies the City of Goshen, in Oldham County, population 907, from a city of the sixth class to a city of the fifth class.

SB 69

AN ACT relating to licensing massage therapists.

Creates new sections of KRS Chapter 309 to establish criteria and an oversight board for statewide licensure of massage therapists; requires board to annually offer to the public a directory of licensed massage therapists and their places of business; allows the board to promulgate administrative regulations to implement provisions of the law; specifies procedures that massage therapists shall not perform; exempts certain individuals from compliance with the law; allows currently practicing massage therapists who meet criteria plus 500 clock hours of education and training to be licensed; requires that, two years following the effective date of the law, applicants for licensure document 600 clock hours of education and training; requires 24 hours of continuing education every two years for license renewal; authorizes the Kentucky State Board of Proprietary Education, in conjunction with the board, to develop standards and criteria to license or award certificates of accreditation to institutions that train massage therapists; provides sanctions and legal recourse for violations of the law; terminates all local government ordinances regulating massage therapists; requires the board to make an annual report to the Governor and the General Assembly providing an account of duties performed and actions taken; and specifies that applicants for licensure complete a study that includes joint movement.

SB 71

AN ACT relating to administrative regulations.

Amends KRS 6.950, 6.955, 6.960, and 6.965 to delete references to administrative regulations when fiscal notes are required; amends KRS 13A.190 to require an administrative body that is filing an emergency administrative regulation that will be replaced by an ordinary administrative regulation to file the ordinary administrative regulation and the emergency administrative regulation at the same time; amends KRS 13A.210 to require administrative bodies to use any number of tiers that will solve most efficiently and effectively the problem the administrative regulation addresses and to specify the format and material to be included in the tiering statement; amends KRS 13A.220 to clarify formatting requirements, specify headings for administrative

regulations, and conform to other changes; amends KRS 13A.230 to cross-reference applicable statutes and require completion of a fiscal note, rather than a local mandate statement; amends KRS 13A.250 to specify the format of the required fiscal note; amends KRS 13A.270 to require an administrative body to accept written comments on proposed administrative regulations for 30 days following the publication of the administrative regulation in the Administrative Register, to require an administrative body to provide a form to be completed and filed by a person who wishes to be notified that the administrative body has filed an administrative regulation, and to require the administrative body to mail, within five working days of filing with LRC, a copy of the administrative regulation and other required documents to each person who submitted the form; amends KRS 13A.280 to establish the deadlines for filing a statement of consideration and require that a statement of consideration be filed at least 15 workdays, rather than 10 workdays, prior to a meeting of the subcommittee; amends KRS 13A.290 and 158.6471 to require review of an administrative regulation within 60 days, rather than 45 days, of receipt of a statement of consideration and to specify that a second committee is authorized, rather than required, to meet within 30 days following referral of the administrative regulation; amends KRS 13A.300, relating to deferral of administrative regulations, to delete superfluous language; amends KRS 13A.320 to require amendments to identify the clause or subclause being amended; amends KRS 194B.050 to delete the requirement for an attorney signature; amends KRS 199.420 to delete language regarding the effective dates of administrative regulations that conflicted with KRS Chapter 13A; amends KRS 13A.050, 13A.080, and 13A.125 to conform; repeals KRS 13A.015, 13A.016, and 13A.017, removing the notice of intent requirement for promulgation of an administrative regulation; establishes noncodified language to provide that a person who previously filed the form required by KRS 13A.015(4) shall be deemed to have fulfilled the new requirement and to establish expiration dates for notices of intent and emergency administrative regulations filed prior to the Act's effective date.

SB 74

AN ACT relating to the Kentucky State Corrections Commission.

Repeals, reenacts, and amends KRS 196.081, relating to the creation of the Kentucky State Corrections Commission, to reflect new membership and purpose; creates a new section of KRS Chapter 196 to define the duties of the commission; amends KRS 196.705 to define the purpose of the commission; amends KRS 196.070 to direct the commissioner of the department of corrections to promulgate administrative regulations to implement KRS 196.700 to 196.735; amends KRS 196.710, 196.720, 196.735, 196.700, 196.010, 196.026, and 196.031 to conform; and confirms Executive Order 2002-1068 relating to the membership and purpose of the Kentucky State Corrections Commission.

SB 75

AN ACT relating to payment of alcoholic beverage license fees.

Amends KRS 243.380 to require that applications for alcoholic beverage licenses be accompanied by payment; requires that payment be by certified check, cash, postal or express money order, or any other method of payment approved in writing by both the Finance and Administration Cabinet and the Office of the State Treasurer.

SB 81

AN ACT relating to pesticide use and application.

Amends KRS 217B.170 to exempt handheld or backpack sprayers and ground-driven equipment that is propelled by hand from inspection under KRS 217B.160 and from the \$10 registration fee charged by the Department of Agriculture.

SB 85

AN ACT relating to the availability of postsecondary textbooks and instructional materials in accessible forms for students with disabilities.

Creates a new section of KRS Chapter 164 to require publishers to provide postsecondary instructional materials in an electronic format at no cost to postsecondary institutions for use by students with disabilities; requires that the electronic version maintain the structural integrity of the instructional material; sets forth procedures for requesting and sending electronic or alternative format instructional materials; permits the Council on Postsecondary Education to establish the State Repository for Alternative Format Instructional Materials, and sets forth its duties; permits a postsecondary institution to share alternative format instructional materials it creates with other entities for use by students with disabilities; permits the Council on Postsecondary Education to promulgate administrative regulations, and requires it to develop policies and procedures to ensure student access to appropriate instructional materials; requires students and institutions to provide certification that electronic and alternative versions of instructional material will be used in a manner in accordance with copyright law; specifies that a publisher is a place of public accommodation for the purposes of KRS 344.130, and that failure to comply with this section is subject to action for discrimination on the basis of disability under KRS 344.120; permits the Kentucky Department of Education to share electronic instructional materials with the state repository.

SB 88

AN ACT relating to breast cancer.

Amends KRS 214.554 to add the executive director of the Office of Women's Physical and Mental Health to the Breast Cancer Advisory Committee.

SB 91

AN ACT relating to economic development and declaring an emergency.

Amends KRS 154.24-090 and KRS 154.24-120 to allow the activation date set forth in an agreement to commence within two years after the date of the final resolution; amends various sections of KRS Chapter 148 to allow a theme restaurant destination attraction, which shall have capital costs in excess of \$5,000,000, a seating capacity of

450 guests of which a minimum of 50% shall not be residents of the Commonwealth, and business plans that indicate that the facility will be open a minimum of 300 days a year and offer live musical or theatrical entertainment during the majority of operating hours, to be eligible for financial incentives under the Tourism Development Act; amends KRS 148.855 to require the Office of the State Budget Director, the Finance and Administration Cabinet, and the Revenue Cabinet to report whether there is a projected net positive impact to a project and, if so, to certify to the authority the amount of state revenue expected; amends KRS 148.859 to allow an additional extension of up to 3 years to an approved company that is building an entertainment destination center and allow for an increase in the approved costs incurred by the company under certain conditions; EMERGENCY.

SB 92

AN ACT relating to special license plates.

Creates a Friends of the Zoo license plate for the Louisville Zoo; mandates that if the minimum 900 applications are not received within one year of the effective date of the act, all application fees are refunded and the statute is automatically repealed; repeals the following special plates established during the 2000 Regular Session and prior which have not received 900 applications: Active and Retired Professional Firefighters, Knights of Columbus, Marine Corps League, Agriculture, YMCA, Nurses, United States Olympic Committee, Youth Soccer, Unions, and the National Wild Turkey Federation; amends KRS 186.186 to conform.

SB 93

AN ACT relating to coal severance tax projects, declaring an emergency, and making an appropriation therefor.

Authorizes and appropriates money from the Local Government Economic Development Fund through the Coal County Development Office to the Carter County Fair Board to acquire property for a permanent fair location, to the Carter County School System to acquire soccer fields, to the City of Grayson for city pool repair, maintenance, and operations, to the Grahn Community Center Productions for an allowance, to the Grayson Little League for playing grounds, to the Olive Hill Little League, and to the Someday Outdoor Drama Production for an allowance; EMERGENCY.

SB 94

AN ACT relating to abuse of public trust.

Creates a new section of KRS Chapter 522, relating to abuse of public office, to create the crime of abuse of public trust; sets penalties; includes the punishment that the offender is disqualified from holding public office; provides that a public servant convicted under this section shall not be convicted for the same conduct under KRS 514.070; amends KRS 514.070 to provide that no person shall be convicted under KRS 514.070 if that person has also been convicted of a violation of Section 1 of this Act arising out of the same incident; repeals KRS 61.190.

SB 95

AN ACT relating to a pilot teacher internship program and declaring an emergency.

Creates a new section of KRS Chapter 161 to authorize the Education Professional Standards Board to conduct a two (2) year internship pilot program for new teachers between July 1, 2003 and June 30, 2006; requires the board to promulgate administrative regulations defining the program and implementing components; requires the board to report findings to the Interim Joint Committee on Education; permits the board to carry forward general funds to support second year interns; EMERGENCY.

SB 103

AN ACT relating to the reorganization of the Transportation Cabinet.

Amends KRS 12.020 and 174.020 to establish the Office of the Transportation Operations Center as a major organizational unit in the Transportation Cabinet; creates a new section of KRS Chapter 174 to define the duties of the executive director of the Office of the Transportation Operations Center; confirms Executive Order 2002-1192.

SB 107

AN ACT relating to requests for federal approval of changes to the Kentucky Medicaid program.

Creates a new section of KRS 205.510 to 205.630 to require the Cabinet for Health Services to provide a copy, summary, and statement of benefits of an application for waiver, waiver amendment, or plan amendment to the Interim Joint Committee on Health and Welfare and the Interim Joint Committee on Appropriations and Revenue concurrently with submitting the application for waiver, waiver amendment, or plan amendment to the federal government, and to require quarterly updates.

SB 109

AN ACT relating to boilers.

Amends KRS 236.060 to include boilers in certain apartments in KRS 236.005 to 236.150; amends 236.210 to remove certain persons from exemptions for licensing.

SB 114

AN ACT relating to qualifications for drug and alcohol counselors.

Amends KRS 309.083 and 309.084 to remove the requirement of a master's degree as a prerequisite for drug and alcohol counselor certification.

SB 120

AN ACT relating to insurance.

Creates new sections of Subtitle 17A of KRS Chapter 304 to establish minimum standards for self-insured employer-organized association groups; sets forth definitions for administrator, employer-organized association, commissioner, deceptive, governmental entity, insolvency, self-insured employer-organized association group, person, qualified actuary, service company, unfair, and agent; prohibits a person or entity from holding itself out as a self-insured employer-organized association group unless it

holds a certificate of filing from the commissioner; requires a proposed self-insured employer-organized association group to file an application for a certificate of filing with the commissioner and state information required to accompany the application; sets forth circumstances under which the commissioner may approve an application; requires a group applying for and holding a certificate of filing to have sufficient financial strength to pay all liabilities and to submit required documents demonstrating financial strength to the commissioner; requires the funds of a self-insured employer-organized association group to be invested only in securities or other investments permitted by Subtitle 7 of KRS Chapter 304; requires an agent of a self-insured employer-organized association group to be licensed as an agent with the life and health lines of authority and to comply with all continuing education and appointment procedures; permits the commissioner to examine the books and records of self-insured employer-organized association groups; sets forth provisions regarding termination of a certificate of filing for a self-insured employer-organized association group; states that each group shall be operated by a board of trustees and sets forth requirements and duties therefor; allows employers to join a self-insured employer-organized association group after the group has been issued a certificate of filing; permits individual members of a group to be subject to cancellation or termination; requires a self-insured employer-organized association to pay all health liabilities which are covered under the terms of the group's evidence of coverage; prohibits a trustee of a group from also being an employee, officer, or director of an administrator and vice versa; requires all self-insured employer-organized association groups to file a statement of financial condition with the commissioner; requires self-insured employer-organized association groups to file their rates, underwriting guidelines, and evidence of coverage with the commissioner; requires groups to establish contribution plans; requires every member of a self-insured employer-organized association group to receive written evidence of coverage containing terms, conditions, and exclusions, and setting forth a specific disclosure; allows the commissioner to suspend or revoke a certificate of filing under certain stated conditions; permits the commissioner to promulgate administrative regulations necessary for this Act; prohibits a person from making deceptive statements or omitting material facts in connection with solicitation for membership in a group; prohibits self-insured employer-organized groups from engaging in unfair claims settlement practices; allows the commissioner to suspend or revoke the certificate of filing of a self-insured employer-organized association group or impose a civil penalty of up to \$5,000, or both, for stated violations.

SB 121

AN ACT relating to alcoholic beverages.

Amends KRS 243.200 to permit a retail package or drink licensee under KRS 243.030 to transport distilled spirits and wine from the premises of a licensed wholesaler to the retail licensee's own premises; amends KRS 243.260 to permit a nonprofit organization holding a retail malt beverage license to obtain a distilled spirits and/or wine special temporary license for a period not to exceed ten days; requires that the temporary license be issued in conjunction with any public or private event.

SB 123

AN ACT relating to sentence credit for state prisoners.

Creates the Governmental Services Program; provides that an inmate participating in the sentence credit program receive half the wages of an inmate who is participating in the Governmental Services Program but not the sentence credit program; specifies offenders not eligible to be in the program; provides that state inmate labor shall not displace opportunities for other citizens in the areas of construction, building, or building maintenance.

SB 127

AN ACT relating to revolving funds of the Kentucky Infrastructure Authority.

Amends KRS 224A.111 to allow the wastewater revolving loan fund to be used for securing the issuance of bonds by the Kentucky Infrastructure Authority; amends KRS 224A.1115 to allow the water supply revolving loan fund to be used for securing the issuance of bonds by the authority; amends KRS 224A.165 to delete authorization to issue interim construction financing bonds and bonds having a final maturity greater than 3 years but allows bonds outstanding up to a maximum amount of \$500,000,000 rather than \$125,000,000.

SB 130

AN ACT relating to student financial assistance.

Amends KRS 164A.240, relating to the Kentucky Higher Education Student Loan Corporation (KHESLC), to change the definitions of “eligible borrower,” “eligible institution,” and eligible lender” to include any individual or entity approved by the corporation, and the definition of “insured student loan” or “student loan” to include any educational loan; grants KHESLC the authority to cause educational loans to be made as well as to make loans; exempts the bonds or notes issued by KHESLC from KRS 164A.080(3), which requires prior approval of the General Assembly for the issuance of bonds insured for less than 95% of the repayment amount; exempts the bonds or notes issued by KHESLC from the provisions of KRS 164A.160, which requires KHESLC to make a formal budget request to restore depleted reserve or replacement funds; permits the co-mingling of the proceeds of bonds or notes for insured and uninsured student loans; expands the definition of maximum permitted loan amount; stipulates that a student borrower under the age of 18 has all of the rights and responsibilities of an adult borrower; requires the KHESLC to establish interest rates and other terms and conditions in a manner it determines to be financially sound; exempts loans issued by the KHESLC from other Kentucky statutes governing interest rates; stipulates that loans made by the KHESLC are governed by Kentucky law; amends KRS 164A.160 to limit the provision requiring executive branch notification of the monetary deficiency of a bond or note contract to those bonds or notes issued prior to January 1, 2003.

SB 132

AN ACT relating to school buses and declaring an emergency.

Amend KRS 189.550 to increase the stopping distance for school buses at railroad crossings to a range of fifteen to fifty feet from the nearest track and permit a bus driver

to slowly roll forward past the required stopping distance at a railroad crossing in the event of limited visibility; and authorize the commissioner of education, to approve five disaster days for a school district that has been closed at least ten days, notwithstanding any other statute or administrative regulation to the contrary; EMERGENCY.

SB 133

AN ACT relating to interlocal cooperation agreements.

Amends KRS 65.230 to include a county or independent school district within the definition of "public agency" for purposes of entering into interlocal agreements; creates the Task Force on Inter-County Cooperation; designates members and appointing authorities; designates August 1, 2003 as report date for task force; allows LRC to alternatively assign study to interim committee or subcommittee and designates study completion date.

SB 134

AN ACT relating to school council members.

Amends KRS 160.345 to remove redundant language related to the time period for completing the required training for school council members; permits experienced school council members to participate in new member training to fulfill their training requirements.

SB 137

AN ACT relating to counties dealing with public indebtedness.

Amends KRS 66.310, relating to issuance and approval of county bonds, to provide a KRS Chapter 13B hearing, to provide interested parties and taxpayers an appeal of the state local debt officer's decision to approve bonds to the Circuit Court of the county proposing to issue the bonds, to provide counties an appeal of the state local debt officer's decision to disapprove the bonds to the Franklin Circuit Court, and to remove review by the County Debt Commission; amends KRS 11.400 to remove reference to the County Debt Commission; amends KRS 66.990 to conform; and repeals KRS 66.300, relating to the creation of the County Debt Commission.

SB 138

AN ACT relating to the records of the Public Service Commission.

Amends KRS 278.360 to permit the Public Service Commission make a formal record of its proceedings in videotape or other format in accordance with the Kentucky rules of Civil Procedure; deletes the requirement for a stenographic transcript of all formal proceedings; permits a party to request a stenographic transcript of any proceeding; and provides that the commission shall not deny the request except for good cause shown.

SB 145

AN ACT relating to Medicaid and declaring an emergency.

Amends KRS 205.6312 to remove the exemption of prepaid health plan programs, such as health maintenance organizations, from the Medicaid copayment requirements; EMERGENCY.

SB 146

AN ACT relating to the Public Service Commission.

Creates a new section of KRS Chapter 278 to define NESC as the National Electric Safety Code; requires electric utilities to construct and maintain plant and facilities in accordance with accepted engineering practices and the most recent edition of the NESC; and exempts facilities constructed in accordance with earlier editions of the electric code.

SB 152

AN ACT relating to the qualifications of members of education governing boards and declaring an emergency.

Amends KRS 156.040 to clarify the specific qualifications for members of the Kentucky Board of Education; deletes the reference to the same qualifications of local school board members; amends KRS 164.321 to require that a member of the board of regents of a regional university or KCTCS shall lose his or her eligibility to serve if he or she assumes residency outside the 50 United States; EMERGENCY.

SB 153

AN ACT relating to insurance.

Amends KRS 304.14-230 and KRS 304.14-240 to allow insurance policies to be delivered electronically upon agreement of the insurer and the insured.

SB 154

AN ACT relating to the elementary school curriculum.

Creates a new section of KRS Chapter 158 to establish the General Assembly's finding that integration of the arts and foreign languages into the school curriculum benefits students by increasing their motivation to learn, improving attendance, fostering multicultural understanding, and developing neurological cognitive potential through higher order thinking skills, creativity, and problem solving; creates a new section of KRS Chapter 158 to require the Department of Education to establish a program that promotes the integration of the arts and foreign languages into the elementary school program by awarding a grant to at least one school per region under specified criteria; and requires the Department of Education to report annually by July 1 of each year on the implementation of the program to the Governor and the Legislative Research Commission.

SB 156

An ACT relating to school records concerning missing children.

Amends KRS 17.470 to require the Kentucky State Police to provide the state registrar of vital statistics and the commissioner of education with information on missing and recovered children; amends KRS 156.495 to require the Department of Education to distribute weekly to public and private schools the names of all missing and recovered children and require a school to notify the Kentucky State Police or local law enforcement of contact with a missing child; and amends KRS 158.032 to require that a school notify the Kentucky State Police or local law enforcement of a request for school records of a missing child and noncompliance of proof of a child's identity by a person enrolling the student in school.

SB 157

AN ACT relating to commerce.

Creates new sections of KRS Chapter 367 to create definitions regarding mail order contact lens sales; requires that certain information be included on a contact lens prescription; establishes parameters regarding an expiration date for contact lens prescriptions; requires verification of contact lens prescriptions; establishes when a contact lens fitting is complete and when a prescription may be written; requires sellers outside of the state who sell, mail, or deliver contact lenses to a patient at a Kentucky address to register with the Attorney General and to possess a valid contact lens prescription for the patient; requires all mail order contact lens sellers located outside of the state that sell contact lenses to Kentucky residents to annually disclose and to certify certain information to the Attorney General when they register; requires the Attorney General to charge a fee for investigation and registration of non-resident dispensers of contact lenses; authorizes the Attorney General to promulgate administrative regulations; permits an administrative hearing and an appeal in accordance with KRS Chapter 13B; creates a penalty in an amount not to exceed \$5,000 for violations of Sections 1 to 11 of this Act.

SB 161

AN ACT relating to absentee ballots.

Amends KRS 117.087 to require the counting of absentee ballots to begin at 10 a.m. on election day; prohibits disclosure of results of absentee voting prior to 6 p.m. on election day

SB 162

AN ACT relating to chemical weapons materials disposal

Amends KRS 224.50-130 to provide that no permit to treat or destroy a live chemical agent be granted as a research, development, or demonstration project except for a pilot scale operation and provides that permits only be issued if the application includes documentation from the host county that infrastructure requirements in the emergency plan will be provided and that funding will be provided for costs of a community liaison for community relations, for emergency planning, for community oversight of construction, operation, and closure of the facility, and for an emergency response plan.

SB 164

AN ACT relating to controlled burns.

Amends KRS 149.400 to allow a controlled burn on land leased or managed by a state agency under a written agreement with the land owner; allows other governmental agencies to apply for written approval from the Division of Forestry to conduct controlled burns.

SB 165

AN ACT relating to the public availability of mine maps.

Amends KRS 131.190 to permit the Revenue Cabinet to make available to the public mine maps or portions of mine maps submitted by taxpayers beginning with the 1989 tax year and provides disclosure that the maps should not be relied upon to determine actual boundaries of mined-out parcel areas; and amends KRS 352.480 to permit any person to duplicate any mine map on file with the Department of Mines and Minerals and to permit the department to make available to the public, mine maps or portions of mine maps submitted by a licensee or operator; deletes the requirement that the commissioner of Mines and Minerals require a map of an active mine be filed with the department when a landowner alleges the operation is encroaching on the landowner's property; requires a certified copy of a final mine map be filed with the commissioner when any underground mine is worked out or is about to be abandoned or closed; and deletes the requirement to file a duplicate mine map when a person is planning to open or reopen a mine.

SB 168

AN ACT relating to human service delivery program and declaring an emergency.

Amends KRS 281.873 to establish criteria for requiring an escort for a person receiving human service transportation delivery services; defines "qualified mental health professional"; adds qualified mental health professional to the list of health care providers who are authorized to recommend the level of eligibility for a person receiving human service transportation delivery program services; establishes conditions under which the transportation providers are required to provide escorts; provides criteria to be used by the health care provider in recommending that a person be transported with an escort; specifies conditions under which the transportation provider may accompany a person to and from the vehicle; establishes requirements for securing the safety of persons left in the vehicle while the driver accompanies another person to and from the vehicle; requires an escort for persons under the age of 13; establishes conditions under which the transportation provider shall be required to have at least one escort per vehicle; requires any state agency that has been appointed as the guardian of a person receiving transportation services to ensure that an escort is provided by the transportation provider if an escort is required under the provisions of the Act; and prohibits transportation providers from charging a fare to a parent, guardian or designee accompanying a minor; EMERGENCY.

SB 179

AN ACT relating to reorganization.

Amends KRS 12.020 and KRS 151B.020 to transfer the State Board for Proprietary Education from the Cabinet for Workforce Development to the Finance and Administration Cabinet; amends KRS 165A.340 to attach the board to the Division of Occupations and Professions; specifies that the director of the division serves as executive director of the board; deletes authority for the board to employ staff; alters the composition of the board to include three representatives of privately-owned educational institutions, three representatives of technical schools, and five representatives of the public at large; confirms Executive Order 2002-904.

SB 192

AN ACT relating to publication of candidates' names.

Repeals KRS 118.235 and 118A.120, relating to publication of candidates' names; amends KRS 118.255 to conform.

SB 193

AN ACT relating to reorganization.

Confirms Executive Order 2002-903, dated July 30, 2002, to create a new section of KRS 151B to establish the Kentucky Technical Education Personnel Board within the Cabinet for Workforce Development; sets its membership and duties; creates a new Section of KRS 151B to require the Department for Technical Education to have management and control of the state-operated secondary area vocational education and technology centers and all programs and services operated by those centers; amends KRS 12.020 to conform; removes the State Board for Adult and Technical Education from within the Cabinet for Workforce Development; assigns all duties and responsibilities associated with the State Board for Adult and Technical Education to the newly created Kentucky Technical Education Personnel Board; provides that two members of the Kentucky Technical Education Personnel Board are to be elected by teachers employed by the Department for Technical Education's Area Technology Centers and three members are to be appointed by the Governor; provides that the terms of the members be limited to four years and end on June 30th of the fourth year; provides for the filling of vacancies on the board; provides that election of the teacher representative be conducted by a written ballot, Internet balloting, intranet balloting, or electronic mail; allows teacher candidates to be present when the ballots are tallied; requires all votes cast to be tallied by an independent entity; allows for representatives of both parties in a grievance procedure to be present at each step of the process; amends various sections of KRS Chapters 151B, 156, and 161 to conform.

SB 195

AN ACT relating to the practice of medicine and osteopathy.

Amends KRS 311.565 relating to the practice of medicine and osteopathy to provide for criminal background checks by the Board of Medical Licensure.

SB 213

AN ACT relating to bill drafting and other legislative records.

Creates a new section of KRS Chapter 7 to provide immunity from disclosure of bill drafting information for current and former legislators, Legislative Research Commission staff, and General Assembly staff; provides that the immunity provisions shall not apply to a criminal court proceeding in which a member of General Assembly, or a member of the legislative staff is the subject of the proceeding, and a subpoena has been issued for the information; identifies public records of the legislative branch and establishes a process for distribution of those records; provides for review of decisions relating to other documents by the Legislative Research Commission, and appeal to the Franklin Circuit Court.

SB 219

AN ACT relating to legislative involvement in litigation.

Amend KRS 418.075 to prohibit legislators and legislative organizations from being made parties to any lawsuit challenging the constitutionality or validity of statutes or regulations, without their consent.

SB 221

AN ACT relating to governmental actions, and declaring an emergency.

Amends KRS 6.905 (Program Review and Investigations Committee), to provide for the election of co-chairs, joint responsibilities of the co-chairs regarding meetings, a quorum consisting of the majority of the entire committee membership, requirement for committee actions to be taken by vote of a majority of its entire membership, and the appointment of certain members from the interim joint committee of relevant jurisdiction when a study is instituted; amends KRS 6.940 (Medicaid Managed Care Oversight Advisory Committee), KRS 158.647 (Education Assessment and Accountability Review Subcommittee), and KRS 248.723 (Tobacco Settlement Agreement fund Oversight Committee) to provide for the appointment of majority members by the President of the Senate and the Speaker of the House and minority party members by the Minority Floor Leaders in each chamber, the election of co-chairs, joint responsibilities of the co-chairs regarding meetings, a quorum consisting of a constitutional majority, and the requirement for committee actions to be taken by a vote of a majority of its entire membership; amends KRS 13A.020 (Administrative Regulation Review Subcommittee), KRS 45.790 (Capital Projects and Bond Oversight Committee), and KRS 45A.705 (Government Contract Review Committee) to provide for an increase in membership from 7 to 8, the appointment of majority members by the President of the Senate and the Speaker of the House and minority party members by the Minority Floor Leaders in each chamber, the election of co-chairs, joint responsibilities of the co-chairs regarding meetings, a quorum consisting of a constitutional majority, and the requirement for committee actions to be taken by a vote of a majority of its entire membership; amends KRS 7A.110 (Capital Planning Advisory Board) to provide for an increase in membership from 15 to 16, the designation of co-chairs by the President of the Senate and the Speaker of the House, the appointment of one at-large public member each by the President of the Senate and the speaker of the House, joint responsibilities of the co-chairs regarding meetings, a quorum

consisting of a constitutional majority, and the requirement for committee actions to be taken by a vote of a majority of its entire membership; amends KRS 7B.030 (Kentucky Long-Term Policy Research Center Board) to provide for the appointment of majority members by the President of the Senate and the Speaker of the House and minority party members by the Minority Floor Leaders in each chamber, removal of requirement for House and Senate confirmation of legislative appointments, a quorum consisting of a constitutional majority, and the requirement for committee actions to be taken by a vote of a majority of its entire membership; creates a new section of KRS Chapter 7 to establish the meeting schedule for interim joint committees of the Legislative Research Commission; permits the Commission, by an affirmative vote of a majority of its membership, to alter the beginning and concluding dates of the interim, authorize any additional meeting of any interim joint committee, or disapprove any meeting of any interim joint committee; provides for joint responsibilities of the co-chairs of interim joint committees regarding meetings; permits each co-chair, if they cannot agree on convening a monthly meeting, to convene a meeting of the interim joint committee members who are members of the co-chair's chamber, with the agreement of the presiding officer of the co-chair's chamber; limits such meetings to three by each co-chair in a calendar year; defines "interim joint committees"; amends KRS 7.090 (Legislative Research Commission) to require that any vacancy on the Commission be filled by the remaining members who are of the same chamber membership and political party affiliation as the person having vacated Commission membership; directs that any action of the Commission require an affirmative roll call vote of a majority of the Commission's entire membership; permits the pre-filing of a Senate bill by an interim joint committee if it receives the affirmative votes of a majority of the Senate members of the committee; permits the pre-filing of a House of Representatives bill by an interim joint committee if it receives the affirmative votes of a majority of the House members on the committee; prohibits an interim joint committee from pre-filing a bill in any other manner; authorizes the President of the Senate and the Speaker of the House of Representatives to approve the in-state and out-of-state per diem and expenses for members of their respective chambers; repeals KRS 6.226, 6.227, 6.228, and 6.229 relating to the Legislative Compensation Commission, and KRS 13A.032 and 13A.333, relating to the effect of findings of deficiency and expiration of deficient regulations; EMERGENCY.

SCR 17

Creates a legislative task force on services and supports to individuals with acquired brain injuries; requires recommendations for accurate assessment of the incidence of acquired brain injuries, changes to administrative regulations, and strategies to develop inpatient services, decriminalization, and increased education and employment services; specifies membership; requires report to the Legislative Research Commission by January 15, 2004.

SJR 18

Petitions the United States Congress to propose an amendment to the Constitution of the United States, for submission to the several States, to allow the people of the

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United States and the several States the freedom to exercise their religion in public places.

SCR 61

Urges the Cabinet for Health Services to continue support for the administration of the HIV/AIDS Advisory Council and to implement wherever possible the Council's recommendations.

HOUSE BILLS

HB 15

AN ACT relating to public safety vehicles.

Amends KRS 189.930 to require motorists to slow down and yield when approaching a stationary public safety vehicle along the side of a road when the public safety vehicle's warning lights are flashing.

HB 18

AN ACT relating to vehicle emissions.

Amends KRS 224.20-720 to require officially registered vehicles in northern Kentucky to be tested every two years rather than every year for compliance with vehicle emissions control requirements.

HB 24

AN ACT relating to the Underground Railroad.

Creates new sections of KRS Chapter 171 to establish the Underground Railroad Advisory Council within the Kentucky African-American Heritage Commission and set its members, duties and terms; amends KRS 171.805 to conform; creates a new section of KRS Chapter 12 to establish the purpose of the Education, Arts, and Humanities Cabinet and duties of the secretary as they relate to the Underground Railroad initiative.

HB 36

AN ACT relating to abducted children.

Creates a new section of KRS Chapter 16 to require the Kentucky State Police to implement an Amber alert system to broadcast information relating to abductions of children; specifies conditions under which broadcasts shall be activated; requires cooperation of law enforcement agencies, the Kentucky Broadcasters Association and the Kentucky Press Association; requires alerts to be authorized by the State Police; requires the system to be operated within existing appropriations.

HB 40

AN ACT relating to student financial aid.

Deletes references in KRS 164.573, 164.769, 164.785, 164.7874, and 164A.240 that prohibit the use of student financial aid funds, including Kentucky Education Excellence Scholarship funds, for students who plan to major in theology, divinity, or religious education, but prohibits the use of Kentucky student financial aid funds in postsecondary institutions that are solely sectarian institutions.

HB 43

AN ACT relating to information technology systems.

Amends KRS 7A.010 and KRS 45.750 to provide a statutory definition for "information technology system".

HB 49

AN ACT relating to college preparatory educational programs.

Amends KRS 164.002 to delete chapter definitions for the words “board,” “department,” “international baccalaureate,” “Kentucky Virtual High School,” and “Kentucky Virtual University,” which are either unnecessary, in conflict with existing definitions, or incorrect.

HB 54

AN ACT relating to reorganization.

Confirms Executive Order 2002-759, dated July 1, 2002, transferring ownership and management responsibility of facilities in Ashland, Jackson, Louisville, Owensboro and Richmond from the Cabinet for Families and Children to the Department of Facilities Management in the Finance and Administration Cabinet, including twelve positions and equipment.

HB 56

AN ACT relating to mayoral candidates.

Amends KRS 83A.170 to provide that if there is a tie vote in a mayoral nomination election the names of all three candidates shall be placed on the ballot.

HB 63

AN ACT relating to traffic safety matters.

Creates a new section of KRS 186.400 to 186.640 to allow the holder of a Kentucky operator’s license or any person who has been a Kentucky resident for at least five years whose driving privileges have been suspended in another state to obtain or renew an operator’s license if the suspension is for an offense other than a felony traffic offense or habitual violator offense and the offense is more than five years old; specifies that the license be stamped “VALID IN KENTUCKY ONLY”; requires applicants of such licenses to apply to the Transportation Cabinet field office rather than the county clerk, requires recipients of such licenses to sign a form stating that they understand they may be subject to arrest if stopped in another state while driving on the “Kentucky Only” license; requires the holder of such a license whose driving privileges are restored to go to the circuit clerk to receive a new license; prohibits circuit clerks from issuing or renewing a license to any person whose license has been suspended in another state for any offense less than five years old; requires that all offenses less than five years old be resolved before an operator’s license may be issued; exempts CDLs from provisions of the Act; amends KRS 186.570, regarding suspension of an operator’s license, to prohibit the Transportation Cabinet from suspending the license of a Kentucky resident for an out-of-state offense, other than a felony traffic offense or habitual violator offense, if the offense is more than five years old and if the license holder complies with Section 1 of the Act; excludes CDLs from the suspension provisions; amends KRS 186.440 to conform; creates a new section of KRS Chapter 434 to criminalize the act of fraudulently installing an airbag and set penalty at a fine of up to \$5,000 and up to 12 months in the county jail, or both.

HB 64

AN ACT relating to the United States Selective Service System.

Creates a new section of KRS Chapter 186 to provide that, for a male age 18 to 26, an application for an operator's license, a commercial driver's license, or a nondriver identification card shall constitute registration with the federal Selective Service System; requires the Transportation Cabinet to submit personal information electronically to the Selective Service System, with the appropriate notation if the applicant declines automatic registration; requires that a notice concerning registration be placed on applications for licenses or identification cards.

HB 68

AN ACT relating to medical licensure, and declaring an emergency.

Creates a new section of KRS 311 to specify an exemption from liability for actions or information relating to the impaired physician program of the Board of Medical Licensure; EMERGENCY.

HB 73

AN ACT relating to the employees of an urban-county adult misdemeanor probation and work release agency.

Amends KRS 439.550 to require employees of urban-county adult misdemeanor probation and work release agencies to be classified civil service employees.

HB 95

AN ACT relating to health insurance for public employees.

Permits an employee covered by the state health insurance group to select coverage in a county adjacent to his county of residence if neither his home county nor work county has a hospital that provides certain services and the county adjacent to his county of residence has a hospital with those services.

HB 99

AN ACT relating to an advance directive for mental health treatment.

Creates new sections of KRS 202A to establish an advance directive for mental health treatment; defines the terms "advance directive for mental health treatment," "grantor," "surrogate," and "procedures for emergency intervention"; permits an adult to execute an advance directive including a refusal of specific psychotropic medications, a refusal of electric shock therapy, a preference for psychotropic medications, a preference for emergency interventions, and the provision of other information; requires that an advance directive be signed by the grantor and 2 adult witnesses or acknowledged by a notary public or other person authorized to administer oaths; prohibits witnesses from being the grantor's current health care provider, relative of a current health care provider, or an owner, operator, employee, or relative of an owner or operator of a health facility where the grantor is a patient; prohibits an advance directive from overriding federal and state rights to refuse treatment; requires an advance directive to follow accepted legal medical practices; requires the grantor or surrogate to provide a copy of the advance directive to a health care provider or facility; requires an advance directive to be honored

by any provider or facility that is required to respect advance directives under federal law except that an advance directive for mental health treatment is not required to be honored in a hospital emergency room; requires a surrogate to make health care decisions in accordance with the grantor's advance directive; requires a surrogate to consider the recommendations of the health care provider; permits a surrogate to resign at any time with written notice; requires a health care provider and facility to comply with the advance directive to the fullest extent possible and only override the advance directive under a court order or in an emergency endangering life or physical health; requires a health care provider and facility that refuses to comply with the advance directive to notify the grantor and surrogate of the refusal and not impede the transfer of the grantor to another provider or facility; requires deviations in an advance directive be documented; permits an advance directive to be revoked by the grantor in writing, orally, or by destruction; requires the advance directive to be substantially in the included form; creates the short title the "Kentucky Advance Directive for Mental Health Act".

HB 107

AN ACT relating to local taxation.

Creates various new sections of KRS Chapter 67 to provide for uniform definitions and administration of the occupational license tax and net profits tax; amends KRS 68.180, 68.197, and 91.200 to conform.

HB 109

AN ACT relating to police merit boards in a consolidated local government and declaring an emergency.

Amends KRS 67C.301 to remove "examiner" from the definition of Secretary and clarifies definition of "officers"; amends KRS 67C.305 to expand the police merit board of a consolidated local government from 4 to 5 persons, clarifies terms of office of board members, prohibits more than 3 board members from being of the same political party, permits only "officers" to elect those officers who serve on the merit board for disciplinary cases, and clarifies types of officers who serve on the board; amends KRS 67C.307 to define quorum for nondisciplinary board actions; amends KRS 67C.309 to require approval of the mayor for the employment of a board secretary and clarifies the duties of such office; amends 67C.313 to delete authority of chief to determine the fitness of an officer to serve; amends 67C.315 to require protection of seniority in grade for chief, assistant chief, or officers above the rank of captain if returning to a position with the same classification and rank held prior to promotion; amends 67C.317 to clarify that officers may not be on duty or in uniform when participating in political activities and clarifies prohibited actions relating to political activities; amends 67C.319 to clarify officers who are covered by act, includes additional mental health exams as permissible for employment purposes, requires approval of the mayor for the employment of a chief examiner, and clarifies the duties of the position; requires seniority to be considered for employment purposes; requires test results to be confidential; establishes notification and review process regarding exam results, permits exam results to be available to the applicant upon written request, and requires board to justify not promoting candidates with higher evaluated ratings; amends 67C.321 to include demotion as a permissible

disciplinary action of a non-probationary officer and reduces from 60 to 30 the number of days officers may be removed or suspended; amends 67C.323 to provide appeal process for suspension of non-probationary officers of less than 40 hours as prescribed; requires appeals of demotions, dismissals, or suspensions of 40 hours or more for non-probationary officers to be heard by the full board; amends 67C.325 to delete language which would reinstate officer if hearing not given within 60 days of being charged; amends 67C.327 to clarify that promotional lists of the previously existing city and county shall remain in effect for up to two years. EMERGENCY.

HB 115

AN ACT relating to electrical workers.

Establishes KRS Chapter 227A to require statewide licensure of electrical contractors, electricians, and master electricians; authorizes the Kentucky Department of Housing, Buildings and Construction as oversight agency; supersedes all local ordinances and regulations relating to electrical contractors, electricians, and master electricians; permits an existing local licensing program or local government entity seeking to establish a licensing program to apply to the department to become a statewide agent to issue and renew licenses; expands duties of the Kentucky Electrical Advisory Committee; requires an additional member who is engaged in the business of electrical contracting and who employs no more than five full-time employees be appointed to the committee; allows the department to grant licenses by reciprocity to individuals from other states whose credentials are comparable to those required for licensure in Kentucky; permits the grand fathering of individuals currently engaged in the work of an electrical contractor, electrician or master electrician who can verify appropriate years of experience in their respective areas until July 15, 2004; requires an electrical contractor who is not a master electrician to employ a full-time master electrician; precludes a city, county, or the state from issuing a construction permit unless the applicant has proof of licensure in accordance with this law; includes exemptions from this law; establishes penalties and sanctions for violations; and permits an aggrieved party to bring an action against the department in the Circuit Court of Franklin County.

HB 117

AN ACT relating to war memorial commissions.

Amends KRS 97.630 to change the term of appointment for war memorial commission members from 7 to 3 years for commissions in cities of the 2nd-6th classes.

HB 124

AN ACT relating to motor carrier dimension limits.

Amends KRS 189.222, regarding motor carrier dimension limits, to allow 102-inch-wide trailers to travel on any state highway for up to 15 miles from an interstate or parkway; amends KRS 189.270, regarding special overweight and overdimensional permits, to increase the maximum weight allowed under these permits to 160,000 pounds, remove restrictions on time and day of travel, except allow rush hour restrictions, and allow a permit holder to return to his place of business under a permit immediately after work at a job site is completed.

HB 132

AN ACT relating to the public good and declaring an emergency..

Amends KRS 65.260 to require interlocal agreements between special districts to be reviewed by the Department for Local Government; amends KRS 65.320 to create the County Official Training Advisory Council, establishes its membership, chairperson, and establishes compensation for members; amends KRS 81.060 to require the inclusion of the type of organizational structure of the municipal government being established and requires notification of the Department for Local Government of a municipal government's creation; amends KRS 83A.060 to allow ordinance summaries to be prepared under the supervision of a licensed attorney, amends KRS 147A.025 to allow the provision of training in years that have a general election of county officers; amends KRS 61.409 to define public servant as nonelected officers, appointees, and employees of local governments, prohibits local governments from requiring public servants to be registered voters or to live within the jurisdictional limits of the local government, permits a local government to establish required response times for emergency personnel living outside of the jurisdictional limits of the local government; amends KRS 11A.040 to permit employees of Fort Boonesborough State Park and Old Fort Harrod State Park who are juried craft persons to sell their craft items for resale in those state park gift shops; amends KRS 45A.340 to permit employees of Fort Boonesborough State Park and Old Fort Harrod State Park who are juried craft persons to sell their craft items for resale in those state park gift shops; amends KRS 164.335 to permanently prohibit any full-time employee of a regional university who is serving as a legislator upon the effective date of this Act to serve as the president of that university; amends KRS 164.321 to include the District of Columbia as a qualifying place of residency for appointees serving on the board of regents of the regional universities, removes the Council on Postsecondary Education as the entity responsible for determining the ineligibility of an appointee to serve; includes noncodified language to clarify the provisions of Section 2 of 2003 Ky. Acts Chapter 26 relating to the qualification of persons serving on the board of regents of a regional university to declare board seats vacant for persons serving on the board who are in violation of Section 10 on the effective date of this Act, and requires the Attorney General to file court action for enforcement of this provision; repeals KRS 15.335, 65.323, 65.327, 65.330, 65.333, 65.337, and 311.657; and includes noncodified language declaring an emergency for Sections 10 and 11 only; VETOED.

HB 136

AN ACT relating to independent candidates for office.

Creates a new section of KRS Chapter 118 to require a statement of candidacy form for independent candidates; establishes procedures for filing the form; requires the State Board of Elections to prescribe the form; amends KRS 118.365 to prohibit the acceptance of petitions of nomination for independent candidates, if a statement of candidacy form has not been filed.

HB 139

AN ACT relating to the sale of alcoholic beverages to minors.

Amends KRS 244.085 to delete language permitting minors to be on the premises of a facility selling alcoholic beverages if the facility has an inventory of at least \$5000 of food; clarifies that minors may remain at convenience stores, grocery stores, drug stores, or similar establishments.

HB 144

AN ACT relating to parking citation enforcement.

Amends KRS 82.600 relating to parking citation enforcement to include cities of all classes and a consolidated local government instead of cities of the first four classes or an urban-county government only.

HB 154

AN ACT relating to mobile telephone use.

Creates a new section of KRS Chapter 189 to prohibit a city, county, urban-county, charter county, special district, or consolidated local government from restricting the use of a mobile telephone in a motor vehicle.

HB 157

AN ACT relating to financial administration.

Creates a new section of KRS Chapter 45 to permit state agencies to accept the following additional methods of payment for deposit into the State Treasury: credit card, debit card, electronic check, automated clearinghouse debit or any other electronic payment method with prior approval of the Finance and Administration Cabinet and Office of State Treasurer; permits any fees charged by providers of the payment services to be considered normal operating expenses of the agency; allows agencies to collect convenience fees from users to supplement costs of delivering services.

HB 158

AN ACT relating to county finances.

Amends KRS 64.345 to direct the Office of the Controller to recognize approved office expenses of officers in counties containing a city of the first class, an urban county government, or a consolidated local government, and in counties of 70,000 or more as the official budgets of the offices; directs the Office of the Controller to use professional judgment in establishing the appropriate fund and account structure to ensure that the county office expenditures do not exceed available resources.

HB 163

AN ACT relating to access to justice programs.

Amends KRS 27A.630 to increase the filing fee for civil actions to provide additional funding for access to justice programs which provide free or reduced legal assistance to indigent civil litigants, with an amount not to exceed \$200,000 from the funds raised being appropriated to organizations that specialize in providing legal representation and services to children.

HB 181

AN ACT relating to the establishment of Organ Donor Awareness Week.

Creates a new section of KRS Chapter 2 to recognize the fourth week of April as Organ Donor Awareness Week and provide for activities during commemoration.

HB 183

AN ACT relating to mandated health insurance benefits.

Amends KRS 6.948 to define “mandated health benefit”; requires the sponsor of a bill that contains a mandated health benefit to request and have prepared and attached to the bill a financial impact statement before final consideration by a standing committee; requires a bill that does not have attached a financial impact statement as required to be retained in the orders of the day but passed over until the statement is attached; permits members by a majority vote to require preparation of a financial impact statement on any bill and any amendment in the orders of the day; requires a member proposing an amendment from the floor which contains a mandated health benefit to cause a financial impact statement to be prepared and attached to the amendment; provides that until a financial statement is prepared and attached to an amendment that contains a mandated health benefit, action on the amendment shall not be in order; requires the Department of Insurance to prepare financial impact statements; requires the sponsor to request the department as soon as practicable to prepare a financial impact statement; provides that if the request is made prior to the sponsor filing the measure, the department shall keep the measure confidential until the sponsor authorizes public distribution; directs the department to keep all financial impact statements and requests for statements confidential until the person requesting the statement authorizes public distribution; authorizes a majority of the members present at a meeting of a standing committee to request the Department of Insurance to prepare a financial impact statement; requires the financial impact statement to be in writing and signed by the commissioner or the commissioner’s designee; requires the financial impact statement to determine the extent to which the mandated health benefit will increase or decrease administrative expenses, the extent to which it will increase or decrease premiums, and the impact it will have on the total cost of health care in the Commonwealth; provides that if the sponsor requests the financial impact statement prior to filing the bill, the statement shall be completed as soon as possible but no later than 30 days after the request unless the sponsor and the department agree otherwise; requires the financial statement to be completed as soon as possible but no later than 30 days after the request by a sponsor of a measure before a standing committee or the chair of the standing committee; requires the financial impact statement to be completed as soon as possible after the request by a majority vote of the House or Senate or by the sponsor of a floor amendment.

HB 185

AN ACT relating to highway signage.

Requires the Transportation Cabinet to permit bed and breakfast establishments to be eligible for highway logo signs.

HB 194

AN ACT relating to services to individuals with mental illness, alcohol and other drug disorders, and dual diagnoses.

Amends KRS 210.502 to add specified members to the Kentucky Commission on Services and Supports for Individuals with Mental Illness, Alcohol and Other Drug Abuse Disorders, and Dual Diagnoses; specifies terms of membership; amends KRS 210.504 to permit commission to establish work groups, clarifies duties, includes strategies to increase public awareness and reduce stigma associated with mental illness and substance abuse disorders; requires a two-year workplan for the commission; deletes the sunset clause; amends KRS 210.506 to specify participation on regional planning councils; amends KRS 210.509 to require councils to address regional barriers, workforce issues, community-based hospitalization, and housing options; requires councils to report on the use of flexible funding to the commission; requires recommendations each odd-numbered year; deletes the sunset clause and the requirement to recommend quality assurance programs; amends KRS 210.040 to require the Cabinet for Health Services to require quality assurance and improvement processes from all providers who receive public funds.

HB 206

AN ACT providing for a Kentucky National Guard and Reserve Employers' Council.

Creates new sections of KRS Chapter 40 to establish the Kentucky National Guard and Reserve Employers' Council; provides for membership and organization; provides that the mission shall be to advise employers in the importance of supporting the Guard and Reserves by furnishing time off for training and job security during times of mobilization.

HB 211

AN ACT relating to unclaimed property.

Amends KRS 393.010 to define "abandoned property fund" and to exempt from abandoned property wages and salaries of \$50 or less that are not claimed by an employer within 1 year of the date the wages or salaries are earned; amends KRS 393.110 to establish the procedure for advertising the annual report on abandoned property; amends KRS 393.160 to establish an appeal process regarding decisions on unclaimed property; amends KRS 393.250 to require expenses for administration of Chapter 393 to be paid out of the abandoned property fund; amends KRS 393.280 to permit the State Treasurer to promulgate administrative regulations and delegate duties of the program to any employee of the department; creates a new section of KRS Chapter 393 to provide that unclaimed property payable or distributable in the course of a demutualization of an insurance company is presumed abandoned the earlier of 3 years after the date of the last contact with the policy holder or the date the property became payable or distributable; amends KRS 393.020, 393.062, 393.064, 393.066, 393.080, and 393.010 to reduces from 7 to 3 years when property is presumed abandoned.

HB 219

AN ACT relating to motor vehicle dealers.

Prohibits car dealers from selling cars at any location unless the dealer has a license for the particular location; prohibits temporary car sales unless a local government has enacted an ordinance authorizing temporary sales.

HB 223

AN ACT relating to the Kentucky Community and Technical College System.

Amends KRS 164.005, relating to the Governor's Postsecondary Education Nominating Committee, to delete the provision requiring the nominations of members to the Kentucky Community and Technical College System (KCTCS) governing board by the University of Kentucky Board of Trustees; amends KRS 164.321 to delete references to nominations to the KCTCS board of regents and delete provision on the appointment of the initial board; amends KRS 164.350 to delete provisions that are no longer needed since the implementation of KCTCS has occurred and clarify duties of the board of regents; amends KRS 164.580 to delete provisions concerning the review of programs and award of degrees by the University of Kentucky and establish the degree programs at KCTCS; amends KRS 164.600 to broaden the board of directors for community colleges to also include a board for a community and technical college; amends KRS 164.602 and 164A. 575 to conform; and repeals KRS 164.581, 164.5815, 164.595 and 164.597.

HB 224

AN ACT relating to education and declaring an emergency.

Amends KRS 159.140 to permit the local district superintendent to waive the requirement that a director of pupil personnel serve full time in his or her position and report the decision to the commissioner of education; amends KRS 630.060 to conform; provides that time added to a school day by a school district or school during the 2002-2003 school year to make up school closures be calculated as equivalent time for both students instructional days and teachers and classified staff days; requires the equivalent time to be calculated as equivalent time to be applied toward retirement service credit under KRS 161.500 for certified staff and KRS 78.615 for classified staff; EMERGENCY.

HB 225

AN ACT relating to annuities.

Amends KRS 304.15-315 to provide that for any contract issued between July 1, 2003, and July 1, 2005, the interest rate at which net considerations, prior withdrawals, and partial surrenders shall be accumulated for the purpose of determining nonforfeiture amounts shall be no less than 1.5% per annum.

HB 234

AN ACT relating to traffic regulations.

Authorizes 102 inch recreational vehicles to travel on Kentucky's highways; allows an additional 6 inches for appurtenances; requires 102 inch recreational vehicles to comply with bridge limits.

HB 245

AN ACT relating to the titling of motor vehicles.

Authorizes Kentucky residents temporarily residing out-of-state to have vehicles they purchase in the other state inspected prior to bringing the vehicle back to Kentucky; establishes procedures for titling a custom built motorcycle and prohibits the Transportation Cabinet from classifying a custom built motorcycle as a salvage vehicle for titling purposes; requires the Cabinet to issue salvage titles within 15 days from the receipt of all necessary paperwork and not within 15 days from the loss or settlement of the loss.

HB 250

AN ACT relating to optometrists.

Amends KRS 320.321 and authorizes the board to appoint persons knowledgeable in the practice of optometry to investigate licensees or unlicensed individuals or entities engaged in the practice of optometry who are suspected of conduct which could require disciplinary or court action; authorizes the board to restrain and enjoin the practice of optometry by unlicensed individuals or entities engaged in the practice of optometry; and amends KRS 320.990 to include a fine up to \$5,000 per violation.

HB 252

AN ACT relating to education and declaring an emergency.

Amends KRS 161.133 and 161.134 to provide that the Education Professional Standards Board may decrease the rate of reimbursement toward the national board certification fee and other components if other sources of funds are being received for the same purpose; permits the board to limit the number of participants each application period based on the funds available; permits the board to prorate incentives when funds to support national board certification are limited; creates a new section of KRS Chapter 161 to provide that an applicant for emergency substitute teaching who has a bachelor's degree from an accredited institution shall be granted a certificate; amends KRS 164.530 to provide that the President of the Senate appoint three Senators with at least one from the minority party and the Speaker of the House of Representatives appoint three Representatives with at least one from the minority party to the SREB Legislative Advisory Council; provides that the President of the Senate appoint five members and the Speaker of the House appoint five members to the Legislative Work Conference that include the Legislative Advisory Council members from each chamber; EMERGENCY.

HB 267

AN ACT relating to reorganization.

Creates a new section of KRS Chapter 154 to establish, within the Cabinet for Economic Development, the Department for Regional Development; amends KRS 12.020 to conform; confirms Resolution 02-1 of the Kentucky Economic Development Partnership.

HB 268

AN ACT relating to licensing massage therapists.

Creates new sections of KRS Chapter 309 to establish criteria and an oversight board for statewide licensure of massage therapists; requires board to annually offer to the public a directory of licensed massage therapists and their places of business; allows the board to promulgate administrative regulations to implement provisions of the law; specifies procedures that massage therapists shall not perform; exempts certain individuals from compliance with the law; allows currently practicing massage therapists who meet criteria plus 500 clock hours of education and training to be licensed; requires that, two years following the effective date of the law, applicants for licensure document 600 clock hours of education and training; requires 24 hours of continuing education every two years for license renewal; authorizes the Kentucky State Board of Proprietary Education, in conjunction with the board, to develop standards and criteria to license or award certificates of accreditation to institutions that train massage therapists; provides sanctions and legal recourse for violations of the law; terminates all local government ordinances regulating massage therapists; requires the board to make an annual report to the Governor and the General Assembly providing an account of duties performed and actions taken; and specifies that applicants for licensure complete a study that includes joint mobilization.

HB 269

AN ACT relating to appropriations and revenue measures providing financing 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.

The State/Executive Branch Budget: appropriates for the 2002-2004 fiscal biennium from the General Fund, Road Fund, Restricted Funds, Federal Funds, Bond Funds, Agency Bonds, Capital Construction Surplus, Investment Income, and other funds, \$18,951,686,111 in FY 2002-03 and \$17,853,726,850 in FY 2003-04, as follows: Government Operations 2002-03 \$620,056,000, 2003-04 \$587,156,800; Economic Development 2002-03 \$18,441,900, 2003-04 \$31,142,800; Education 2002-03 \$3,365,805,100; 2003-04 \$3,464,695,500; Education, Arts, and Humanities 2002-03 \$228,188,500, 2003-04 \$246,439,000; Cabinet for Families and Children 2002-03 \$991,297,900, 2003-04 \$1,002,984,100; Finance and Administration 2002-03 \$429,382,300, 2003-04 \$431,279,600; Cabinet for Health Services 2002-03 \$4,094,443,500, 2003-04 \$4,139,991,700; Justice Cabinet 2002-03 \$637,016,400, 2003-04 \$650,115,100; Labor Cabinet 2002-03 \$304,330,400, 2003-04 \$307,295,700; Natural Resources and Environmental Protection 2002-03 \$170,974,600, 2003-04 \$177,215,700; Personnel Cabinet 2002-03 \$38,931,900, 2003-04 \$52,730,900; Postsecondary Education 2002-03 \$3,308,547,700, 2003-04 \$3,432,453,000; Public Protection and Regulation 2002-03 \$184,313,600, 2003-04 \$179,478,200; Revenue 2002-03 \$103,850,700, 2003-04 \$104,285,600; Tourism Development 2002-03 \$166,601,100, 2003-04 \$165,588,600; Transportation 2002-03 \$1,712,922,300, 2003-04 \$1,724,853,600; Workforce Development 2002-03 \$844,434,500, 2003-04 \$741,927,000; Budget Reserve Trust Fund 2002-03 \$5,087,400, 2003-04 \$20,421,800. Not included in the above appropriation

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amounts are capital project amounts as follows: Capital Projects 2002-03 \$1,727,060,311, 2003-04 \$393,671,750. Provides a raise of \$1,080 to all state employees except specified unclassified positions in FY 2003-04; ~~imposes a hiring freeze for all KRS Chapter 18A positions, except extraordinary circumstances and several specific departments (this provision was vetoed in accordance with veto item # 6)~~; requires a reduction of unclassified executive branch employees of 250 by December 2003; ~~prohibits appointment of a KRS Chapter 18A unclassified employee to a KRS Chapter 18A classified position unless the employee has reversion rights or is a career employee (this provision was vetoed in accordance with veto item # 4)~~; requires a reduction in expenditures on Personal Service Contracts and Memoranda of Agreement by \$100,000,000 from FY 2001-02 expenditures; permits employees of state government to be temporarily furloughed; reduces state vehicles assigned to agencies by 500 more than required by Executive Order 2002-1334; provides that for FY 2002-03, unclaimed lottery prize money in excess of \$6,000,000, but limited to no more than \$3,300,000, shall be transferred to the Affordable Housing Trust Fund; provides that any amount in excess of \$9,300,000 shall be credited to the KEES Reserve Account and carried forward into FY 2003-04; provides that for FY 2003-04, all unclaimed lottery prize money shall be credited to the KEES Program; provides that management savings initiatives contained in Executive Order 2002-1334 shall be continued in the budget, including a reduction of 1,000 employees, reductions in energy costs, vehicle usage, travel, printing costs, leasing costs, equipment purchases, and all other discretionary expenditures; provides that the Governor is not to expend more than 55% of Executive Branch appropriations during the first half of FY 2003-04; provides a pari-mutuel tax credit for horse racetracks with an average daily handle of \$1,200,000; provides that harness racetracks are not required to pay pari-mutuel tax on simulcast wagering; eliminates the cost-of-living increase for the General Assembly interim expense allowance in FY 2003-04; exempts Commonwealth's Attorneys, County Attorneys, and Kentucky Veterans Nursing Homes from the 2.6% operating reduction in FY 2002-03 and the flat-lining of the resulting appropriation into FY 2003-04; provides for the Lieutenant Governor to retain statutory duties, office staff, and a car, but does not provide funding for mansion support staff 30 days beyond budget adoption, executive security, or a residence for the next Lieutenant Governor; provides restricted funds support for the Washington D.C. office for 2.5 months of operations in FY 2004, totaling \$175,200; provides \$25,000,000 in Bond Funds for the Kentucky Pride Fund; provides a Water & Sewer Resources Development Fund for Tobacco Counties with \$54,800,000 in Bond Funds authorized with debt service provided from Tobacco Funds and future debt service to be provided from the General Fund; provides for a Water & Sewer Resources Development Fund for Coal Producing Counties with \$54,800,000 in Bond Funds authorized with debt service provided from Coal Severance Tax receipts; provides a total of \$18,400,000 in Federal Funds for construction of veterans' cemeteries in Northern Kentucky and Central Kentucky; provides \$1,600,000 from Tobacco Funds to allow an estimated 5% bonus for county extension agents in each year; provides \$1,100,000 for the state's matching requirements and up to \$1,000,000 as a necessary governmental expense towards meeting the maximum state match to receive Federal Funds for the Help America Vote Act; provides language that eliminates gubernatorial runoff primary elections; moves the KAPT program from the Treasury to KHEAA;

adopts language prohibiting any appropriation to slates of candidates out of the public campaign finance fund; permits slates of candidates to receive contributions within 28 days of any election; allows slates of candidates to retain funds received for the primary election in the General Elections; establishes campaign limits from permanent committees to not exceed 25% of the contributions received by the slate in any one election up to a maximum of \$300,000; provides \$2,000,000 in FY 2002-03 to support the Teacher Education Model Program to enhance teacher quality initiatives throughout the Commonwealth; provides \$200,000 in FY 2002-03 and \$3,000,000 in FY 2003-04 from the Finance Cabinet to the Affordable Housing Trust Fund ~~which is to be matched equally from the Kentucky Housing Corporation Housing Assistance Fund (this provision was vetoed in accordance with veto item # 1)~~; provides \$5,400,000 in FY 2002-03 and \$2,700,000 in FY 2003-2004 for base court revenues based on 50% of the average net court revenue earned by the city during FY 1973-74, 1974-75, and 1975-76; eliminates the transfer of \$1,430,000 to the General Fund from the Health and Welfare Fund of the Kentucky Racing Commission in both years of the biennium; provides \$500,000 in FY 2002-03 and \$1,000,000 in FY 2003-04 to the Revenue Cabinet for additional personnel and operating costs to enhance tax compliance efforts; ~~exempts the Revenue Cabinet from the hiring freeze (this provision was vetoed in accordance with veto item # 6)~~; sets juvenile detention subsidies to counties at \$94 per day per juvenile; sets the authorized strength of the State Police at its current level of 1,070 officers; provides FY 2003-04 salary enhancement of \$1,000 to state troopers, dispatchers, and bomb and arson investigators whose salaries are less than \$60,000 per year; provides funding to support 970 sworn officers each year; provides General Fund moneys to support educational services to state inmates; provides that the jail per diem to counties is reduced by \$1 per day from \$28.76 to \$27.76; provides additional General Fund moneys of \$3,500,000 in FY 2002-03 and \$5,000,000 in FY 2003-04 for the local jail program; allows inmates to earn sentence credit for work performed; provides \$14,700,000 to support one-time payments to local school districts in FY 2002-03 and clarifies that the appropriation is separate and in addition to the base guarantee for the SEEK program, and that the additional moneys shall not become part of the continuing base; provides approximately \$82,000,000 to increase the SEEK base per pupil from \$3,081 in FY 2002-03 to \$3,191 in FY 2003-04; provides \$3,000,000 to support the state equalization of an additional growth nickel levy for eligible local school districts in FY 2003-04; provides language requiring local school districts to authorize a cost-of-living adjustment totaling at least \$1,080, regardless of contract length, for all certified personnel in FY 2003-04; provides language that requires local school districts to authorize at least a 2.7% cost-of-living adjustment for all classified personnel in FY 2003-04; provides \$15,000,000 in FY 2002-03 and \$18,693,300 in FY 2003-04 to support the Technology Escrow Account, which supports local school technology efforts; provides a 1.4% General Fund cost-of-living adjustment in FY 2002-03 for eligible members of the Kentucky Teachers' Retirement System (KTRS); provides a 1.5% General Fund cost-of-living adjustment for eligible KTRS members in FY 2003-04; provides necessary debt service to support \$100,000,000 in bonding authority authorized by the 2000 General Assembly; utilizes debt service savings to provide an additional \$32,300,000 in new bonding authority to local school districts; establishes the Urgent Need School Trust Fund to support replacement or

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renovation of selected school facilities as determined by criteria developed by the Department of Education; provides debt service in the amount of \$2,313,100 in FY 2003-04 to support \$55,284,000 in Bond Funds to support this initiative; supports the replacement or renovation of "Category 5" school facilities as identified in the Kentucky Department of Education's Building Assessment document as of March 4, 2003; provides Restricted Funds debt service in the amount of \$2,290,000 in FY 2003-04 to support \$54,730,900 in Bond Funds to support this initiative; provides General Fund appropriations of \$1,107,000,000 in FY 2002-03 and \$1,168,000,000 in FY 2003-04 for the universities and community and technical colleges; provides \$80,300,000 in FY 2002-03 and \$95,100,000 in FY 2003-04 for the Strategic Investment and Incentive Funding Program as established by the Postsecondary Improvement Act of 1997; provides \$100,000,000 in Bond Funds in FY 2002-03 in Part II, Capital Projects Budget, for the Endowment Match Program of the Research Challenge Trust Fund; provides \$20,000,000 in Bond Funds in FY 2002-03 in Part II, Capital Projects Budget, for the Endowment Match Program of the Regional Universities Excellence Trust Fund; provides \$63,000,000 in FY 2002-03 and \$68,000,000 FY 2003-04 to fully fund the Kentucky Excellence in Education Scholarship (KEES) Program based on the forecasted needs of the program; provides \$803,000 each year for the Ovarian Cancer Screening Program at the University of Kentucky; provides \$1,200,000 million each year for Cervical and Breast Cancer Screening, and \$6,000,000 million for Lung Cancer Research at the University of Kentucky and the University of Louisville; increases General Fund support to the Universities and KCTCS by \$18,900,000 in FY 2003-04; provides agency bond authorization in the amount of \$155,000,000 in FY 2002-03 to accommodate increased enrollment and make needed fire/safety improvements; provides an additional \$5,000,000 in General Fund support for the Department for Community Services base budget; provides an additional \$47,000,000 (\$14,000,000 State Funds) to partially offset the projected Medicaid budget deficit in FY 2003-04; provides an additional \$35,000,000 (\$10,500,000 State Funds) for an additional 500 FY 2003-04 slots in the Supports for Community Living Program (HB 144); provides Restricted Funds in the amount of \$1,470,000 in FY 2003-04 to upgrade the Kentucky All Schedule Prescription Electronic Reporting (KASPER) System; provides additional funds totaling \$2,000,000 in FY 2003-04 to support 1,300 additional clients in the Homecare Program; provides a total of \$450,000 in Restricted Funds to increase Long Term Care Ombudsman services in each of the 15 ADDs; provides \$909,300 to support \$1,075,000 in Federal Funds throughout the Natural Resources and Environmental Protection Cabinet; provides \$150,000 in FY 2002-03 and FY 2003-04 for the West Louisville Community Project; ~~provides language that requires the Natural Resources and Environmental Protection Cabinet to provide funding for the Environmental Quality Commission in FY 2003-04 (this provision was vetoed in accordance with veto item # 9)~~; provides Bond Funds in the amount of \$30,000,000 for the Kentucky Economic Development Finance Authority (KEDFA) Bond Pool; provides Bond Funds in the amount of \$10,000,000 for the Economic Development Bond Pool Fund; provides Bond Funds in the amount of \$15,000,000 for the Rupp Arena/Lexington Civic Center project; provides Bond Funds in the amount of \$15,000,000 for the New Economy Bond Pool; provides General Fund support in the amount of \$5,000,000 for the High Tech Construction and High Tech Investment Pools;

provides debt service in the amount of \$5,275,000 to support \$55,000,000 in Bond Funds authorized in the Office of the Secretary (Kentucky Economic Development Finance Authority Pool, Economic Development Bond Pool, Rupp Arena/Lexington Civic Center bonds); requires that moneys available to KEDFA under KRS 154.20-010 to 154.20-180 be used exclusively for the purposes of those statutes or as expressly provided for in the budget bill and that nothing in the budget bill prohibits the transfer of funds from KEDFA to the New Economy program as set out in the budget bill; directs the Secretary of Tourism to conduct a cost/benefit analysis of the possibility of finishing and opening newly constructed golf courses at Dale Hollow Lake State Park, Yatesville Lake State Park, Grayson Lake State Park, Mineral Mounds State Park, Pennyriple State Park, and Kincaid Lake State Park; provides bond authority to finish the courses if the study shows that to be the most cost-effective option; authorizes the Kentucky State Fair Board to issue up to \$52,000,000 in revenue bonds if agency revenue can be identified to support debt service payments and provided the bonds are issued through the State Property and Buildings Commission; deposits \$1,000,000 additional dollars in FY 2002-03 and \$2,000,000 in FY 2003-04 from the Highway Construction Contingency Fund to the Industrial Road Access account to be used at the discretion of the Secretary of Economic Development; limits the use of the Highway Construction Contingency Fund to 50% prior to December 9, 2003, and other emergency projects only; provides for funds transfers to the General Fund totaling \$327,195,900 in FY 2002-03 and \$95,271,000 in FY 2003-04 (*veto item # 7 deleted the funds transfer of \$5.5 million in FY 2002-03 from the Emergency Repair, Maintenance, and Replacement Fund in the Finance and Administration Cabinet*); identifies and appropriates Phase I Master Settlement Tobacco funds totaling \$125,407,000 in FY 2002-03 and \$109,100,000 in FY 2003-04; ~~prohibits the transfer of funds among budget units within an agency that would reduce funding for prescribed programs or services (this provision was vetoed in accordance with veto item # 5); (the following provisions were vetoed in accordance with veto item # 10): requires that any entrance or access for residential purposes in existence as of February 1, 2003, off Highway 60 in Clark County northeast of Winchester be deemed a legal entrance; requires the Transportation Cabinet to extend access by permit about 1,500 feet north of KY 911 along the proposed US 41A project in Christian County;~~ and requires the LRC to direct the Interim Joint Committee on Health and Welfare to conduct a study of the feasibility of implementing an electronic health network in the Commonwealth.

HB 270

AN ACT relating to mental retardation and developmental disabilities.

Amends KRS 210.575 to permit public members of the Kentucky Commission on Services and Supports for Individuals with Mental Retardation and Other Developmental Disorders to be reappointed for one additional term; amends KRS 210.577 to delete references to the year 2000, deletes references to "slots," and deletes the sunset clause.

HB 271

AN ACT relating to the naming of colleges in the Kentucky Community and Technical College System.

Amends 164.595 to provide that the board of regents for the Kentucky Community and Technical College System shall designate the names of institutions within the system, including a merger of a community college and a technical college; provides that when a merger is completed between the Paducah Community College and the West Kentucky Technical College the name shall be the West Kentucky Community and Technical College.

HB 281

AN ACT relating to the Motorcycle Advisory Commission for Highway Safety.

Creates two new sections of KRS Chapter 176 to establish the Motorcycle Advisory Commission for Highway Safety; sets forth duties, membership, and responsibilities; establishes staggered terms for initial members.

HB 287

AN ACT relating to mortgage loans.

Amends KRS 294.010 to define “loan officer,” “originator,” “loan processor,” and “classroom”; amends KRS 294.020 to clarify who is exempt from KRS Chapter 294; amends KRS 294.030 to make it unlawful to act as a mortgage loan broker or loan officer unless registered with the Department of Financial Institutions; amends KRS 294.032 to provide that a license issued to a mortgage loan company or a mortgage loan broker entitles all officers and employees, association members and employees, partnerships, natural persons, or trusts to engage in the mortgage loan business, subject to registration requirements; requires applications for licenses and renewals to include information on the location of the physical office location in Kentucky and whether the location is a residence; requires photographs of the building’s exterior, interior, and exterior sign; requires the lease of any nonresidence location to be for a term of at least 1 year; requires proof of residence that must confirm the mortgage loan broker owns or leases the residence and lives in the residence as the broker’s main residence; requires at least 10 days’ notice of the address change at the physical office location; amends KRS 294.034 to increase the license reinstatement fee from \$100 to \$250; creates new sections of KRS Chapter 294 to provide that beginning July 1, 2004, and annually thereafter, mortgage loan brokers and loan officers must register with the Department of Financial Institutions and pay a registration fee of \$50; requires in the case of initial registrations of loan officers that the applicant must complete 12 hours of education courses; provides that beginning July 1, 2005, renewals of registration of mortgage loan brokers and loan officers must include evidence of completion of continuing education courses and a renewal fee of \$50; provides that beginning July 2, 2004, all registered mortgage brokers and registered loan officers must complete at least 12 hours of continuing professional education by June 30, 2005, and annually thereafter; requires that at least six of the hours must be classroom hours; permits up to 12 hours to be carried forward to the next education year; requires each registered mortgage loan broker and registered loan officer to provide the Commissioner with written certification as to courses completed; requires courses to be approved by the Department; permits the Commissioner to grant an extension of up to one year for good cause shown; provides that failure to comply with the continuing education requirement will result in termination of registration; authorizes

the Commissioner to deny, suspend, or revoke the registration or license of a mortgage loan company, mortgage loan broker, or loan officer if, after a hearing, the Commissioner finds failure to comply with this Act; lists other grounds for denial, suspension, and revocation of registration and license; permits a mortgage loan broker to act as an agent for the individual or individuals attempting to obtain a mortgage loan and requires disclosure as to whether the broker is acting as an agent; amends KRS 287.010 to define “municipality” and “political subdivision”; creates a new section of KRS Chapter 287 to prohibit political subdivisions from enacting or enforcing ordinances, resolutions, and regulations pertaining to financial or lending activities of persons or entities which are subject to KRS Chapter 287 or to the Department of Financial Institutions, or are subject to the listed federal regulatory authorities, or who originate, purchase, sell, assign, securitize, assist, facilitate, or service property interests or obligations created by financial transactions or loans made, executed, or originated by the persons regulated by the listed state or federal authorities; provides that the prohibition on enacting or enforcing ordinances shall not prevent the enforcement of ordinances, regulations, or resolutions of political subdivisions of the Commonwealth pertaining to civil rights; creates new sections of KRS Chapter 360 to define “high-cost home loan”; prohibits a high-cost home loan from containing a provision allowing the lender to charge or collect prepayment fees or penalties more than 36 months after the loan closing or which exceed three percent of amount prepaid during the first 12 months, two percent during the second 12 months, or one percent during the third 12 months; prohibits a provision allowing the lender to accelerate the indebtedness; prohibits a scheduled payment that is more than twice as large as the average of earlier scheduled payments; prohibits a payment schedule with regular periodic payments that cause the principal balance to increase; prohibits a provision which increases the rate after default; prohibits terms under which two or more periodic payments are consolidated and paid in advance from the loan proceeds; provides that a lender cannot charge a borrower fees to modify, renew, extend, or amend a high-cost home loan or to defer any payment, unless the fees are less than one-half of any fees that would be charged to refinance, or unless the borrower is in default, and it is in the best interest of the borrower; provides that a lender cannot make a high-cost home loan unless the borrower has been provided a written notice that the borrower could lose the home if the borrower fails to meet his or her obligations under the loan; requires the notice to explain that mortgage rates and closing costs and fees vary based on many factors, including credit and employment history, loan-to-value requested, and the type of property; requires the notice to suggest consulting a qualified independent credit counselor or other experienced financial advisor; requires the notice to point out that the borrower is not required to complete the loan agreement, that homeowners insurance and property taxes are the responsibility of the borrower, and that payments on existing debts affect a person’s credit rating; prohibits a lender from making a high-cost home loan unless the lender reasonably believes that one or more borrowers will be able to make the scheduled payments based upon consideration of their current and expected income, current obligations, current employment status, and other financial resources; provides that there shall be a presumption that the borrower can make the scheduled payments if the borrower’s total monthly debts, including amounts owed under the loan, do not exceed 50% of the borrower’s monthly gross income; provides that if the proceeds of the

high-cost home loan are used to refinance an existing high-cost home loan held by the same lender, the lender may not finance any prepayment penalties or fees payable by the borrower or finance points and fees which in the aggregate exceed four percent of the total amount financed; prohibits a lender or mortgage loan broker, within one year of the consummation of a high-cost home loan, from charging the borrower points and fees in connection with a high-cost home loan if the proceeds of the high-cost home loan are used to refinance an existing high-cost home loan; prohibits a lender from paying a contractor under a home-improvement contract from the proceeds of a high-cost home loan other than by an instrument payable to the borrower or jointly to the borrower and the contractor, or at the election of the borrower, through a third-party escrow agent in accordance with a written agreement signed by the borrower, lender, and contractor; prohibits a lender from refinancing, replacing, or consolidating a zero interest rate or low interest rate loan made by a governmental or nonprofit lender with a high-cost home loan; prohibits a lender from financing single premium credit life, accident, health, disability, or loss of income insurance in connection with a high-cost home loan; requires the lender to make available a videotape or similar audio-video media to explain the borrower's rights and responsibilities; prohibits a lender from making the loan subject to mandatory arbitration that is oppressive, unfair, unconscionable, or substantially in derogation of the rights of consumers; restricts the late payment fee a lender may charge; restricts the fee that may be charged for a written payoff calculation; requires at least 30 days prior notice of initiation of foreclosure; prohibits a lender from recommending or encouraging default on an existing loan or other debt in connection with the high cost home loan that refinances all or a portion of the existing loan or debt; provides that a high-cost home loan that violates certain provisions of this Act is usurious and is an unfair and deceptive act or practice in violation of KRS 367.170; provides that the Attorney General, the Commissioner of the Department of Financial Institutions, or any party to a high-cost home loan may enforce certain provisions of this Act; provides that a lender acting in good faith will not be deemed to be in violation if certain conditions are met; provides that any extension of credit shall be deemed to have been made in the Commonwealth of Kentucky and subject to this Act if the lender offers or agrees in Kentucky to lend to a borrower who is a Kentucky resident on real property located in Kentucky or if the borrower accepts or makes the offer within Kentucky to borrow regardless of the situs of the contract; amends KRS 367.410 to include consumer loans in the definition of "home solicitation sale"; amends KRS 367.420 to provide that, for home solicitation sales on loans in which a security interest is taken in the principal dwelling of the buyer, the buyer has the right to rescind or cancel the transaction until midnight of the third business day following the later of the consummation of the loan transaction or the delivery of the material disclosures required under the federal Truth in Lending Act; creates a new section of KRS Chapter 294 to require each licensed mortgage loan broker to maintain a physical office in Kentucky; allows a 90 day period for compliance by brokers licensed on the effective date of this Act who do not currently maintain a physical office in Kentucky; amends KRS 294.034 to prohibit the commissioner from approving a license renewal if the information on office location is not received by the commissioner.

HB 289

AN ACT relating to construction defect claims asserting property loss and damage.

Creates new sections of KRS Chapter 411 to provide for a procedure for handling construction defect claims except claims for personal injury or wrongful death; provides that provisions prevail over conflicting law; provides when a construction professional is or is not liable for damages including those of an agent, subcontractor, or employee; provides for the serving of written notice of the claim on the construction professional; provides for 21 days for the construction professional to respond in writing to the claim and what that notice shall contain; provides for dispute of claims, rejection of inspection proposals and time limits for various designated actions by the claimant and the construction professional; provides for the claimant to accept or reject the construction professional's offers of settlement or repair; provides for acceptance, modification, or rejection of timetables for repair of the defects; provides that if a claimant files a complaint, counterclaim, or cross-claim prior to meeting the requirements of the section that the court may issue an order holding any legal action in abeyance until the parties comply with the section; provides for the tolling of statutes of limitations; provides for specified notices in contracts for construction of a residence that the homeowner must meet the requirements of the statute before filing a lawsuit against the construction professional; provides that nothing in the statute affects other contractual relationships between homeowners and construction professionals; provides that if a written notice of claim is served pursuant to the statute that the statute of limitations for filing a lawsuit is tolled until 75 days after the expiration of the time frame agreed to by the parties; provides for act to be known as the Notice and Opportunity to Repair Act.

HB 293

AN ACT relating to taxation and governmental services provided therefrom.

Amends and repeals various provisions of KRS Chapter 139 (Sales & Use Tax law) to conform Kentucky's law to the required provisions of the Streamlined Sales and Use Tax Agreement; provides that this portion of the Act takes effect July 1, 2004; creates a new section of KRS Chapter 189 to define terms; authorizes vehicles hauling building materials to a home to travel on any state road without a permit and without being fined if the weight of the vehicle is within registration and axle weight limits; amends KRS 189.221 to provide a limited exemption for the transport of agricultural products; amends KRS 138.470 to exempt motor vehicles with a registered gross weight of over 44,001 pounds and farm trucks with a registered weight of over 44,001 pounds from the motor vehicle usage tax effective October 1, 2003; amends KRS 139.480 to exempt repair and replacement parts purchased for the direct operation of a motor vehicle, including any towed unit, used exclusively in interstate commerce for the conveyance of property or passengers for hire, provided the motor vehicle is licensed for use on the highway and has a gross vehicle weight including any towed unit of 44,001 or greater effective January 1, 2004; provides a fee of \$20 for the county clerk upon the registration of all vehicles with a gross vehicle weight of 44,001 or greater; provides for an increase in registration fees for vehicles with gross weight of 44,001 or greater effective July 1, 2003.

HB 294

AN ACT making appropriations for the operations, maintenance, support, and functioning of the judicial branch of the government of the Commonwealth and its various officers, boards, commissions, subdivisions, and other state-supported activities.

The Judicial Branch Budget: appropriates in the Court of Justice moneys from the General Fund, Restricted Funds, and Federal Funds totaling \$210,785,800 in FY 2002-03 and \$223,780,000 in FY 2003-04; provides a 2.7% salary adjustment in FY 2002-03 for nonelected court personnel and justices and judges; provides in FY 2003-04 a cost-of-living adjustment amounting to an annualized value of \$1,080 for nonelected permanent full-time court personnel, justices and judges, and circuit clerks and deputy circuit clerks, and a pro rata equivalent for permanent part-time employees; provides for the 2001 actuarial assessed need for the Judicial Form Retirement System; provides that funding for previously authorized court facilities shall not be reduced; requires that both phases of the KLEO Program be operational for FY 2003-04; requires that \$6,000,000 from the General Fund carried forward from FY 2001-02 into FY 2002-03 in the Local Facilities Fund lapse to the General Fund Surplus Account within 30 days of the effective date of the Act; states the intent of the General Assembly that the Court of Justice not eliminate or reduce the number of District Court or Circuit Court employees below the level employed on January 1, 2003; allows the Chief Justice to transfer funds between budget units; and requires the Judicial Branch to submit annual reports to the Interim Joint Committee on Appropriations and Revenue regarding arrest fees assessed and remitted to each law enforcement agency and the amount and nature of uncollected court fees.

HB 296

AN ACT relating to alternative project delivery methods for capital projects.

Creates and amends various sections of KRS Chapters 45A, 56, and 164A to provide statutory framework for procurement of services for capital projects utilizing an alternative project delivery method; mandates promulgation of regulations by October 15, 2003; prescribes legislative oversight function.

HB 297

AN ACT relating to fire safety.

Amends KRS 227.336 to require the state fire marshal or the deputy state fire marshal to charge \$100 for a third inspection, \$200 for a fourth inspection, and \$500 for fifth and subsequent inspections to determine if a property owner has made a necessary fire safety correction; requires that some of the fees collected under this section be payable to the State Treasury and credited to the Office of the State Fire Marshal and that other fees collected under this section be payable to a particular fire department; establishes that a necessary fire safety correction found after an initial inspection shall be treated as a new necessary correction for which the property owner shall not be subject to an inspection fee until the third inspection to determine if the new necessary correction has been made.

HB 303

AN ACT relating to programs of significant importance to the citizens of the Commonwealth and declaring an emergency.

Requires that all public high schools observe Veterans Day on one of the five school days preceding Veterans Day with at least one class period devoted to the observance of Veterans Day; provides that the school principal determine how and when the observance will take place; creates a task force to study prescription drug abuse and illegal drug diversion and to submit proposed legislation to the IJC on Judiciary by October 1, 2003; and declares an emergency.

HB 305

AN ACT relating to fertilizer.

Amends KRS 250.381 to require quarterly reports, rather than monthly, quarterly, or semiannual, on the number of tons of fertilizer sold in the state, specifies the dates the reports are due, imposes a collection fee on reports not made within 15 days, rather than 30 days, of the due date, and makes the reports confidential; amends KRS 250.990 to increase the circumstances under which a person would be guilty of a violation; makes technical corrections; repeals KRS 250.386.

HB 309

AN ACT relating to wireless communications.

Creates the Kentucky Wireless Interoperability Executive Committee to advise the chief information officer regarding strategic wireless initiatives to achieve public safety voice and data communications interoperability; defines terms; prescribes committee membership, terms, and organization; requires the chief information officer to establish and implement a statewide public safety interoperability plan and report annually to the Interim Joint Committee on Seniors, Veterans, Military Affairs, and Public Protection and the Interim Joint Committee on State Government; establishes a Public Safety Working Group.

HB 310

AN ACT relating to driver training and declaring an emergency.

Creates new sections of KRS Chapter 332, regarding driver training schools and instructors, to define “department,” “commissioner,” “driver training,” “driver training school,” and “person”; requires that operators of driver training schools and driver training instructors be licensed by the State Police; establishes application procedures, fees, and requirements for granting of a license to operate a driver training school or act as a driver training instructor; requires that schools post their licenses at the school and that instructors carry their licenses with them at all times they are on the job; makes school and instructor licenses valid for one year, establishes renewal procedures, and mandates that all fees for schools and instructor licenses be placed in a trust and agency account to defray administrative costs associated with the chapter; establishes grounds for suspension, revocation, denial or nonrenewal of a school or instructor license; establishes hearing and appeal procedure for license suspension or denial; establishes record keeping requirements for schools and instructors; requires the State Police to promulgate

administrative regulations to carry out the purposes of the chapter; specifies entities exempt from licensing and regulation requirements; establishes fines for violations; EMERGENCY.

HB 312

AN ACT relating to chiropractors.

Updates legislation by creating new and amending existing sections of KRS Chapter 312; repeals KRS 312.135; facilitates board's authority to monitor and hold accountable licensees who violate provisions of the law; allows the board to increase fines; updates terminology and accreditation procedures; establishes a quorum for the board; authorizes the board to subpoena witnesses and evidence; authorizes payment of witnesses commensurate with Circuit Court witness pay; and increases initial license, renewal, and restoration fees.

HB 324

AN ACT relating to real property conveyances.

Creates a new section of KRS Chapter 324 to indicate that a real estate agent representing a party in the sale, leasing, or exchange of real property has no affirmative duty to disclose to any person who acquires by voluntary or involuntary transfer, a legal or equitable interest in real property, including any leasehold or security interest for an obligation, information not required by this chapter or applicable federal law.

HB 328

AN ACT relating to licensing of primary care centers.

Creates a new section of KRS Chapter 216B to authorize not-for-profit licensed primary care centers which participate in the KenPAC program to contract with boards of education to provide school-based health care programs; specifies requirements for satellite school-based health care programs, including the requirement that programs be staffed by a physician, physician assistant, or advanced registered nurse practitioner when in operation; and places a moratorium on the establishment of additional satellite school-based health care programs by primary care centers until August 1, 2004.

HB 346

AN ACT relating to sales tax.

Amends KRS 139.470 to exclude from the measure of the sales tax amounts received from a tobacco buydown; defines "buydown"; the provisions of the Act also apply retroactively to periods beginning prior to its effective date.

HB 353

AN ACT relating to candidates for office.

Amends KRS 118.212 to provide that the votes for a sole remaining candidate in a primary election, following the death or withdrawal of the other candidate or candidates, shall not be tabulated or recorded and the filing officer shall issue a certificate of nomination for the remaining candidate; amends KRS 83A.170 to provide that the votes for the 1 or 2 remaining candidate or candidates in a primary election, following the death

or withdrawal of the other candidate or candidates, shall not be tabulated or recorded and the filing officer shall issue a certificate of nomination for the remaining candidate or candidates; amends KRS 83A.175 to provide that the votes for a sole remaining candidate, following the death or withdrawal of the other candidate or candidates, shall not be tabulated or recorded and the filing officer shall issue a certificate of nomination for the remaining candidate; and amends KRS 118A.150 to provide that the votes for the 1 or 2 remaining candidate or candidates in a primary election, following the death or withdrawal of the other candidate or candidates, shall not be tabulated or recorded and the filing officer shall issue a certificate of nomination for the remaining candidate or candidates.

HB 355

AN ACT relating to foster care and adoption.

Amends KRS 199.462 to require the Cabinet for Families and Children to obtain a criminal background check by means of a fingerprint check with the Department of State Police and the Federal Bureau of Investigation or conviction information from the Kentucky Justice Cabinet before any applicant is approved to provide foster care or relative caregiver services to a child, or to receive a child for adoption; requires a background check for each adult member of the applicant's household; permits the cabinet to obtain criminal background checks for adult household members during the annual reevaluation of a certified adoptive or foster home; authorizes the promulgation of an administrative regulation to carry out these requirements; amends KRS 199.520 to permit the cabinet to provide nonidentifying background information about biological parents to adoptive parents; and amends KRS 337.010 to exempt persons providing adult foster care from the definition of "employee" for wage and hour requirements.

HB 357

AN ACT relating to government.

Amends KRS Chapter 74 relating to joint operation of water sources, to enable federal agencies to participate in water commissions which administer joint water operations; amends KRS 100.187 to require local planning units to include in their comprehensive plans provisions to accommodate any military installations of greater than 300 acres.

HB 363

AN ACT relating to independent candidates.

Amends KRS 118.315 to change the date for determination that candidate is an independent candidate from December 31 to January 1.

HB 364

AN ACT relating to retirement.

Amends various sections relating to the Legislators' Retirement Plan and the Judicial Retirement Plan to clarify that salary used to determine final compensation of legislators is the assumed salary under KRS 61.510(13) and does not include salary earned in public employment other than as a legislator; creates a table to show percentage

paid toward insurance based on years of service; extends Senior Status Program to include judges in office on the effective date of this Act.

HB 365

AN ACT relating to the service of distilled spirits and wine.

Amends KRS 244.050 to permit retail drink licensees to provide samples of distilled spirits and wine subject to the same conditions imposed on retail package licensees who give samples.

HB 366

AN ACT relating to souvenir retail liquor licenses.

Amends KRS 243.0305 to permit distillers that have obtained a souvenir retail liquor license to sell souvenir packages in quantities greater than three liters per visitor per day to corporations and other business entities holding events on the premises of the distillery.

HB 370

AN ACT relating to state employee health insurance and declaring an emergency.

Amends KRS 18A.225 pertaining to the state employee health insurance plan to provide that members retired from the optional retirement plan of the Kentucky Community and Technical College System are eligible for insurance through the state group; requires the bid for proposals for calendar year 2004 to include a bid scenario that reflects the statewide rating structure provided in calendar year 2003 and a bid scenario that allows regional rating; directs that the regions shall be the partnership regions designated by the Department for Medicaid Services for the purposes of the Kentucky Health Care Partnership Program; provides that a carrier's bid shall include all counties in the region or regions and must include a preferred provider organization option; provides that if a bid is accepted, the Personnel Cabinet must award the carrier all of the counties included in the carrier's bid within the region; provides that if the Cabinet deems the bids submitted are in the best interests of state employees in a region, the Cabinet may award the contract for that region to no more than two carriers; provides that nothing in this Act prohibits the Cabinet from including other requirements or criteria in the request for proposals; EMERGENCY.

HB 372

AN ACT relating to the Kentucky State Police, making an appropriation therefor, and declaring an emergency.

Directs the State Police to replace recently purchased semiautomatic pistols with the pistols previously recommended for selection by the State Police firearms selection process; provides for the extension of funding provided by the 2002 Regular Session of the General Assembly for this purpose; EMERGENCY.

HB 373

AN ACT relating to rural electric cooperative corporations.

Amends KRS 279.080, relating to the board of directors of rural electric cooperative corporations, to increase the maximum term of board members from three years to four years.

HB 376

AN ACT relating to library science scholarships.

Amends KRS 171.303, relating to library science scholarships, to permit students in an accredited library education program provided via distant learning technologies to be eligible for the scholarships; permits out-of-state students who agree to work in a library or archival services program within the Commonwealth upon graduation to apply for a scholarship; establishes a Library Science Scholarship Fund Advisory Committee to advise the state librarian on the scholarship program; amends KRS 171.306 to require scholarship recipients to work in the state for 2 years; requires a scholarship recipient who fails to fulfill the obligations to repay the benefits in a lump sum or through a payment schedule determined by the state librarian.

HB 380

AN ACT relating to family courts.

Repeals, reenacts, and amends KRS 23A.100 relating to circuit courts to establish the retained jurisdiction of the family court division of the circuit court, the additional jurisdiction of the family court division of the family court, and to specify the concurrent jurisdiction with the District Court; repeals, reenacts, and amends KRS 23A.110 to set forth and identify the underlying purposes for the family court division of the Circuit Court; creates a new section of KRS Chapter 18A relating to the election of judges to provide for the election of family court judges and to have the words "Family Court appear on the ballot; amends KRS 23A.040 relating to judicial circuits with two judges, 23A.405 relating to judicial circuits with three judges, 23A.050 relating to judicial circuits with four judges, 23A.060 relating to judicial circuits with eight judges, and KRS 23A.070 relating to judicial circuits with seventeen judges to increase the number of divisions of the Circuit Court to reflect the transfer of District Judges to Circuit Judgeships; amends KRS 24A.050 relating to judicial districts with 2 judges, KRS 24A.060 relating to judicial districts with three judges; KRS 24A.080 relating to judicial districts with six judges; and KRS 24A.090 relating to judicial districts with 23 judges to decrease the number of divisions of the District Court to reflect the transfer of District Judges to Circuit judgeships; amends KRS 23A.010 relating to Circuit Court jurisdiction, KRS 24A.010 and 24A.120 relating to District Court jurisdiction to delete reference to temporary family court jurisdiction to delete those references; amends KRS 22A.020 relating to appeals to the Court of Appeals to include reference to appeals from the family court division of the Circuit Court; amends KRS 118A.010 relating to election definitions to update definitions.

HB 384

AN ACT relating to the reorganization of the Department of State Police.

Confirms Executive Order 2002-1067 to reorganize the Department of State Police by creating the Forensic Services Division and renaming existing divisions.

HB 388

AN ACT relating to the discharge of a security interest.

Establishes when a perfected security interest in a motor vehicle has been discharged and establishes a process a debtor may follow to have a security interest discharged if a termination statement or discharge has not been filed by the secured party with the county clerk.

HB 389

AN ACT relating to quarter horse racing.

Amends KRS 230.210 to include in the definition of “horse race meeting” quarter horse racing and adds a definition of the Kentucky Quarter Horse Purse Program; amends KRS 230.377 to allow a track licensed to conduct quarter horse racing to receive simulcasts and conduct interstate wagering on certain quarter horse races and allows all other tracks to receive simulcasts and conduct interstate wagering on quarter horse races; amends KRS 230.3771 to provide for separate commission splits on interstate wagering on interstate simulcasts of quarter horse racing, based upon either a licensed thoroughbred race track or a licensed harness race track, and provides that when a quarter horse race is run at a Kentucky race track, the commission to the Kentucky Quarter Horse Purse Program shall be a certain percentage from the host track’s purse share.

HB 390

AN ACT relating to Title XI of the Kentucky Revised Statutes, making an appropriation therefore and declaring an emergency.

Amends and creates various sections of KRS Chapter 131 with regard to the Tobacco Master Settlement Agreement and the state’s enforcement of noncompliant nonparticipating manufacturers and it: (1) defines the terms “brand family,” “distributor,” and “stamping agent”; (2) prohibits the sale of cigarettes of nonparticipating manufacturers unless they: (a) are in compliance with all escrow fund requirements, provide account numbers, current account balance, withdrawal and deposit history, and the name and address of the financial institution for which the accounts are held, (b) have provided certification to the Revenue Cabinet and the Attorney General of current and past cigarette sales by brand family, (c) have certified that they are registered to do business in Kentucky, and (d) are properly listed on the brand family ‘directory’; (3) requires that the failure of nonparticipating manufacturers to meet the above requirements and certifications shall result in their stamping activities being deemed unlawful, and classified as a class A misdemeanor, and their products deemed as contraband; (4) allows the loss of the ability to sell tobacco products as a result of removal from the directory to be deemed to constitute irreparable harm for the purposes of a temporary injunction sought pursuant to Section 11 of the Act; (5) allows stamping agents or distributors to possess unstamped containers of cigarettes held in inventory for delivery to, or for sale in,

another state; and (6) appropriates to the Revenue Cabinet from the tobacco settlement agreement fund, for each year of the biennium, \$175,000 dollars to carry out the provisions of KRS Chapter 131; ~~(7) creates a new section of KRS Chapter 136 to provide that a corporation that holds securities in other corporations equal to 50% or more of total assets may compute capital employed either by filing a consolidated return or by deducting the book value of the investment (this provision was a partial veto regarding section 15 in its entirety); provides that the section applies only to returns with due dates between April 15, 2004 and April 15, 2005 (this provision was a partial veto regarding section 18 in its entirety); and repeals KRS 136.071 (this provision was a partial veto regarding section 19 in its entirety);~~ EMERGENCY.

HB 391

AN ACT relating to the marketing of home-processed foods.

Amends and creates sections in KRS Chapter 217; defines “farmer” and clarifies the definition of “farmer” by requiring that the farmer has grown the primary horticultural and agronomic ingredients used in the products they have processed; exempts home-based processors from being required to apply for a permit to operate; allows farmers markets, certified roadside stands, or a processor’s farming operation to sell home-based processed and microprocessed food products; allows the cabinet to invoke cessation of production if there is reason to believe that an imminent health hazard exists; requires the Cabinet for Health Services to promulgate administrative regulations to accommodate the specific circumstances of home-based microprocessors; requires the Kentucky Cooperative Extension Service to establish, implement, and administer a pilot microprocessing program pursuant to 21 C.F.R. sec. 114.10; requires the cabinet to evaluate and certify training for the pilot microprocessing program; requires the cabinet to establish certification and recertification fees, terms, conditions, and length of time certifications are valid; requires the cabinet and the Kentucky Cooperative Extension Service to develop an examination document and criteria for program completion and establish the examination subject matter and program fees; sets specific deadlines for establishing and implementing the pilot microprocessing program and for developing the required documents, processes and procedures for certification and examination.

HB 392

AN ACT relating to the journals of each house of the General Assembly.

Amends KRS 57.310 to require the Legislative Research Commission to inquire, prior to printing, whether officers and libraries entitled to free copies of the House and Senate Journals want to receive the journals and in what format; prohibits distribution of free copies to those not responding affirmatively.

HB 397

AN ACT relating to the Kentucky Employers’ Mutual Insurance Authority.

Amends KRS 342.831 to exempt the Kentucky Employers’ Mutual Insurance Authority from the requirement of appointing agents.

HB 398

AN ACT relating to safety education.

Creates a new section of KRS Chapter 95A.200 to establish a Safety Education Fund to be administered by the Commission on Fire Protection Personnel Standards and Education to initiate education programs in the public schools and other agencies to reduce and prevent injuries and the loss of life; authorizes the commission to promulgate administrative regulations to establish the criteria for providing funds to initiate injury prevention curricula and training programs throughout the state.

HB 403

AN ACT relating to county treasurers.

Amends KRS 68.010 regarding the age qualifications of county treasurers to allow a person who has obtained a baccalaureate level degree from a regionally accredited institution of higher education or who is at least twenty-five years of age to qualify; and removes language requiring a county treasurer to be a resident of the county for which he is appointed.

HB 406

AN ACT relating to telecommunicators employed by local governments.

Amends 15.530 to define "CJIS," "CJIS-full access course," and "CJIS telecommunicator"; designates the commissioner of the Department of Criminal Justice Training as overseer of training; defines "law enforcement basic telecommunicator basic training program," "non-CJIS telecommunications academy," and "telecommunications academy"; amends KRS 15.560 to require all law enforcement telecommunicators to successfully complete a non-CJIS telecommunications academy as a condition of employment; establishes in-service training requirements for law enforcement telecommunicators and allows extensions of in-service training requirements; creates a new section KRS Chapter 15 to require any CJIS telecommunicator to successfully complete the CJIS-full access course as a condition of his or her employment; requires any law enforcement telecommunicator that becomes a CJIS telecommunicator to successfully complete the CJIS full-access course as a condition of his or her employment; requires any CJIS telecommunicator to complete 8 hours in-service training annually; requires any CJIS telecommunicator to complete biannual in-service training; and grants the commissioner of the Department of State Police the power to grant extensions for the CJIS in-service training requirements.

HB 412

AN ACT relating to State Police promotions.

Amends KRS 16.055, relating to State Police promotions, to make changes to the terms and conditions of promotions to sergeant, lieutenant, and captain; replaces the oral examination requirement with a job simulation examination; requires three years of continuous service as sergeant before promotion to lieutenant, and three years of continuous service as lieutenant before promotion to captain; and provides a one year probationary period for officers newly promoted to sergeant, lieutenant, and captain.

HB 418

AN ACT relating to manufactured home installers.

Amends KRS 227.560 to add a member to the Manufactured Home Certification and Licensure Board who represents “certified manufactured or mobile home installers”; makes the initial appointment of this member expire on September 1, 2004; and removes the state fire marshal as chairman of the board and permits the board to select a chairman.

HB 427

AN ACT relating to in service training requirements for local government employees mobilized for service in the United States Armed Forces.

Amends 95A.230 to waive in-service training requirements for professional firefighters from annual training for those periods when the firefighter is on active duty with the US Armed Forces, makes waiver retroactive to September 11, 2001; amends KRS 15.440, to waive in-service training requirements for peace officers mobilized into the United States Armed Services, makes waiver retroactive to September 11, 2001.

HB 430

AN ACT relating to retirement.

Requires employees hired on or after July 1, 2003, to earn a minimum of 10 years before they are eligible for insurance benefits at retirement; allows the General Assembly to amend the provision in the future; waives the 10-year requirement for employees who are disabled or killed in the line of duty.

HB 442

AN ACT relating to the collection of debts by the Revenue Cabinet.

Amends KRS 131.130 to permit the Revenue Cabinet to contract with any state agency or organization to collect delinquent debts owed to that agency or organization.

HB 443

AN ACT relating to health maintenance organizations.

Amends KRS 304.38-070 to require a corporation, partnership, or limited liability corporation applying for and holding a certificate of authority as a health maintenance organization which manages care and processes health care claims solely for Medicaid eligible enrollees and the Kentucky Children’s Health Insurance Program to comply with the same risk-based capital requirements as other health maintenance organizations, except for phase-in and reporting requirements for 2000 and 2001; and specifies the levels of required risk-based capital.

HB 459

AN ACT relating to health care practitioners.

Amends KRS 217.005(35) to add medical professionals licensed in another state to the definition of “practitioner”; amends KRS 217.814 to define “practitioner” the same as in KRS 217.005(35); amends 218A.010 to include medical professionals with an active practice and license in good standing who have prescriptive authority for controlled substances under the laws of another state in the definition of “practitioner”; amends KRS

315.121 to include failing to exercise appropriate professional judgment in determining whether a prescription is lawful as unprofessional or unethical conduct by a pharmacist.

HB 461

AN ACT relating to retirement.

Amends definitions for KERS, CERS and SPRS to include automotive fringes in creditable compensation; allows the purchase of service in an interim position and certain service prior to August 1, 1998; permits the board of trustees to accept leave balances of former local government employees hired by the retirement system; requires transfer of leave balances between the retirement systems' personnel system and the executive branch; authorizes the board to promulgate an administrative regulation to comply with federal minimum distribution rules and to promulgate an administrative regulation in response to pending litigation; makes technical changes; EMERGENCY.

HB 465

AN ACT relating to the Department of Fish and Wildlife Resources.

Amends KRS 150.061 to permit the Commissioner of Fish and Wildlife Resources to use federal and other grant funds to hire employees; such employees not to be counted against employee cap.

HB 467

AN ACT relating to traffic regulations.

Exempts vehicles weighing 80,000 pounds or less from axle weights when traveling on AAA highways and carrying a load that weighs 79,999 pounds or less; VETOED; OVERRIDDEN.

HB 468

AN ACT relating to land bank authorities.

Amends KRS 65.350 relating to land bank authorities to specify that references to "local school district" include both county school systems and independent school systems; amends KRS 65.355 and 65.360 to conform.

HB 481

AN ACT relating to regulation of athletic agents.

Repeals, reenacts, and creates various sections of KRS Chapter 164 to adopt the Uniform Athletic Agent Act; assigns responsibility for registering athlete agents to Division of Occupations and Professions; defines terms; allows division to promulgate administrative regulations to implement provisions of the law; requires all athlete agents to obtain from the division certificates of registration and to pay an annual fee not to exceed \$300; allows athlete agent 7 days after contact with student athlete to apply for certificate of registration; allows division to accept application and certification of person from another state whose qualifications meet or exceed those required in this state; denies registration to any person convicted of specified crimes or any person who has had registration, certification, or licensure denied or revoked by another state; lists prohibited acts; requires athlete agents to use approved contracts with specified disclaimers; requires athlete agents to notify school of any contract entered into by a student athlete; grants a

student athlete 14 days within which to rescind a contract; requires a student athlete to notify the school within 72 hours of negotiating or signing a contract; requires athlete agent to retain certain records for 5 years; makes the athlete agent and the student athlete liable for any damages a school incurs when a school is sanctioned as a result of the ineligibility of the student athlete; directs the division to investigate complaints and take appropriate disciplinary action with the type of action to be based on the nature, severity, and frequency of the offense; provides for appeal of actions and a hearing under KRS Chapter 13B; and establishes criminal penalties for violation of certain provisions of the law.

HB 489

AN ACT authorizing the payment of certain claims against the state which have been duly audited and approved according to law, and have not been paid because of the lapsing or insufficiency of former appropriations against which claims were chargeable, making an appropriation therefor, and declaring an emergency.

Appropriate funds to pay claims against the state; EMERGENCY.

HB 493

AN ACT relating to corrections and declaring an emergency.

Amends KRS 197.505, relating to private prisons, by deleting the prohibition on inmates ineligible for work release being placed in a private prison; by requiring that an inmate in a private prison meet the classification requirements set by the Department of Corrections for that prison's security level, and by deleting the requirement that a private prison holding restricted custody inmates have a perimeter fence.

HB 496

AN ACT relating to air boards.

Amends KRS 183.132 to require air boards in counties containing cities of the first class or consolidated local governments (CLG) to have 11 members as prescribed, permits board members serving in counties where a CLG has been established to continue to serve until the expiration of their terms if the board is maintained by the CLG, establishes a 4 year term for all members except the mayor, who serves for the duration of his or her term as mayor, requires the expiration of the terms of the mayor of the previously existing first class city and county judge/executive when a CLG is established, permits previously serving members whose terms had expired but who were still in service to continue until a successor is appointed, requires successors to be appointed within 60 days, and clarifies that the mayor of the CLG and the Governor are authorized to make appointments to the board as the terms of the previously serving board members expire.

HB 501

AN ACT relating to individuals with disabilities.

Amends KRS 205.6317 to include funding for a self-determination model as recommended by the Commission on Services and Supports for Individuals with Mental Retardation and Other Developmental Disabilities as part of the definition of "Supports for Community Living Waiver Program"; amends KRS 210.577 to require the

commission to develop recommendations for the implementation of a self-determination model of funding services and supports for persons currently participating in the waiver program; requires the model to include individual rates and budgets, assistance in designing a package of services and supports, and accountability for public funds; permits the commission to establish an ad-hoc committee to work on the model; includes a short title, the “Kevin Webb and Kim Brown Self-Determination Act.”

HB 510

AN ACT relating to economic development.

Creates new sections of KRS Chapter 154 to declare intent of the General Assembly to reinvest in existing industry; defines terms; requires the secretary of the Cabinet for Economic Development to provide staff to the authority to discharge its duties; declares that no director or officer of the authority shall be subject to personal liability by reason of execution of any authorized obligation; allows the authority to expend moneys appropriated by the General Assembly or received from other sources; requires that employees of the authority shall not have an ownership interest in any firm having any contact with the authority; requires any employee of the authority to declare any ownership interest in any firm having contact with the authority; allows the authority to promulgate regulations; establishes criteria for preliminary approval of eligible companies; establishes requirements for eligible companies that apply to the authority for inducements; requires a preliminarily approved company to provide specific documentation to the authority relating to eligible costs; states that after July 1, 2004, the authority may give final approval to a preliminarily approved company; pursuant to KRS 61.815, allows the authority to hold closed sessions to discuss matters exempt from the open meetings law; sets forth the terms and conditions of a reinvestment agreement; permits an approved company credits against taxes imposed by KRS 141.020, 141.040 and 136.070; states that the total inducements authorized shall be equal to the lesser of the total amount of the tax liability or the approved costs that have not been recovered; states that the approved company shall not be required to pay estimated income tax payments on income derived from the project; provides that the agreement shall not be longer than the earlier of the date on which a company has received inducements equal to the approved costs or ten years from the date of the final approval; provides that if the agreement is terminated, the authority may require the approved company to repay all or part of its inducements; provides that an approved company shall make available to the authority all of its records pertaining to the project; requires that the agreement shall not be transferred without the consent of the authority; requires the Revenue Cabinet, by October 1 of each year, to certify to the authority the aggregate income tax credits claimed by approved companies and when an approved company has taken inducements equal to approved costs; creates new sections in KRS Chapter 141 to provide for the calculation of tax credits.

HB 517

AN ACT relating to estheticians.

Creates KRS Chapter 317B and includes new sections to establish licensure criteria for estheticians, instructors of esthetic practice, and esthetic salons; prohibits estheticians from performing specific procedures that include microdermabrasion; exempts certain individuals including those who receive no compensation from the person receiving the service and those who work as licensed massage therapists; authorizes the Kentucky Board of Hairdressers and Cosmetologists to oversee the issuance of esthetician licenses and to promulgate administrative regulations to implement the law including qualifications for licensure, adjustment of fees, and criteria for schools that do training; requires an examination for licensure and a quorum of the board present to supervise; sets an initial licensure fee of \$75 for estheticians and \$125 for salons; allows cosmetologists to apply for a dual cosmetology and esthetician license and maintains the option of individual licenses for each profession; requires continuing education for license renewal; allows licensure reciprocity with states that have comparable standards and grant reciprocity to Kentucky-licensed estheticians; and permits the board to impose sanctions that include fines, imprisonment or both.

HB 524

AN ACT relating to the Kentucky Revised Statutes.

Amends various sections of KRS 353.500 to 353.720 to direct the Department of Mines and Minerals to promulgate regulations covering all aspects of oil and gas operations, to promulgate regulations relating to gathering lines within six months, and to issue quarterly progress reports to the Legislative Research Commission through December 31, 2004; affirms the power of local governmental units to regulate the use of streets, highways, and rights-of-way; limits oil and gas spillage, venting, or destruction, whether or not on the surface; adds owner-notification requirement for permit extension; eliminates right to object or to seek mediation concerning permit extension; allows an individual acquiring a single well for domestic use to post bond by a combination of cash and a lien on the property; limits consent to drill closer than allowed to owners of interests adjacent to a proposed well and directly affected by boundary prescriptions; deems unknown or nonlocatable owners to have consented to pooling, if operators have complied with publication requirements; adds noncodified language extending by six months the time in which private investigators and investigating firms may be licensed based on experience; amends KRS 154.45-090, 164A.370, 278.216, 304.17B-001, and 533.010 to make technical corrections; repeals and reenacts KRS 311.657 as a new section of KRS Chapter 311A to make technical correction; repeals KRS 311.655 to make technical correction.

HJR 3

Names US 421 between Harlan and Hyden the “Tony Turner Memorial Highway” and names the conference center at Dale Hollow State Resort Park the “Ray Mullinix Conference Center.”

HJR 7

Names KY 172 in Morgan and Johnson Counties in honor of Arlen, Foster, Okla, and Donald Ferguson; and names US 60 in Woodford County from the eastern limits of the City of Versailles to the western city limits at the intersection of US 60 and US 62 the “John Conlee Highway.”

HJR 28

Directs the Transportation Cabinet to designate the section of KY 19 from KY 10 to the AA Highway the Dwayne “Pie” Jett Highway in honor of the former Bracken County Judge/Executive and to erect appropriate signs.

HCR 32

Confirms the appointment of Jeffrey C. Mando to the Kentucky Board of Education for a term expiring April 14, 2006.

HCR 34

Confirms the appointment of Esther P. Jansing to the Council on Postsecondary Education for a term expiring December 31, 2005.

HCR 35

Confirms the appointment of Dr. Wallace Campbell to the Education Professional Standards Board for a term expiring September 18, 2006.

HCR 36

Confirms the gubernatorial reappointment of Peggy M. Bertelsman to the Council on Postsecondary Education for a term expiring December 31, 2008.

HCR 37

Confirms the reappointment of Helen W. Mountjoy to the Kentucky Board of Education for a term expiring April 14, 2006.

HCR 39

Confirms the reappointment of R. Keith Travis to the Kentucky Board of Education for a term expiring April 14, 2006.

HCR 40

Confirms the gubernatorial appointment of Janice B. Allen to the Kentucky Board of Education representing the 7th Supreme Court District to replace William R. Weinberg, who resigned, for the unexpired term ending April 14, 2006.

HCR 41

Confirms the appointment of Eleanore C. Thompson to the Education Professional Standards Board for a term expiring September 18, 2006.

HCR 42

Confirms the appointment of Dorothy Z. Combs to the Kentucky Board of Education for a term expiring April 14, 2006.

HCR 43

Confirms the appointment of David B. Tachau to the Kentucky Board of Education for a term expiring April 14, 2006.

HCR 44

Confirms the appointment of Hilma S. Prather to the Kentucky Board of Education for a term expiring April 14, 2006.

HCR 45

Confirms the gubernatorial reappointment of John R. Hall to the Council on Postsecondary Education for a term expiring December 31, 2008.

HCR 46

Confirms the reappointment of William R. Whitley to the Mine Safety Review Commission for a term to expire May 23, 2006.

HJR 64

Names the bridge located 7.5 miles south of the intersection of Kentucky Route 80 and United States Route 27 that crosses the North Fork of the Cumberland River in the City of Burnside, Pulaski County, Kentucky the "General Burnside Memorial Bridge"; names the bridge in Lyon County located on Kentucky Route 453 that crosses the Barkley Canal the "Between the Rivers Memorial Bridge"; and names the segment of United States Route 421 from the Harlan/Leslie County line to Beechfork Elementary School in Leslie County the "Carl Wilson Highway."

HJR 82

Provides that the Judicial Branch Budget Memorandum has the force and effect of law; EMERGENCY.

HJR 83

Provides that the State/Executive Branch Budget Memorandum has the force and effect of law; EMERGENCY.

HCR 84

Confirms the appointment of Daniel C. Case to the Agricultural Development Board.

HCR 86

Confirms the appointment of Wayne Hunt to the Agricultural Development Board.

HCR 88

Confirms the Governor's appointment of Brian Van Horn to the Long-Term Policy Research Center Board for a term expiring October 6, 2006.

HCR 89

Confirms the Governor's reappointment of Ronald J. Carson to the Long-Term Policy Research Center Board for a term expiring October 6, 2006.

HCR 106

Confirms the appointment of Vicki Yates Brown to the Agricultural Development Board.

HJR 110

Names KY 1786 in Pulaski County the Ballard Parsons Highway; EMERGENCY.

HJR 112

Directs the Transportation Cabinet to designate a section of US 27 in Pendleton County the "Howard J. Hoess Highway" and erect appropriate signs.

HCR 113

Offers state support for the U. S. Enrichment Corporation as it pursues technological advances for uranium enrichment and commits to continuing the state's partnership with USEC at the uranium enrichment plant at Paducah.

HJR 116

Petitions the United States Congress to propose an Amendment to the Constitution of the United States, for submission to the several States, to allow the people of the United States and the several States the freedom to exercise their religion in public places.

HCR 126

Directs the Legislative Research Commission to study compulsive gambling in Kentucky; requires the study to include a descriptive and economic analysis of the current status of compulsive gambling in the state and data from affected and interested persons and organizations; requires the results of the study to be submitted to the Legislative Research Commission prior to the 2004 Regular Session of the General Assembly.

HCR 136

Extends the reporting deadline for the Off-road Motorcycle and All Terrain Vehicle Task Force to September 30, 2004.

HCR 141

Directs the Interim Joint Committee on Education to study the Kentucky Educational Excellence Scholarship Program to determine if it needs adjustments and make recommendations as needed to the 2004 Session of the General Assembly.

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