

GENERAL ASSEMBLY ACTION

Regular Session 2001



Informational Bulletin No. 204

**Legislative Research Commission
Frankfort, Kentucky**

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Regular Session 2001

A Staff Summary of Legislative Enactments

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Legislative Research Commission
Frankfort, Kentucky
April 2001

FOREWORD

The 2001 Regular Session of the General Assembly convened Tuesday, January 2, 2001, and adjourned sine die Thursday, March 22, 2001, having met for thirty legislative days. During this session, 579 bills and 333 resolutions were introduced, including 192 Senate bills and 387 House bills.

Of the bills introduced, 31 Senate bills and 96 House bills passed both chambers and were delivered to the Governor. One bill proposing a constitutional amendment was enacted and transmitted directly to the Secretary of State. Therefore, a total of 32 Senate bills and 96 House bills became law.

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 has been prepared by the staff of the Legislative Research Commission.

ROBERT SHERMAN
Director

The Capitol
Frankfort, Kentucky
April 2001

2001 REGULAR SESSION

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SENATE BILLS

SB 2

AN ACT relating to environmental protection.

Establishes a process for the voluntary cleanup and redevelopment of properties suspected of environmental contamination as a result of the release of hazardous substances or petroleum; creates a new range of statutes in Subchapter 1 of KRS Chapter 224 and a new section of KRS 224A to establish new programs and procedures; sets application fees (i.e., Restricted Funds), defines conditions for the State to enter a covenant not to sue on certain properties; and establishes an Agricultural Warehousing Sites Cleanup Fund to be administered by the Economic Development Cabinet; establishes the purpose of the Act as protecting human health, safety, and the environment while promoting economic development and jobs creation; creates a new section of Subchapter 1 of KRS Chapter 224 to provide definitions for the Act; creates a "Voluntary Environmental Remediation Program" to be administered by the Natural Resources and Environmental Protection Cabinet (NREPC, the "cabinet"); sets application criteria; sets a nonrefundable application fee ranging from \$1,000 for properties up to three acres in size to \$3,500 for properties 10 acres or greater; exempts political subdivisions of the Commonwealth from the application fees; provides that fees be deposited into the hazardous waste management fund to administer the Program; provides for notifications of state and local government units and for filing of cleanup project documents with the local public library; establishes timeframes and guidelines for acceptance or denial of an application for the Voluntary Environmental Remediation Program; authorizes the NREPC and an applicant to enter into a Voluntary Remediation Agreed Order to set forth each party's responsibilities for the remediation project; prescribes the content of an Agreed Order including a characterization report and corrective action plan that complies with KRS 224.01-400, KRS 224.01-405, the provisions of the Act, and any administrative regulations promulgated under the Act; allows for the enumeration of costs for review and oversight of the remediation; provides for reimbursements by the applicant of costs exceeding its application fee to the NREPC for review and oversight of the remediation; provides for the withdrawal of parties from the Agreed Order; requires the applicant to submit a site characterization report and a corrective action plan; prescribes the content of the corrective action plan; provides a timetable and procedures for the NREPC's review and the applicant's duty to submit information relating to the corrective action plan; requires denial of plan for failure to comply with KRS 224.01-400, KRS 224.01-405, provisions of the Act, and any administrative regulations promulgated under the Act; provides for appeal of the NREPC's determinations; requires the applicant to submit its corrective action plan to the local government units affected, including at least one public library in any county affected, the newspaper of general circulation in the county, and to post signs on the property describing where and when the corrective action plan is available for public review and comment; provides that the NREPC may hold a public hearing if requested; requires the NREPC to consider all written and public testimony prior to taking action; provides a timetable and procedures for an applicant to submit a corrective action completion report; prescribes the conditions for the cabinet to issue the applicant a

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covenant not to sue which shall be recorded with the deed and runs with the property; specifies which conditions shall not apply to the covenant not to sue; specifies the criteria for a “final determination” that may be appealed (in accordance with KRS 224.10-420(2)); establishes that the U.S. Environmental Protection Agency’s Region 9 numerical values for remediation goals are to be used as a screening level, but are not to be established as the cleanup standard for individual contaminants; establishes that within one year the cabinet is to promulgate regulations establishing cleanup standards and tiered remediation management options related to land use, zoning, surrounding properties, and the nature and extent of the contamination; requires cabinet to publish forms by October 31, 2001, and permits the cabinet to promulgate necessary administrative regulations to implement provisions of the Act; provides that costs incurred by an applicant shall be considered approved costs for the Economic Development Cabinet’s programs established in KRS 154.26-010 to 154.26-100 and KRS 154.28-010 to 154.28-100; provides that remediation of a property owned by a governmental agency shall qualify as an infrastructure project; establishes the Agricultural Warehousing Sites Cleanup Fund to be administered by the Economic Development Cabinet to provide financial assistance to persons who did not cause or contribute to the contamination; permits the award of grants or low-interest loans; limits interest rates on loans to 2%; establishes criteria for loans; permits funds from the Hazardous Waste Management Fund to be transferred to the Agricultural Warehousing Sites Cleanup Fund; directs repayment of loans to be deposited into the Agricultural Warehousing Cleanup Fund; requires reporting to the Legislative Research Commission on October 1 each year; provides that the Act may be cited as the Voluntary Environmental Remediation Act.

SB 5

AN ACT relating to state emblems.

Designates the Appalachian dulcimer as the official musical instrument of Kentucky.

SB 13

AN ACT relating to the Kentucky Spinal Cord and Head Injury Research Board.

Amends KRS 211.500 to allow the members of the Kentucky Spinal Cord and Head Injury Research Board to serve more than two consecutive four year terms, at the discretion of the Governor.

SB 17

AN ACT changing the classification of the City of Oak Grove, in Christian County.

Reclassifies the City of Oak Grove, in Christian County, from a city of the fifth class to a city of the fourth class.

SB 20

AN ACT relating to retirement.

Amends KRS 67A.690 to change retiree annual increases to reflect possible retirement age of 47 rather 51 and to provide the members retired on a duty-related

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disability be entitled to the same annual increase as regular retirees, which may be 2-5% as determined by the board, rather than a flat 2%; amends 67A.430 to provide that any retiree or surviving spouse receiving a monthly annuity of less than \$1,000 shall have the annuity increased to \$1,000.

SB 22

AN ACT relating to banks.

Amends KRS 287.180 to permit a bank to establish a branch within any state, the District of Columbia, or a territory of the United States; amends KRS 287.900 to delete the restriction on acquisition of greater than fifty percent of the voting securities of a bank if the bank was chartered after July 13, 1984, and was in existence less than five years at the time of acquisition; amends KRS 41.240 pertaining to state depositories to require the State Treasurer to accept letters of credit issued by federal home loan banks as collateral.

SB 28

AN ACT relating to election precinct boundaries and declaring an emergency.

Amends KRS 117.056 to require county boards of election to maintain precinct boundaries from July 15 of each year ending in "0" until termination of the next following regular or extraordinary session of the General Assembly that enacts congressional and state legislative redistricting plans after receipt of the decennial census of population; EMERGENCY.

SB 29

AN ACT relating to budget submissions.

Amends KRS 48.100 to require that budget recommendations be submitted not later than the fifteenth legislative day of an even-numbered-year regular session following the election of a new Governor.

SB 31

AN ACT related to newborn screening.

Amends KRS 214.155 to expand newborn screening requirements contingent upon the receipt of federal funds or appropriations by the General Assembly; requires the secretary of the Cabinet for Health Services to apply for any federal grants made available through the Public Health Service Act to expand, improve, or evaluate newborn screening programs; and makes technical corrections.

SB 47

AN ACT relating to economic development.

Amends KRS 154.20-170 to include businesses that compose the secondary wood products industry as defined in KRS 154.47-005(10); creates new sections of KRS Chapter 65 to allow cities and counties to impose a job development assessment fee on employees working in a development area; provides that the job assessment fee applies only to newly created jobs for economic development projects begun on or after January 1, 2002; provides that the development area shall be a previously undeveloped tract of land and no more than 500 acres may be approved in any 12 month period; provides that

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developments be limited to manufacturing or technical developments approved by the Commissioner of the New Economy; provides that development be evaluated by the Kentucky Economic Development Finance Authority in consultation with the Governor's Office of Economic Analysis and that the total assessment for each company locating within the development area be subject to approval of the Office of State Budget Director, the Finance and Administration Cabinet, and the Revenue Cabinet; amends KRS 65.684 to allow cities and counties to impose a job development assessment fee for carrying out the purposes of KRS 65.680 to 65.699; amends KRS 65.686 to allow a city and county to adopt an ordinance levying a job assessment fee; amends KRS 141.310 to conform.

SB 58

AN ACT proposing an amendment to Section 112 of the Constitution of Kentucky, relating to family courts.

Proposes an amendment to Section 112 of the Constitution of Kentucky to provide the establishment of family courts; allows the Supreme Court to designate one or more division of Circuit Court within a circuit as a family court division, which shall retain the jurisdiction of the Circuit Court and have additional jurisdiction as provided by the General Assembly; enables the Chief Justice, upon a determination of need by the Supreme Court, to assign a District Judge having the qualifications of a Circuit Judge to serve in family court; adds transitional language so that District Judges elected for the term beginning on the first Monday in January of 2003, who possess the qualifications of a Circuit Judge and who are assigned by the Chief Justice to serve as family court judges on or before the commencement of the term, shall on that date become Circuit Judges; provides for submission to voters.

SB 63

AN ACT relating to the reorganization of the Commission on Fire Protection Personnel Standards and Education.

Confirms Executive Order 2000-988 transferring the Commission on Fire Protection Personnel Standards and Education to the Kentucky Community and Technical College System; abolishes the Fire Department Aid Section within the Cabinet for Public Protection and Regulation.

SB 64

AN ACT relating to exceptional children and youth.

Provides that a change in educational placement occurs if, due to a suspension, an exceptional child is removed for more than 10 consecutive days during a school year or the child is subjected to a series of removals that constitute a pattern because of the number or days the child is removed or other factors; prohibits educational services from being terminated during expulsion or suspension after a student is suspended for more than 10 days during a school year; amends KRS 157.200 to make technical definition changes to categories of exceptions.

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SB 68

AN ACT changing the classification of the City of New Castle in Henry County.
Reclassifies the City of New Castle, population 1,046 in Henry County, from a city of the sixth class to a city of the fifth class.

SB 69

AN ACT relating to public utilities boards.
Amends KRS 96.780 to increase the purchasing authority of superintendents of public utilities from \$5,000 to \$20,000.

SB 71

AN ACT relating to the inclusion of students enrolled in a Congressional Page School or in a foreign exchange high school program under the Kentucky Educational Excellence Scholarship Program.

Amends KRS 164.7879 to permit a student who maintains Kentucky residency to earn credit toward a base Kentucky Educational Excellence Scholarship program award for the academic grade point average earned while participating in an approved foreign educational exchange program or in the United States Congressional Page School; requires the Council on Postsecondary Education to promulgate administrative regulations that prescribe the approval process for the educational programs.

SB 76

AN ACT relating to racial profiling.
Creates a new section of KRS Chapter 15A to prohibit the use of racial profiling by law enforcement agencies; requires the criminal justice council to develop model anti-racial profiling guidelines; requires local law enforcement agencies that receive police salary supplement moneys to develop local anti-racial profiling guidelines and file them with the Justice Cabinet.

SB 82

AN ACT relating to state government.
Confirms Executive Order 2000-602 abolishing the Kentucky Kare Health Insurance Authority; amends KRS 12.020, 18A.220, 42.0245, 45A.022, 91A.080, 136.330, 136.340, 136.350, and 205.640 to conform; creates new sections of KRS Chapter 7, KRS Chapter 12.450 to 12.465, and KRS Chapter 26A to ensure that Kentuckians with disabilities and their families enjoy full partnership in all programs, services, and activities throughout the Commonwealth; provides equal opportunity for membership on any board, task force, or commission consistent with and to the extent of the Federal American with Disabilities Act; provides that governmental entities establish staff development training to promote disability awareness; amends KRS 7.1105, 12.460, 12.465, and 26A.012 to conform; repeals KRS 18A.2288, 18A.229, 42.800, 42.805, 42.810, 42.815, 42.820, and 42.825.

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SB 84

AN ACT relating to reorganization.

Confirms Executive Order 2000-1104, relating to the Office of Inspector General within the Cabinet for Health Services, to abolish the Division of Licensing and Regulation, to create the Division of Long Term Care, the Division of Licensed Child Care, and the Division of Community Health Services; transfers the respective responsibilities; amends KRS 194A.709, 199.8994, 209.005, 210.271, 216.583, 216.860, and 216.865 to conform.

SB 86

AN ACT relating to reorganization.

Repeals KRS 149.005 to abolish the Kentucky Forest Resource Council; includes noncodified Section 2 to require records, files, equipment and funds of the Kentucky Forest Resource Council be transferred to the Division of Forestry; includes non codified Section 3 to confirm Executive Order 2000-1103.

SB 87

AN ACT relating to reorganization.

Confirms Executive Order 2000-1105 reorganizing the Transportation Cabinet as follows: creates an Office of Technology and an Office of Quality that report directly to the Secretary of the Cabinet; establishes the Division of Driver Safety within the Department of Vehicle Regulation; abolishes the Division of Information Technology within the Department of Administrative Services; amends KRS 12.020 and KRS 174.020 to conform.

SB 94

AN ACT relating to the practice of psychology.

Amends KRS 319.005 to change gender references and to conform; amends KRS 319.010 to add definitions of "credential holder", "EPPP", "license" and specifies that the practice of psychology includes testing, evaluation, psychotherapeutic techniques, and treatment of addictive and mental health conditions; amends KRS 319.015 to specify that other licensed or certified professionals shall not use the term "psychological" in describing their services, specifies credentialing by the Education and Professional Standards Board and permits teachers, guidance counselors, and specified others that are seeking certification as professional counselors to be exempt from certain sections of KRS 335.525; amends KRS 319.020 to specify qualifications of members of the board and nomination processes; deletes conditions of terms of appointment prior to 1992 and specifies that the chairperson shall have a term of 1 year; amends KRS 319.030 to permit the board to locate its principle office at any place in the state rather than Frankfort; amends KRS 319.032 to require licensure, rather than certification, and delete licensure for areas of specialty; prohibits licensed psychological practitioners and licensed psychological associates from participation in licensure examinations; requires guidelines for school psychologists to obtain supervision from a licensed psychologist who is not an employee or contractor of the same school system; amends KRS 319.050 to delete exemption to supervision requirements for applicants enrolled in a doctoral program after July 4, 1992; requires a grace period of 60 days for persons who have met degree

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requirements and are employed by an agency to submit application for licensure; requires that examination results be kept on file for one year and permits applicants to request discussion about their performances on the examination; requires completion of training, supervision, and internship at the doctoral level for designation as a health service provider; creates a new section of KRS Chapter 319 to permit a certified psychologist or a licensed psychological associate to apply for a license as a licensed psychological practitioner when the applicant has three letters of endorsement, pays a fee of \$200, documents 60 semester hours of graduate study, has not been subject of disciplinary action by the board, and has completed five years of supervised experience prior to application; requires the applicant to pass the examination (EPPP) with a score that is equal to or exceeds the score required for a doctoral licensure candidate; permits usage of a previous score, if that score meets the doctoral level at the time the test was taken and permits re-examination; requires an oral examination on psychological practice, ethical principles, and the law; specifies members of the oral examination team, and requires the same evaluation criteria as the oral examination for licensed psychological candidates; permits an applicant to continue functioning under supervision until licensure requirements are met; requires that the examinations and result be kept on file for one year; permits the applicant to request discussion about his or her performance; requires the board to issue a license to perform certain functions as a licensed psychological practitioner for successful candidates; prohibits the licensee to supervise other psychological practitioners, certified psychologists, or psychological associates; amends KRS 319.056 to permit those currently licensed as certified psychologists with autonomous functioning to keep that title or change to licensed psychological practitioner at the time of license renewal; permits certified psychologists to keep that title or change to licensed psychological associate at the time of renewal; amends KRS 319.064 to require psychological associates to use the title of licensed psychological association and requires a license with that title at the time of renewal; prohibits a licensed psychological associate from employing or supervising licensed psychological practitioners or other licensed psychological associates; amends KRS 319.071 to change "certificate" to "credential" and specifies that certified psychologists and licensed psychological associates need not be supervised while their licenses are in inactive status; amends KRS 319.082 to permit the board to issue an administrative reprimand or private admonishment upon proof the credential holder has violated conditions stated, including practicing beyond the scope of ability demonstrated; specifies that a private admonishment is not subject to disclosure under KRS 61.878(1)(l) but may be used for subsequent disciplinary actions or statistical purposes; amends KRS 319.092 to specify credential holder rather than licensee; amends KRS 319.118 to delete the term "certificate"; amends KRS 319.990 to specify that a violation of KRS 319.055 is a misdemeanor offense and permits the board to recover costs of investigative expenses and reasonable attorney fees relating to prosecuting those found guilty of violating Section 1 of this Act; amends KRS 335.530 to permit an eligible candidate to be certified as a professional counselor until January 1, 2002 to be exempt from either the examination or supervision requirements.

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SB 106

AN ACT relating to insurance.

Amends KRS 304.6-020 to provide that good will, trade names, and other like intangible assets shall not be allowed as assets in any determination of the financial condition of an insurer, except as expressly permitted and as prescribed by the National Association of Insurance Commissioners' accounting practices and procedures.

SB 108

AN ACT relating to school term.

Amends KRS 158.070 to require that school districts adopt a school calendar designating opening and closing dates and instructional days and permitting the scheduling of school breaks outside of the minimum school term; requires that schools allow teacher delegates to attend statewide professional meetings and hire substitute teachers if schools are scheduled to operate on meeting days; requires school districts to arrange bus schedules so that breakfast is provided prior to the instructional day; in the event of an unforeseen bus delay, permit a school administrator to authorize up to fifteen minutes of the instructional day to provide children the opportunity to eat breakfast, not more than eight times during the school year within a school building.

SB 118

AN ACT relating to rural health care.

Amends KRS 164.937 to require the University of Kentucky to maintain the Center of Excellence in Rural Health; requires the center to: support staff, gather statistical information about rural health and workforce availability, provide educational opportunities to students committed to rural health service, maintain site-based family practice residencies, serve as the federally designated office of rural health, provide innovative programs that improve the health of rural Kentuckians, and advocate for rural health care; permits center to establish additional sites throughout the Commonwealth as necessary to achieve the mission of the center and to the extent additional funds are appropriated; and provides that nothing in the bill shall be construed to restrict the study of rural health policies, workforce analyses, or the training of health professionals in or for rural or medically underserved areas by other state universities.

SB 123

AN ACT relating to elections.

Amends KRS 117.030 to provide that the State Board of Elections is required to post signs that set forth the mailing address and telephone number of the county board of elections and advise citizens of their right to report administrative or clerical errors within 10 days of the election to the county board of elections.

SB 134

AN ACT relating to securities.

Amends KRS 292.480 to define the limitations period as three years after the date the occurrence of the act, omission, or transaction constituting the violation was discovered, or in the exercise of reasonable care should have been discovered; expresses the legislative intent that the Act shall be retroactively applied to any actions, other than

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those given res judicata effect by a court of competent jurisdiction, which in the exercise of reasonable care should have been discovered as having accrued in the ten years immediately preceding the effective date of the Act.

SB 138

AN ACT relating to reorganization.

Confirms Executive Order 2000-989, which creates the Office of Administrative Services within the Department of Workers' Claims.

SB 139

AN ACT relating to the Legislative Program Review and Investigations Committee.

Amends KRS 6.905 to specify that the members of the Program Review and Investigations Committee are to be appointed within seven legislative days of the end of each regular session held in even-numbered years; requires the committee to select its officers following the end of the regular session in even-numbered years.

SB 155

AN ACT relating to motor carrier safety.

Creates a new section of KRS 281, regarding motor carrier safety, to define the terms "lights" and "reflectors"; requires operators of commercial vehicles to have all lights and reflectors required by federal regulation to be present, operable, and unobstructed by dirt or debris; directs law enforcement and the Transportation Cabinet to aggressively enforce violations of this section; amends KRS 281.990 to set penalties for violation at \$250 for each offense; allows dismissal of a citation for inoperable lights or missing reflectors if the offender presents proof to the county attorney, within thirty days of the citation; provides an exception that a person shall not be issued a citation if the atmospheric conditions all motorists were subjected to at the time the person is stopped by a law enforcement officer reasonably limit the ability of a person to keep the vehicle's lights or reflectors from being obscured by dirt, mud, or debris.

SB 164

AN ACT relating to corporations.

Amends KRS 271B.8-050 to require that for a corporation the directors of which are divided into groups under KRS 271B.8-060, any director filling a vacancy under KRS 271B.8-100 shall hold office until the next election of the group in which the director is filling the vacancy, and until his or her successor shall be elected and qualified.

SB 165

AN ACT relating to school finance.

Amends KRS 160.570 to permit a board of education in a county containing a city of the first class to designate six depositories, rather than five, when its annual receipts exceed \$100,000.

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SENATE RESOLUTIONS

SCR 1

Establishes the Blackacre State Nature Preserve Task Force to develop a strategy to protect the preserve from the effects of development in the surrounding area and to capitalize on the status of the preserve as the state's first preserve and only preserve with an historical farm; requires the President of the Senate and the Speaker of the House to appoint co-chairpersons; directs the LRC to provide staff to the task force; directs that the Senate President and the Speaker of the House appoint the legislative members.

SCR 2

Directs the co-chairs of the Interim Joint Committee on Education to appoint a special subcommittee composed of four Senate members and four House of Representatives members to study Kentucky's Advanced Placement Program; directs the subcommittee to develop a plan that assures that every Kentucky student has access to Advanced Placement courses and report to the Interim Joint Committee on Education by September 1, 2001.

SJR 52

Directs the Transportation Cabinet to apply to the Federal Highway Administration to begin a demonstration project for dual logos on interstate highway signs.

SJR 70

Names a segment of KY 244 in Greenup County in honor of Ron B. McCloud.

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HOUSE BILLS

HB 1

AN ACT relating to crimes and punishments.

Creates new sections of KRS Chapter 508 to create the crimes of terroristic threatening in the first degree and terroristic threatening in the second degree and to describe the elements of and penalties for those crimes; amends KRS 508.080 relating to terroristic threatening to conform and to redescribe the crime as terroristic threatening in the third degree; creates new sections of KRS Chapter 527 to create the crimes of use of a weapon of mass destruction in the first, second, and third degree and to describe the elements of and penalties for those crimes; amends KRS 500.080 relating to definitions for the Kentucky Penal Code to define a weapon of mass destruction as a destructive device as defined in KRS 237.030 or a chemical, biological or radiological weapon capable of causing death or serious physical injury; amends KRS 532.025 relating to aggravating circumstances in death penalty cases to include use of a weapon of mass destruction.

HB 11

AN ACT relating to the state amphitheater.

Creates a new section of KRS Chapter 2 to name and designate the Iroquois Amphitheater, located in Iroquois Park in Louisville, Kentucky as the state amphitheater.

HB 13

AN ACT relating to retirement.

Amends KRS 61.637 to delete the provision that a person retired from a hazardous position who draws his or her retirement and then holds an elected city or county office may choose to continue to receive his or her pension and not contribute to the elected office's retirement system; creates a new section of KRS 78.520 to 78.852 to give retired hazardous members serving in an elected city or county position 60 days from the effective date of this Act to elect not to contribute to the County Employees Retirement Systems, and authorizes retired hazardous members in an elected city or county office to purchase credit for service in that elected city or county office accrued between July 15, 1998 and the effective date of this Act, by paying 100% of the cost of service.

HB 16

AN ACT relating to adoption of children.

Amends KRS 199.011 to establish how long it takes before the consent of a birth parent to an adoption becomes irrevocable; establishes the procedure for withdrawing consent before it becomes irrevocable; amends KRS 199.500 to confirm.

HB 17

AN ACT relating to education councils.

Amends KRS 164.001 to define "P-16 council" or "council of partners"; creates a new section of KRS Chapter 164 to specify that the Council on Postsecondary Education

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administer a matching grant program to enable the establishment of local P-16 councils and to describe the purposes of the local councils; requires an annual report from each.

HB 20

AN ACT relating to agriculture.

Amends KRS 246.010 to define "agriculture", "horticulture", "aquaculture", "livestock", and "poultry".

HB 30

AN ACT relating to special license plates.

Amends KRS 186.041, relating to special military-related license plates, to create a new plate for recipients of the Distinguished Service Cross, Navy Cross, or Air Force Cross; requires the plate to be issued for a fee of \$3.00 both initially and upon yearly renewal date; requires the \$3.00 fee to be retained by the county clerk and prohibits the state from charging any other fee for this type of license plate; amends KRS 189.4595, related to exemptions from local fees and requirements governing disabled parking privileges, to add recipients of the Distinguished Service Cross, Navy Cross, or Air Force Cross to persons exempt under the statute.

HB 37

AN ACT relating to insurance.

Creates a new section of Subtitle 20 of KRS Chapter 304, the insurance code, to provide that every property insurer shall include a premium credit or discount provision in its rate filings for buildings equipped with an automatic sprinkler system; requires the amount of the credit or discount to reflect the cost savings the insurer expects to realize in insuring property so equipped.

HB 40

AN ACT relating to the establishment of a program to encourage retirees to make their homes in Kentucky.

Creates a new section of KRS Chapter 148 to create a Kentucky Certified Retirement Community Program in the Tourism Development Cabinet to encourage retirees to live in Kentucky; identifies issues of interest to retirees; establishes the mission of the program; requires coordination with specified state agencies; establishes requirements for communities to be certified as a Kentucky Certified Retirement Community; specifies procedure for certification; requires a three (3) year commitment to the program and a long term plan; defines what assistance the Tourism Development Cabinet shall provide to certified communities; provides that the Act shall be implemented by the Tourism Development Cabinet to the extent that appropriations from the General Assembly are available.

HB 48

AN ACT relating to motorcycles.

Amends KRS 186.450, relating to instruction permits, to require that an applicant for a motorcycle instruction permit be 18 years old or have a valid operator's license; amends KRS 186.010 to define "motorcycle" and to clarify the definition of "instruction

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permit"; amends KRS 189.285 to conform; amends KRS 186.875, to establish eligibility criteria for the motorcycle safety education training program and mandates that classes be offered free of charge to applicants under 18 years of age; amends KRS 186.890, to allow the Motorcycle Safety Education Fund to receive federal and state safety grants.

HB 51

AN ACT relating to the Legislature.

Repeals and reenacts KRS 6A.110, relating to the Legislative Research Commission's bill request files, as a new section of KRS Chapter 6 and amends it to delete references to organizational sessions of the General Assembly; amends KRS 7.140 relating to Statute Reviser's qualifications; amends KRS 7B.060, relating to the Kentucky Long-Term Policy Research Center, to delete reference to organizational sessions; amends KRS 161.749, relating to the teachers eligible for continuing service status, to delete references to organizational sessions; repeals KRS 6A.010, 6A.020, 6A.030, 6A.040, 6A.050, 6A.060, 6A.070, 6A.080, 6A.090, 6A.100, 6A.120, 6A.130, 6A.140, and 6A.150, relating to organizational sessions of the General Assembly.

HB 55

AN ACT relating to the training of planning personnel.

Creates a new section of KRS 147A to require initial and continuing education for planning commissioners and other planning personnel, sets out documentation requirements, topics of study, and penalties for non-compliance.

HB 62

AN ACT relating to tuition assistance.

Creates a new section of KRS Chapter 164 to require public postsecondary institutions to waive tuition and mandatory student fees for a Kentucky foster or adopted child who is over age 18 and is a full-time student; requires that an eligible student meet all entrance requirements for the postsecondary institution and maintains academic eligibility while enrolled at the postsecondary institution; and prohibits guaranteed acceptance of or entrance of a student into any postsecondary institution for a foster or adopted child.

HB 66

AN ACT relating to Teachers' Professional Growth Fund.

Amends KRS 156.553 to retain priority for funding to improve middle school mathematics teachers' content knowledge, but permits the Department of Education to approve funding for other content areas during 2000-2002 for middle school teachers if all funds are not needed for the first priority; provides that funds in the Teachers' Professional Growth Fund do not lapse at the end of each fiscal year.

HB 69

AN ACT relating to sessions.

Amends KRS 48.100 to clarify that branch budget recommendations are submitted during an even-numbered-year regular session; amends KRS 48.111 to clarify that leases in the branch budget recommendations are submitted during an even-

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numbered-year regular session; amends KRS 48.112 to clarify that the appropriation for the benefit reserve fund in the draft branch budget bill is submitted in each even-numbered-year regular session; amends KRS 48.185 to clarify that recommendations for appropriations to the area development fund be submitted in the draft branch budget bill in each even-numbered-year regular session; amends KRS 48.300 to clarify that it is the branch budget bill used for preparation of the budget memorandum to conform with the definitions in KRS 48.010; amends KRS 48.310 to clarify that no branch budget bill shall be effective beyond the second fiscal year from its enactment and provide that no budget bill enacted in a special or odd-numbered-year regular session be effective past July 1 of the next year in which an even-numbered-year regular session takes place; amends KRS 176.419 to clarify that the six year road plan is submitted in each even-numbered-year regular session; amends KRS 176.420 to clarify that the six year road plan is submitted within ten days of submission of the budget in each even-numbered-year regular session; amends KRS 177.376 to clarify that the Kentucky Transportation Center Board must advise the General Assembly by January 30 during each even-numbered-year regular session of the need to continue the Kentucky Transportation Center; amends KRS 6.229 to clarify that a comprehensive report on legislative compensation be submitted December of the year preceding an even-numbered-year regular session; amends KRS 45A.270 to clarify that the Finance and Administration Cabinet shall request an appropriation from the next even-numbered-year regular session to satisfy awards and judgments granted during the previous two fiscal years; amends KRS 56.806 to clarify that except as provided, leases in which funds have been appropriated in an even-numbered-year regular session terminate at the end of the ensuing biennium; amends KRS 67A.877 to clarify that the notice by the Finance and Administration Cabinet of the amount of any improvement benefit assessment for an urban-county government be served prior to the next even-numbered-year regular session; amends KRS 107.140 to clarify that the notice by the Finance and Administration Cabinet of the amount of any improvement benefit assessment for a governing body be served prior to the next even-numbered-year regular session; amends KRS 151.7282 to clarify that the Kentucky River Authority projected six year construction and preconstruction reporting requirement applies July 1 of each year preceding an even-numbered-year regular session; amends KRS 157.620 to clarify that the statement required to be submitted to the School Facilities Construction Commission by the Board of Education is due by October 15 of the year preceding the even-numbered-year regular session; amends KRS 176.440 to clarify that any advancement or inclusion of a project in the six year road plan be received by the Transportation Cabinet no later than November 1 of the year prior to an even-numbered-year regular session; amends KRS 196.081 to clarify that the six year plan for Department of Corrections operations be submitted six months prior to the even-numbered-year regular session; amends KRS 248.520 to clarify that the Kentucky Tobacco Research Board must advise the General Assembly of the need for continuation of the Kentucky Tobacco Research Board and the tax levied by January 30 of each even-numbered-year regular session; amends KRS 154.10-090 to clarify that the programmatic and budget adjustments information relating to the state's strategic economic development plan be presented before each even-numbered-year regular session by the Kentucky Economic Development Partnership board; amends KRS 164.250 to clarify that the report to the General Assembly by the University of Kentucky Board of Trustees

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on the condition and operation of the university be made within the first month of the even-numbered-year regular session; amends KRS 45.800 to clarify that the report to the Capital Projects and Bond Oversight Committee on any alterations made or planned in a project relates to the project as considered by the General Assembly in the most recent even-numbered-year regular session; amends KRS 45.760 to clarify that the recommended projects and purchase of major items of equipment be submitted in the draft budget bill in each even-numbered-year regular session; amends KRS 342.843 to clarify that the report by the Attorney General and the Auditor of Public Accounts on the activities of the Kentucky Employers' Mutual Insurance Authority is made in January of each even-numbered-year regular session; amends KRS 342.1223 to clarify that the report on the actuarial soundness and adequacy of the funding commission made by the Kentucky Workers' Compensation Funding Commission be made at each even-numbered-year regular session, clarify that recommendations in the level of assessment be made no later than October 31 of the year prior to each even-numbered-year regular session, and clarify that the proposed budget by the Labor Cabinet be submitted no later than October 31 of the year prior to an even-numbered-year regular session; amends KRS 304.17A-665 to clarify that the report by the Department of Insurance on the impact on health insurance costs be submitted sixty days prior to an even-numbered-year regular session; amends KRS 198A.165 to clarify that in the event any reserve or replacement fund created by the Kentucky Housing Corporation in connection with any bond or note issue is monetarily deficient, the corporation shall notify and request the Finance Cabinet and the Governor that sums adequate to restore the reserve or replacement fund be included in the next succeeding executive budget except in the event if the next even-numbered-year regular session is more than six months from the date of the request, the corporation shall request sums adequate to restore the reserve or replacement fund from the Governor's contingency fund; amends KRS 164A.160 to clarify that in the event any reserve or replacement fund created by the Kentucky Higher Education Student Loan Corporation in connection with any bond or note issue is monetarily deficient, the corporation shall notify and request the Finance Cabinet and the Governor that sums adequate to restore the reserve or replacement fund be included in the next succeeding executive budget except in the event if the next even-numbered-year regular session is more than six months from the date of the request, the corporation shall request sums adequate to restore the reserve or replacement fund from the Governor's contingency fund; amends KRS 64.780 to clarify that the Public Officials Compensation Commission must submit recommendations concerning compensation of county officials every even-numbered-year regular session; amends KRS 164A.080 to clarify that the Kentucky Higher Education Student Loan Corporation may, until the adjournment of the next even-numbered-year regular session, issue bonds or notes for student loans insured by the guarantee agency and reinsured by the Secretary of Education of the United States to the maximum extent permitted by federal law.

HB 76

AN ACT relating to the Motorcycle Safety Education Advisory Commission.

Creates three new sections of KRS 186.870 to 186.895 to establish the Motorcycle Safety Education Advisory Commission; defines membership and establishes

ACTIONS OF THE 2001 GENERAL ASSEMBLY

guidelines for compensation, meetings, duties of the commission, and staggers initial terms of membership.

HB 78

AN ACT relating to reorganization.

Creates a new section of KRS Chapter 161 and amends various sections of KRS Chapter 161 relating to the reorganization of the Education Professional Standards Board; requires board members appointed by the Governor to be confirmed by the Senate and the House of Representatives; and confirms Executive Order 2000-1226, dated September 14, 2000, and incorporates provisions of Executive Order 2000-851, dated June 30, 2000.

HB 85

AN ACT relating to actions to challenge the qualifications of candidates for office.

Amends KRS 118.176 to provide that an action to challenge the bona fides of a candidate may be brought at any time prior to the general election.

HB 86

AN ACT relating to reorganization.

Creates new sections of KRS Chapter 154 to establish the Eastern Kentucky Exposition Center Corporation as an independent, de jure municipal corporation and political subdivision of the Commonwealth which shall be a public body corporate and politic; requires the corporation to develop, operate, and manage the exposition center; attaches the corporation to the Finance and Administration Cabinet for administrative purposes; directs that employees be considered state employees for the purpose of participating in the Kentucky Employees Retirement System; creates a 7-member board of directors appointed by the Governor; establishes terms and causes for removal; establishes powers and authorities of the board; permits board to establish an executive committee and employ an executive director; establishes the powers and duties of the corporation; requires all revenues and contributions to be used solely for defraying the expenses of the exposition center, including payment on debt; the cost of management and operation of its facilities; the creation of an adequate reserve for repair, replacement, debt service, and capital improvements; the procurement of insurance; and promotional activities; requires the Auditor of Public Accounts to conduct an annual audit of all funds of the corporation and its affiliated entities and report to the Governor and the Legislative Research Commission; amends KRS 12.020 and KRS 42.016 to conform; confirms Executive Order 2000-874, dated July 5, 2000.

HB 87

AN ACT relating to reorganization.

Creates a new section of KRS Chapter 148 to establish the Tourism Development Finance Authority within the Tourism Cabinet and define its membership, terms, and duties; repeals, reenacts, and amends KRS 154.29-010 to 154-29-060 as new sections of KRS Chapter 148 to transfer responsibilities for the Tourism Development Act from the Kentucky Economic Development Finance Authority to the Tourism Development

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Finance Authority; amends KRS 12.020, 139.536, and 148.522 to conform; confirms the Economic Development Partnership's Resolution No. 00-2 and the Governor's Executive Order 2000-1503 relating to reorganization of tourism development functions.

HB 88

AN ACT relating to reorganization.

Amends KRS 161.220 to exclude the following employees of the Workforce Development Cabinet from the Kentucky Teachers' Retirement System unless they were contributing members of that retirement system as of July 15, 2000: the Commissioner of the Department for Adult Education and Literacy, the Commissioner of the Department for Technical Education, and employees of the Office of General Counsel, Office of Policy and Budget, and Office of Personnel Services within the Office of the Secretary of the Workforce Development Cabinet; confirms and amends Executive Order 2000-1317, dated October 4, 2000, to provide that Section II of the executive order applies only to the employees of the Office of General Counsel, the Office for Policy and Budget, the Office of Personnel Services, and the Office for Administrative Services within the Office of the Secretary.

HB 89

AN ACT relating to reorganization.

Confirms Executive Order 2000-1502, dated November 28, 2000, to change the name of the Division of Clinical Services to the Division of Care Coordination and create the Division of Medical Services within the Commission for Children with Special Health Care Needs.

HB 90

AN ACT relating to reorganization.

Amends KRS 304.17B-005 to create the Division of Kentucky Access, Department of Insurance, to operate the Kentucky Access program; and confirms Executive Order 2000-987, dated July 25, 2000, creating the Division of Kentucky Access within the Department of Insurance and expanding other staff to implement review processes pursuant to HBs 390 and 757 and SB 331 enacted by the 2000 General Assembly.

HB 91

AN ACT relating to the reorganization of the Economic Development Cabinet.

Amends KRS 154.12-260 to change the Office of Coal County Development in the Economic Development Cabinet to the Department for Coal County Development; amends KRS 42.4588 to transfer responsibilities for the Local Government Economic Development Program from the Secretary of the Cabinet for Economic Development to the Commissioner of the Department for Coal County Development; amends KRS 42.4595 to transfer authority for administrative regulations from the Economic Development Cabinet to the Department for Coal County Development; amends KRS 42.460 and 42.480 to require reports concerning the Local Government Economic Development Program to be transmitted to the Department for Coal County

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Development; amends KRS 12.020 to conform; confirms Economic Development Partnership Reorganization Resolution No. 00-1.

HB 92

AN ACT relating to reorganization.

Amends KRS 336.015 and KRS 12.020 to create an Office of Information Technology within the Labor Cabinet; confirms Executive Order 2000-1504, dated November 28, 2000.

HB 95

AN ACT relating to reorganization.

Amends KRS 11.550 and confirms Executive Order 2000-1213, dated September 12, 2000, relating to the membership of the Telehealth Board.

HB 96

AN ACT relating to reorganization.

Amends KRS 11.505, relating to the Governor's Office for Technology, to create a Division of Information Technology Operations within the Office of Infrastructure Service and to create the Office of General Counsel; renames the Health Services Systems Branch within the Division of Human Services Systems the "Human Services Branch"; repeals KRS 61.957, relating to the chairman and duties of the abolished Communications Advisory Council; confirms Reorganization Executive Order 2000-1315, dated October 4, 2000.

HB 97

AN ACT relating to the Personnel Cabinet and declaring an emergency.

Confirms Executive Order 2000-1316 to amend KRS 12.020 to create the Office of Public Employee Health Insurance within the Personnel Cabinet; amends KRS 18A.025 to remove Health Insurance and the Flexible Benefit Plan from the Division of Employee Benefits within the Department for Employee Relations and place them under the jurisdiction of the newly created Office of Public Employee Health Insurance; amends KRS 18A.225 to permit the Finance and Administration Cabinet to declare an emergency when only one health plan is available in a county and the health insurance company fails to maintain at least 65% of its specialty physicians after the open enrollment period; requires the cabinet to notify the Governor, Legislative Research Commission, and the secretary of the Personnel Cabinet and permit the cabinet to negotiate and contract with other providers without meeting the requirements of KRS Chapter 45A; specifies that the provision applies to calendar year 2001 only; EMERGENCY.

HB 98

AN ACT relating to reorganization.

Amends KRS 15A.020 and 15A.067 and confirms Executive Order 2000-1501, dated November 28, 2000, creating a Division of Placement Services within the Department of Juvenile Justice.

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HB 99

AN ACT relating to telecommunications.

Amends various sections of KRS Chapter 65, dealing with wireless emergency 911 telephone service; allows the Commercial Mobile Radio Service (CMRS) Emergency Telecommunications Board to change the formula for allocation of funds from the CMRS fund to reflect the relative workload imposed on each public safety answering point (PSAP) by emergency 911 calls from wireless telephones; permits the CMRS board to use monies from the fund to implement the changed formula; creates a 24-month grace period in which PSAPs that merge operations can continue to receive pro-rata shares of the fund as if they had not merged; allows subscriber information to be disclosed for the purposes of collecting the service charge; permits CMRS funds to be used for training PSAP staff and public education efforts; changes audit period from 18 months to 24.

HB 100

AN ACT relating to industrial hemp.

Creates new sections of KRS Chapter 260 to establish an industrial hemp research program to conduct research on industrial hemp as an agricultural product in Kentucky; directs that the research program shall be administered by the Department of Agriculture working cooperatively with selected Kentucky university or universities' agricultural research programs; uses the Council on Postsecondary Education to select the site of the program; allows all universities with agriculture departments to apply and be considered by the Council on Postsecondary Education for the location of the industrial hemp research program; directs the industrial hemp research program to focus on agronomy field trials of industrial hemp plant varieties, including soils, growing conditions and suitability for Kentucky; directs the research program to conduct seed research; requires the university or universities selected for the industrial hemp research program to notify the Kentucky State Police headquarters and local barracks as well as all other local law enforcement agencies of the size, duration and location of all industrial hemp plots; directs the Kentucky Department of Agriculture to only do promotion and marketing of Kentucky industrial hemp research and products after the industrial hemp research program and the Industrial Hemp Commission have been established and when adequate funding is available from the industrial hemp program fund; directs that the research program do research rather than marketing; creates the Industrial Hemp Commission to monitor the industrial hemp research program, issue a report, and make recommendations to the Governor, the Interim Joint Committee on Agriculture and Natural Resources and the LRC by December 15, 2001; requires the Industrial Hemp Commission to report to the Governor, the Interim Joint Committee on Agriculture and Natural Resources and the LRC annually regarding ongoing activities; directs the state of Kentucky to adopt the current federal rules and regulations regarding industrial hemp and any subsequent changes; establishes an "industrial hemp program fund" to offset the costs of the commission, marketing and research.

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HB 101

AN ACT relating to the dismissal of volunteer firefighters.

Creates a new section of KRS 337 that protects volunteer firefighters from dismissal from employment if they were late or absent from work due to an emergency run; allows the employer to charge the absent time to the absent employee's regular pay; allows the employer to request a written statement from the fire chief showing that the absent employee was on an emergency run; allows a dismissed employee to file a civil action for unjust illegal dismissal; provides that a dismissed employee may seek reinstatement, lost wages, fringe benefits, and seniority rights.

HB 102

AN ACT relating to mortgage loan companies and brokers.

Amends KRS 294.020 to exempt certain lenders from KRS Chapter 294; provides an exemption for any mortgage loan involving housing initially transferred by certificate of title under KRS Chapter 186A; relieves certain exempted persons from having to file a claim of exemption; requires any natural person making a loan with his or her own funds for the person's own investment to provide a disclosure statement; exempts from the disclosure statement requirement natural persons who make less than 5 mortgage loans per year; prohibits a person who willfully transacts mortgage loan business without a license from collecting interest or charges but requires the unpaid principal balance of the loan to be paid in full; amends KRS 294.220 to make it unlawful for a mortgage loan company to charge a fee for the issuance of an initial written loan payoff amount or payment history for each calendar quarter.

HB 103

AN ACT relating to the inspection and certification of on-site sewage disposal and declaring an emergency.

Amends KRS Chapter 211 to allow licensed professional engineers in private practice to perform site evaluations and approve system designs for on-site sewage disposal systems; provides that the final installation inspection is the responsibility of the local health department, which must still issue the permit for the on-site sewage disposal system; provides that a licensed professional engineer may not perform evaluations and approve system designs for properties that he owns or that his firm owns; requires that the licensed professional engineer certify that he or she has complied with the relevant administrative regulations for the evaluation and system design of on-site sewage disposal systems; releases local health departments from liability for errors in evaluation or design made by the licensed professional engineer in private practice.

HB 105

AN ACT relating to crimes and punishments.

Amends KRS 186.570 and 532.356 to allow for the suspension of a person's eligibility to operate a motor vehicle upon a second conviction of theft by unlawful taking involving the theft of gasoline from a retail establishment and allows a retail establishment to post a notice of the law.

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HB 108

AN ACT relating to gun buy-back programs.

Creates a new section of KRS Chapter 237 to require law enforcement agencies participating in gun buy-back programs to return stolen firearms to lawful owners, and to take steps to preserve criminal evidence before a firearm is destroyed; requires police to attempt to arrest the thief and any person who knowingly possessed the stolen firearm.

HB 112

AN ACT relating to the Telehealth Board.

Amends KRS 11.550 to permit the Board of Telehealth to expand the telehealth network to include any site operating as a telemedicine or telehealth site as of the effective date of the Act if the site demonstrates its ability to follow the board's protocols and standards; and amends KRS 342.315 to permit the commissioner of the Department for Workers' Claims to require the use of telemedicine or telehealth practices in the independent medical evaluation process, if feasible and appropriate.

HB 113

AN ACT relating to trusts and estates.

Amends KRS 395.625 to delete the annual fiduciary settlement publication requirement for blocked accounts of not more than \$2,500.

HB 121

AN ACT relating to public library facilities construction bond authorization and making an appropriation therefor.

Amends 2000 Kentucky Acts Chapter 549, PART I, OPERATING BUDGET, to provide that included in the General Fund appropriation for fiscal year 2001-2002 for direct local aid under Libraries and Archives is \$1,075,000 for debt service for Public Library Facilities Construction Fund to assist local libraries with debt service for new library facilities and improvements; amends 2000 Kentucky Acts Chapter 549, PART II, CAPITAL PROJECTS BUDGET, to authorize \$10,150,000 in bond funds for fiscal year 2001-2002 for the Public Library Facilities Construction Fund in the Libraries and Archives budget unit of the Education, Arts, and Humanities Cabinet; provides that these provisions shall supersede and prevail over any conflicting provision of the 2000 Acts Chapter 525, the 2000-2002 State/Executive Budget Memorandum.

HB 123

AN ACT relating to the welfare of children and declaring an emergency.

Amends KRS 403.213 to add three parents and a child advocate to the child support guidelines review commission who shall serve until a change in status; requires the appointment of the new members by the Governor from a list submitted by the Cabinet for Families and Children; amends KRS 403.340 to define "custody" for purposes of modification of a child custody order; and requires a court hearing on change of circumstances and modification to consider additional factors in the best interests of the child as set forth in KRS 403.270(2); EMERGENCY.

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HB 124

AN ACT relating to reorganization.

Amends KRS 194.095 to confirm Executive Order 2000-1180, dated September 1, 2000, which establishes and attaches the Office of Women's Physical and Mental Health to the Office of the Secretary within the Cabinet for Health Services.

HB 125

AN ACT relating to reorganization.

Confirms Executive Order 2000-1005, relating to the Kentucky Commission on Services and Support for Individuals with Mental Retardation and other Developmental Disabilities, to increase the number of family members from three to five, and to provide that at least two of these members shall be members of a family with an individual with mental retardation or other developmental disabilities residing in the home of the family member or in a community-based setting, and at least two shall be members of a family with an individual with mental retardation or other mental disabilities residing in an institutional residential facility that provides services to individuals with mental retardation or other developmental disabilities.

HB 130

AN ACT relating to transportation of prisoners.

Amends KRS 441.510, relating to transportation of prisoners, to delete authority for court to order someone other than provided by statute to transport prisoners to or from jail; requires that inmates housed in a county detention center different from the court venue be transported to court by the sheriff of the county of venue.

HB 131

AN ACT relating to peace officer training.

Creates a new section of KRS Chapter 15 to specify how a jailer who is a former police officer may retain eligibility for KLEPF program funding when he or she returns to a police department following term of office as jailer; provides that a jailer will not receive KLEPF funding during term of office as jailer.

HB 133

AN ACT relating to security interests.

Amends KRS 186A.190 to provide that the notation of a security interest on a certificate of title for a manufactured home shall remain effective for a period of 30 years rather than 14 years; amends KRS 355.9-507 to provide that a debtor's name change which makes a financing statement seriously misleading shall be effective to perfect a security interest in the collateral acquired by the debtor before the change, or within four months after the debtor notifies the secured party in writing of the change; provides that the financing statement is not effective to perfect a security interest in collateral acquired by the debtor more than four months after the debtor notifies the secured party in writing of the change unless an amendment to the financing statement which renders the financing statement not seriously misleading is filed within four months after the change; effective July 1, 2001.

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HB 138

AN ACT relating to physician assistants.

Amends KRS 216B.015 to define "physician assistant"; amends KRS 216B.160 to require licensed health care facilities to develop a policy that establishes the credentials, oversight, appointment, and reappointment of physician assistants and for granting, renewing, and revising of the physician assistant's clinical privileges; creates a new section of KRS Chapter 304.17A to provide that any health benefit plan issued or renewed on or after July 15, 2001 providing coverage for surgical first assisting or intraoperative surgical care benefits or services shall be construed as providing coverage for a certified surgical assistant or physician assistant who performs those services.

HB 139

AN ACT relating to state government and declaring an emergency.

Amends KRS 6.807 to require legislative agents and employers to file updated registration statements with the Legislative Ethics Commission in January, February, March, April, May and September of each year; amends KRS 446.010, relating to statutory definitions generally, to define "biennium" to mean the two-year period commencing on July 1 in each even-numbered year and ending on June 30 in the ensuing even-numbered year; amends KRS 61.510 to conform by clarifying "current service" and "prior service" to mean each month of service, "creditable compensation" to mean each month of the year, rather than biennium, and "officers and employees of the General Assembly" to mean occupants of those positions enumerated in KRS 6.150 and their assistants if employed by the General Assembly for at least six regular sessions; specifies that the emergency clause applies only to the KRS 6.807 provision; EMERGENCY.

HB 140

AN ACT relating to continuing education about acquired immunodeficiency syndrome.

Amends KRS 214.610 to require a mandatory continuing HIV/AIDS education course once every ten years, rather than once every licensure period, for various professions and to give discretion to the licensing board or certifying entity to determine whether it or the Cabinet for Health Services shall approve the course; requires the Department for Health Services to publish on its web site the current informational resources for the development of the educational course or program, and require to the extent possible that the course or program include changes in Kentucky law or medical protocols affecting HIV/AIDS, inform physicians involved with the birthing process about the importance of HIV testing of pregnant women and about the probability of preventing perinatal transmission of HIV with appropriate treatment, and update various health care professionals, upon request, with the latest CDC guidelines on occupational exposure to HIV and other blood borne pathogens; amends KRS 214.615 to authorize the licensing boards or certifying entities, rather than the cabinet, to require as a condition of licensure or certification that a person making an initial application must complete an educational course approved by the licensing board, certifying entity, or cabinet on the transmission, control, treatment, and prevention of HIV and AIDS; amends the following sections to conform: KRS 214.620, 311.450, 311.601, 311.6541, 312.175, 313.080, 313.305, 314.073, 315.065, 320.280, 327.050, and 333.190.

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HB 143

AN ACT relating to environmental audits.

The enacted bill amends KRS 224.01-040 to delete the provision relating to privilege of environmental audits in "any legal action" and in criminal proceedings; deletes provisions relating to procedures for, and exceptions to, conditions relating to asserting privilege in criminal proceedings; provides that the privilege shall not extend to material which has been made available to "the public" or a regulatory agency, or pursuant to Chapter 224, or in any criminal proceeding; deletes the exemption of audit report disclosure in criminal proceedings; provides that the Natural Resources and Environmental Protection Cabinet shall not seek a civil penalty if a violation is not one which resulted in significant economic benefit which gives the violator a clear advantage over its business competitors.

HB 145

AN ACT relating to foster parents.

Requires the Department of Personnel, Department of Insurance, and Cabinet for Families and Children to prepare recommendations on the viability of foster parents purchasing health insurance through the public employee health insurance group or other options for health coverage; specifies that the recommendations include demographic and actuarial information, the effect of foster parent purchase on premiums and the tax status of the state employee contribution, procedures for termination of health insurance policies upon closure of the foster home, and procedures for foster parents to pay the total cost of the policy premium; requires a report to the Governor and Legislative Research Commission on the findings by July 15, 2001.

HB 148

AN ACT relating to safe deposit boxes.

Creates new sections of KRS Chapter 286 to authorize the lessor of a safe deposit box to permit access to certain interested persons who have a key to the safe deposit box to conduct a will search or to obtain any document purporting to be a deed to a burial plot or to give funeral or burial instructions; defines interested person; describes the duties of the employee of the lessor if a will is found or if a deed to a burial plot or funeral or burial instructions are found in the safe deposit box.

HB 163

AN ACT relating to community development projects and making an appropriation therefor.

Amends 2000 Kentucky Acts Chapter 549 to increase the bond funding by \$120,434 for project 501, Emergency Service Center and decrease the bond funding by \$120,434 for project 502, Kedron Bridge, in the Community Development Projects for Marion County; provides that in fiscal year 2001-2002, there is reallocated from the road fund allocation for the bridge replacement at White Lick Road Bridge in Garrard County contained in 2000 Kentucky Acts Chapter 525, \$37,000 which is appropriated for the continuation of the paving project at the Garrard County Industrial Authority; provides

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that the provisions of this Act shall supersede and prevail over any conflicting provisions of the State/Executive Budget Memorandum.

HB 166

AN ACT relating to reorganization.

Amends KRS 36.010, relating to the Department of Military Affairs, to create the Logistics Operations Division within the Office of Management and Administration; creates a new section of KRS Chapter 36 to direct that the Logistics Operations Division be headed by a director and composed of organizational entities deemed appropriate by the Adjutant General and set forth by administrative order; directs that the Logistics Operations Division provide logistical services to federal defense agencies under contract or program memorandum of agreement between those agencies and the Department of Military Affairs; amends KRS 36.040, relating to the duties of the Adjutant General, to require the Adjutant General to establish the internal organizational structure of the major organizations of the Department of Military Affairs and to organize and supervise all programs, functions, and personnel assigned to the department; confirms Executive Order 2000-1628, dated December 29, 2000.

HB 167

AN ACT relating to reorganization.

Confirms Executive Order 2000-1621, dated December 29, 2000, which transfers the Toxicology Section, Department for Public Health, to the Division of Kentucky State Medical Examiners Office, Justice Cabinet.

HB 169

AN ACT relating to reorganization.

Confirms Executive Order 2000-1622, dated December 29, 2000, which reorganizes the Department for Medicaid Services by creating the Division of KenPAC Services and abolishing the Division of Behavioral Health.

HB 171

AN ACT relating to reorganization.

Amends KRS 151B.250 and 151B.260 to elevate the Office of Training and Reemployment to a department, creates the Division of Workforce Investment within that department, and abolishes the Office of School-to-Work within the Cabinet for Workforce Development; amends KRS 12.020 and 151B.020 to conform; confirms Executive Order 2000-1623, dated December 29, 2000.

HB 172

AN ACT relating to reorganization.

Amends KRS 311.6521 to delete reference to the Department for Public Health; amends KRS 311.6523 to establish the Office of the Kentucky Board of Emergency Medical Services and define its duties; confirms Executive Order 2000-1625, dated December 29, 2000, which established the office and transferred responsibilities for administration of emergency medical service laws from the Cabinet for Health Services, Department for Public Health to the Board.

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HB 173

AN ACT relating to school facilities construction.

Amends KRS 157.615 to provide that "available local revenue" for school building construction shall no longer include the balance of the general fund budget above 10% and shall now include the bonding potential of capital outlay and building funds and account balances as of June 30 of odd-numbered years; deletes from the definition of "equivalent tax rate" income from voted building taxes; amends KRS 157.620 to require the district board of education to restrict construction revenue on July 1 of each odd-numbered year to be used in accordance with the most current school facilities plan approved by the Board of Education; amends KRS 157.622 to conform.

HB 174

AN ACT relating to insurance.

Creates a new section of KRS 304.14-600 to KRS 304.14-625 to require long term care policies which provide coverage for assisted living benefits to cover services received in any assisted living community meeting the requirements of KRS 194A.700 to KRS 194A.729 and any administrative regulations promulgated under KRS 194A.700 to KRS 194A.729 and meets any additional requirements in the policy; requires long term care policies providing coverage for adult day care services to provide coverage if the adult day care facility meets the requirements of KRS 205.950 or KRS 216B.0443 and any administrative regulations promulgated under KRS 205.950 or KRS 216B.0443 and meets any additional requirements in the policy; amends KRS 304.17A-607 and KRS 304.17A-617 to change references to "other alternative treatments" in the denial letter and the written notice of denial of coverage to "alternative benefits."

HB 184

AN ACT relating to health care.

Amends KRS 314.011 to define "dialysis care" and "dialysis technician"; creates new sections of KRS 314.011 to 314.161 to prohibit any person, other than a nurse, physician assistant, or physician, from providing dialysis care in a licensed renal dialysis facility without holding a current active credential as a dialysis technician from the Board of Nursing; prohibits dialysis technician from providing dialysis care if listed on the nurse aide abuse registry with substantiated findings; requires the board to promulgate administrative regulations relating to dialysis technicians; creates the Dialysis Technician Advisory Council under the Board of Nursing and provides for membership.

HB 185

AN ACT relating to career and technical education.

Creates new sections of KRS Chapter 158 to define specific terms relating to career and technical education; defines the purposes of career and technical education; requires the Departments of Education and Technical Education to jointly complete an annual analysis and report of academic achievement of technical education students who have at least three high school credits and develop further assessments and assistance for educational improvement where needed; creates a new section of KRS Chapter 157 to require that funds provided for specific school districts that operate area centers, magnet centers and departments be distributed by a weighted formula; amends KRS 157.360 to

ACTIONS OF THE 2001 GENERAL ASSEMBLY

clarify that there shall be no funding deduction for students attending state-operated vocational institutions; requires study of certification of technical teachers by a workgroup established by EPSB; requires that the Interim Joint Committee on Education study funding of locally operated centers and departments, incentives to promote new programs, the state policies for developing and funding new secondary career and technical facilities, and options for accountability relating to KRS 158.6455 for state-operated programs.

HB 186

AN ACT relating to trust and agency accounts.

Creates a new section of KRS Chapter 246 to establish an "Agriculture Promotion Fund" in the State Treasury to be administered by the Department of Agriculture to promote agriculture in the Commonwealth.

HB 191

AN ACT relating to high school athletics.

Amends KRS 156.070 to delete varsity wrestling from the list of prohibited high school sports for seventh and eighth grade students; provides that if nonteaching personnel are allowed to serve as coaches, they must be allowed to serve in all sports, including basketball and football; requires that administrative regulations dealing with coaching positions in interscholastic athletics give preference in employment or assignment to certified personnel.

HB 201

AN ACT relating to sales and use tax and declaring an emergency.

Amends KRS 139.170 to clarify the definitions for the machinery for new and expanded industry sales tax exemption; amends KRS 139.470 to define plant facility; provides that no claim for refund or credit of a sales tax overpayment made after September 28, 2000, shall be effective or recognized for any purpose unless the machinery for which the exemption is claimed was incorporated into a plant facility as defined in this Act and that the provisions of the Act shall apply retroactively to September 28, 2000; EMERGENCY.

HB 203

AN ACT relating to the Judicial Branch Budget and declaring an emergency.

Amends 2000 Kentucky Acts Chapter 545, the 2000-2002 Judicial Branch Budget, to repeal the levy of additional fees and costs by the fiscal court for the purpose of paying expenses for courthouses, bonds related to them, and administration expenses of the Circuit and District Court; creates new sections of KRS Chapter 23A, 24A, and 64 to permit fiscal courts to levy fees and costs for the purpose of paying expenses for courthouses, bonds related to them, and administration expenses of the Circuit and District Court in amounts equal to those permitted by 2000 Kentucky Acts Chapter 545; provides that the provisions of this Act supersede and prevail over any conflicting provisions of 2000 Kentucky Acts Chapter 524, the 2000-2002 Judicial Branch Budget Memorandum; EMERGENCY.

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HB 204

AN ACT relating to criminal records checks.

Amends KRS 161.148 to provide that students in an educational institution that observe or participate in educational activities under the supervision of a teacher or administrator are exempt from the provisions of KRS 161.148; amends KRS 161.042 and 160.380 to specify that student teachers are required to have criminal records checks.

HB 209

AN ACT relating to income taxes and declaring an emergency.

Amends KRS 141.010 to exclude from income tax any amount received from funds of the Community Credit Corporation for Tobacco Loss Assistance Program (TLAP) payments as a result of a reduction in the quantity of federal tobacco quota allotted; applies retroactively to taxable years beginning after December 31, 1999; EMERGENCY.

HB 223

AN ACT relating to special military-related license plates.

Amends KRS 186.041, relating to special military-related license plates, to modify the categories of individuals eligible to receive a disabled veterans license plate as follows: restricts the 70% disability to service-connected disabilities and allows disabled veterans who receive service-connected Individual Unemployability from the US Department of Veterans Affairs to be eligible to apply for and receive the license plate.

HB 225

AN ACT relating to retirement systems coordinated under the name Judicial Form Retirement System.

Amends KRS 21.370 to authorize applicable officials in office on the effective date of this Act, and who are in active contributing status to the retirement system on the effective date of this Act, to purchase of the following additional service credit for the judicial retirement system if statutory conditions of purchase are met: up to four years service credit as Domestic Relations Commissioner, Master Commissioner, District Court Trial Commissioner, U.S. Govt. service other than military, and up to five years air-time, credit may be purchased by transfer of funds from retirement plan, deferred compensation, or rollover of qualified retirement plan; amends KRS 6.515 to authorize applicable officials in office on the effective date of this Act, and who are in active contributing status to the retirement system on the effective date of this Act, to purchase the following additional service credit for the legislative retirement system if statutory conditions of purchase are met: up to four years service credit as Domestic Relations Commissioner, Master Commissioner, District Court Trial Commissioner, U.S. Govt. service other than military service, and up to five years air-time, credit may be purchased by transfer of funds from retirement plan, deferred compensation, or rollover of qualified retirement plan.

ACTIONS OF THE 2001 GENERAL ASSEMBLY

HB 233

AN ACT relating to guardians, conservators and limited conservators, and declaring an emergency.

Amends KRS 387.710 to raise from \$1,500 to \$2,500 the dollar amount which triggers certain inventory filing requirements which a guardian, conservator, or limited conservator must meet with regard to a ward's property; EMERGENCY.

HB 234

AN ACT relating to the Department of Corrections.

Creates a new section of KRS Chapter 196 to require the Department of Corrections to maintain a biennially updated photographic record of each inmate committed to its custody.

HB 238

AN ACT relating to increment financing.

Creates new sections of KRS Chapter 65 to allow cities, counties, or the state to contract with an agency for increments received by it in return for benefits accrued from a project locating in a development area; clarifies that revenue generated from the relocation of businesses to a taxing district are "old revenues," as defined in the bill; requires the Office of State Budget Director, the Finance and Administration Cabinet, and the Revenue Cabinet to determine the amount of incremental state revenues from any grant contract; provides that the approval shall not be granted unless there is a net positive economic impact.

HB 240

AN ACT relating to the Proposed Interstate Compact on Licensure of Participants in Live Racing with Pari-mutuel Wagering.

Creates a new section of KRS Chapter 230 authorizing and directing the Governor to execute the interstate compact on licensure of participants in live racing with pari-mutuel wagering; establishes effective provision based upon enactment by no less than four states.

HB 251

AN ACT relating to foster parents.

Amends KRS 605.120 to establish that foster parents have authority to make decisions regarding haircuts and hairstyles of foster children who are in their care for 30 days or more.

HB 254

AN ACT relating to classified personnel in local school districts.

Amends KRS 78.615 to permit classified employees in local school districts to earn a full year of retirement service credit if their total paid days were not less than 180 days for a regular school or fiscal year; permits a non-certified employee of a school board who retires between July 1, 2000 and August 1, 2001 to choose to have services earned between July 1, 2000 and August 1, 2001, credited under the provisions of this Act.

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HB 258

AN ACT relating to mine safety and declaring an emergency.

Declares the public purpose to improve mine safety by the enforcement of sanctions; creates the Mine Safety Review Commission to conduct hearings and issue orders regarding licensees, coal operators, or other persons involved in coal mining, to establish a process for the referral of allegations of mine safety violations from the department to the commission, and to make recommendations to the department; sets membership of the commission as appointed by the Governor and confirmed by the Senate and House; establishes qualifications of the commission nominees and general organization and powers of the commission; allows the commission to request the Public Protection and Regulation Cabinet to hire hearing officers; amends KRS 351.010 to define "commission"; amends KRS 351.070 to direct the commissioner of the Department of Mines and Minerals to investigate and report on coal mine fatalities; amends KRS 351.105 to require that a citizen member to be appointed to the Mining Board and to delete the board's authority to revoke, suspend, or probate a mine's license or a miner's certification, and to give the Governor specific authority to remove members of the board; requires the department to promulgate administrative regulations to establish criteria for the imposition of sanctions against certified and noncertified personnel and owners of licensed premises who violate mine safety laws; requires the department to promulgate administrative regulations that establish criteria for the Mine Safety Review Commission to impose penalties against licensed premises; requires the commission and the board to complete 40 hours of new miner training; amends KRS 351.102 to allow appeals from actions of the department to be taken to the commission rather than the board and requires the appeals to be taken to Franklin Circuit Court rather than the court of jurisdiction where the applicant resides; amends KRS 351.106 to require the department to supply information to the board when requested; amends KRS 351.160 to require the department to provide annual reports to the Legislative Research Commission; amends KRS 351.194 to direct the commission to promulgate administrative regulations establishing procedures for administrative hearings and review of recommended orders from hearing officers, substitutes the commission for the board for purposes such as determining probable cause that an unsafe workplace has been allowed to occur and to schedule a hearing to investigate allegations of unsafe mining practices; allows the commission to modify civil penalties or fines, and establishes criteria for the commission to assess monetary penalties; amends KRS 352.390 to authorize the commission rather than the board to revoke, suspend, or probate certificates; amends KRS 12.020 to place the Mine Safety Review Commission under the Public Protection and Regulation Cabinet for administrative purposes; directs that the Act supercedes Executive Order 2001-83; EMERGENCY.

HB 259

AN ACT relating to nonelected city offices and officers.

Amends KRS 83A.080 to require the offices of city clerk, city manager, city administrator, chief of police and fire chief to be created under this section; permits a city to create additional nonelected city offices; requires the executive authority of a city to give written reasons for the removal of nonelected city officers when invoking their "at

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will" dismissal power; clarifies that written reasons do not limit the "at will" powers of the executive authority.

HB 276

AN ACT relating to Kentucky Employers' Mutual Insurance Authority.

Amends KRS 342.809 to allow the board of directors for Kentucky Employers' Mutual Insurance Authority (KEMI) to meet quarterly instead of monthly and to meet at the call of the chair; allows four or more board members to call a meeting of the board.

HB 278

AN ACT relating to retirement.

Creates a new section of Chapter 61.510 to 61.705 to provide that an employee of any state-administered retirement system who is killed or disabled due to a duty-related injury shall receive death and disability benefits equal to those granted to hazardous employees of the Kentucky Retirement Systems; amends KRS 61.702 to enhance retiree health insurance benefits to the member, or beneficiaries, if member is disabled or killed as a result of a duty-related injury; amends KRS 164.2841 and 164.2842 to waive college, university, or vocational education fees of eligible families whose parent or spouse is killed or disabled as a result of a duty-related injury; names the duty-related death and disability benefit provisions of the Act "The Fred Capps Memorial Act"; creates a new section of KRS 61.510 to 61.705 to provide that all service purchases through the Kentucky Retirement Systems after July 1, 2001, shall be at 100% of actuarial cost except under KRS 61.552(1) and (24) and KRS 61.592(3)(c) and amends KRS 16.645 and KRS 78.545 to conform; amends KRS 61.510 and 78.510 to provide that the final average compensation for nonhazardous members retiring between August 1, 2001, and January 1, 2009, shall be based on the high three years.

HB 279

AN ACT relating to cigarettes.

Creates new sections of KRS Chapter 248 to set out definitions; provides that no person shall sell, distribute, acquire, hold, own, possess in this state, or transport for sale or distribution in this state, or import or cause to be imported in this state for sale or distribution in this state any cigarettes whose contents, packaging, manufacturing, labeling, marketing, or distribution does not comply with federal law; sets out exceptions; provides for administrative reporting procedures; provides for enforcement by the Attorney General; provides for criminal penalties including allowing for recovery of the costs of prosecution by the prosecuting attorney; provides for right of private action for injunctive relief as determined by the court; clarifies the Kentucky law on unfair trade practices, KRS 365.020 to 365.050, applies to anyone who sells, distributes or manufactures cigarettes; amends KRS 138.146 to require Revenue Cabinet to permit identification of person affixing cigarette tax stamp by numbered rolls of tax stamps and requires the cabinet to keep tax stamp identification for three years; effective July 1, 2002.

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HB 281

AN ACT relating to restoration of civil rights for convicted felons.

Creates a new section of KRS Chapter 196 directing the Department of Corrections to promulgate regulations that provide a simplified process for eligible felony offenders to apply for the restoration of their civil rights, and to give notice to the Commonwealth's attorney in the eligible offender's county of residence, setting out the criminal case number and charges for which offender was convicted.

HB 284

AN ACT relating to property taxes.

Amends KRS 132.200 to exempt nonferrous metals futures commodities held on warrant in a commodity warehouse from local taxation; defines terms.

HB 300

AN ACT relating to gubernatorial appointments to boards of regents.

Amends KRS 164.321 to modify residency requirements for gubernatorial appointees to university and community or technical college boards of regents to allow appointees who move out of state to continue to serve and to be re-appointed.

HB 304

AN ACT relating to cities.

Amends KRS 81A.530 to remove the option of conducting a vote during a primary election to annex a city of the sixth class into a city of the third, fourth, or fifth class; reclassifies the city of Brodhead, population 1,194, in Rockcastle County, from a city of the sixth class to a city of the fifth class.

HB 305

AN ACT relating to the Public Service Commission.

Amends KRS 278.010 to include home energy assistance programs in the definition for demand-side management program; amends KRS 278.285 to permit demand-side management programs to include home energy assistance programs and requires the Public Service Commission to utilize only the criteria for evaluating the program set forth in KRS 278.285(1)(f) and (3).

HB 309

An act relating to veterans' affairs.

Amends KRS 40.305 to rename Advisory Board for Veterans' Affairs the Governor's Advisory Board for Veteran's Affairs; provides for the selection of officers from among the appointed members of the board; directs the board to advise the governor, as well as the commissioner, on the administration of veterans' services programs; directs the board, as well as the commissioner, to advise the General Assembly on matters relating to veterans' affairs and administration of veterans' service programs.

HB 324

AN ACT relating to the Court of Justice.

Amends KRS 23A.020 relating to Judicial Circuits to redefine the 29th Judicial Circuit as Adair and Casey counties; redefines the 40th Judicial Circuit as Monroe,

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Cumberland, and Clinton counties; creates a new 57th to Judicial Circuit comprised of Russell and Wayne counties; amends KRS 23A.040 to provide one additional circuit judge for the 41st Judicial Circuit of Clay, Jackson, and Leslie counties and the 51st Judicial Circuit consisting of Henderson county; amends KRS 24A.050 relating to Judicial Districts with two district judges to add one additional judge for the 5th Judicial District consisting of Crittenden, Union, and Webster counties and to add one additional judge for the 37th Judicial District consisting of Carter, Elliott, and Morgan counties; effective April 1, 2002.

HB 325

AN ACT relating to economic development and declaring an emergency.

Amends KRS 154.26-010, related to the Kentucky Industrial Revitalization Act, to include under the definition of an "eligible company" businesses that have coal mining and processing operations in the state that employ 500 people and produce at least four million tons of coal in the state, and have operations that are temporarily suspended or severely reduced; amends KRS 154.26-080 to allow eligible companies to request an emergency declaration based upon the urgency of the request which requires agencies' approval and exempts the company from a consulting firm review of the risk of closure; EMERGENCY.

HB 329

AN ACT to revise and correct the Kentucky Revised Statutes.

Reviser's Bill for the 2001 Regular Session; makes legislative findings and declarations on the nature and reasons for the changes being made; repeals and reenacts, or amends, certain statutes in KRS Chapter 355, Article 9, to confirm codification actions or to make corrections in text in sections of the revised Article 9 of the Uniform Commercial Code adopted in 2000 Ky. Acts ch. 408; supplies overlooked conforming changes by amending KRS 365.015 and repealing KRS 14.150; effective July 1, 2001.

HB 342

AN ACT relating to utilities.

Amends KRS 278.020 to permit the Public Service Commission to extend the deadline for action upon an merger application for an additional 60 days for good cause shown; requires the Public Service Commission to include an explanation for the continuance in the order that extends the deadline on the application for an additional 60 days.

HB 343

AN ACT relating to training of county officials.

Amends KRS 64.5275 relating to the compensation and training of county officers on and after January 1, 2002, to specify that the annual incentive of \$100 per calendar year paid to county officials for each 40 hour training unit successfully completed shall be based on continuing service in that office and, completion of at least 40 hours of training each subsequent calendar year; provides that officers who fail, without good cause, to obtain the minimum hours of training shall lose all previously accumulated training incentives; prohibits officers from receiving more than one training unit per calendar year or more than four incentive payments per calendar year; allows up

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to 40 hours of training credit to be carried forward; requires the Department for Local Government to adjust incentive payments on an annual basis by any increase or decrease in the consumer price index; requires the Department for Local Government to promulgate administrative regulations to establish guidelines for the approval and certification of training units.

HB 347

AN ACT relating to architectural firms.

Creates a new section of KRS Chapter 65 to define "employ", "local government", "construction manager", and "design-build", and prohibits a local government from employing the same entity to serve as a construction manager on a capital construction project for which the firm provided architectural services, and vice versa; provides that no local government shall knowingly hire certain persons associated with the entity as a construction manager for the same project in which the entity provided architectural services, and vice versa; provides penalty for violation; provides that a local government may use "design-build" as a method of providing for capital construction services.

HB 352

AN ACT relating to health insurance.

Amends KRS 304.18-110 by deleting the requirement that replacement group health insurance policies and insurers offer continued group health insurance coverage under the subsequent group policy under rules that are no less favorable to the person under continued group coverage than are available to similarly situated eligible employees; provides that if a group policy is replaced, persons under the continued group health insurance are permitted to remain under such coverage under the replaced policy until it terminates.

HB 356

AN ACT relating to revenue and taxation.

Amends KRS 138.870 to 138.882 to provide that the tax on marijuana and controlled substances shall not be assessed until the offender's taxable activity results in a criminal conviction or a guilty or Alford plea for violating KRS Chapter 218A; allows Revenue Cabinet to file a notice of lien on issuance of a warrant or indictment.

HB 367

AN ACT relating to the simplification and modernization of sales and use tax administration.

Creates new sections of KRS Chapter 139 to create the Uniform Sales and Use Tax Administration Act to simplify and modernize sales and use tax administration to ease the burden of tax compliance on sellers; defines terms; provides that the agreement shall establish standards for a certified service provider and certified automated system; provides that the adoption of the agreement does not amend or modify any Kentucky statutes; provides for the necessary requirements of the agreement.

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HB 370

AN ACT relating to sales and use taxes.

Amends KRS 139.472 to exempt free drug samples distributed to or from a physician's office from sales and use taxes; provides that this Act shall only apply to the sale or distribution of prescription medicine on or after July 1, 2001.

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HOUSE RESOLUTIONS

HJR 7

Directs the Transportation Cabinet to name US 431 from US 68/KY 80 to Lewisburg the "Terry Wilcutt Highway" and erect appropriate signs.

HCR 8

Directs the Interim Joint Committee on Appropriations and Revenue to conduct a study of the development of passenger and freight rail initiatives in the Commonwealth and of the weight distance tax and the usage tax on motor carriers and options for replacing lost revenue if the taxes are eliminated or modified; provides that the study shall not be conducted if the General Assembly enacts a resolution to study comprehensive tax reform, including the weight distance tax.

HCR 12

Confirms appointment of Steve Catron as a member of the Postsecondary Education Nominating Committee as a representative of the 2nd Supreme Court District, for a term expiring April 14, 2002.

HCR 13

Confirms reappointment of Dr. Samuel Robinson as a member of the Kentucky Board of Education representing the state at large, for a term expiring April 14, 2004.

HCR 14

Confirms reappointment of Alcie Ann Combs to the Kentucky Board of Education representing the state at large, for a term expiring April 14, 2004.

HCR 15

Confirms the appointment of Paul L. Whalen to the Kentucky Board of Education representing the state at large for a term expiring April 14, 2004.

HCR 16

Confirms the appointment of Gail Ritchie Hanson, Ph.D., to the Kentucky Board of Education representing the state at large for a term expiring April 14, 2004.

HCR 17

Confirms the appointment of Marc A. Yussman to the Governor's Postsecondary Education Nominating Committee representing the Fourth Supreme Court District for a term expiring April 14, 2006.

HCR 18

Confirms the appointment of Anthony F. Kelly to the Governor's Postsecondary Education Nominating Committee representing the Sixth Supreme Court District for a term expiring April 14, 2006.

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HJR 19

Names the bridge located on the west side of West Liberty, Kentucky in Morgan County on US 460 which crosses the Licking River near the intersection of US 460 and KY 2498 (Wells Hill Road) the "Colonel Monfurd K. Peyton Memorial Bridge."

HJR 30

Creates the Tax Policy Issues Subcommittee of the Appropriations and Revenue Committee to study tax policy issues; provides for the appointment of members and that the House and Senate Chairs of the Appropriations and Revenue Committee shall serve as co-chairs; provides that the subcommittee is authorized to meet on the regular meeting date for the Interim Joint Committee on Appropriations and Revenue according to the most recent interim meeting calendar approved by a majority of the Legislative Research Commission; requests the Governor through designees to make recommendations to the subcommittee for consideration by the committee; provides that the Governor shall designate executive branch employees with expertise in the various areas to be studied by the subcommittee to present data, research, and testimony to the subcommittee; provides that the subcommittee may employ consultants if approved by LRC; provides the subcommittee shall report to the Interim Joint Committee on Appropriations and Revenue prior to the start of the 2002 Regular Session; provides that the subcommittee shall cease to exist April 15, 2002.

HJR 33

Directs the Transportation Cabinet to name KY 1998 (Pooles Creek Road #1) from KY 9 to US 27 as the "Geiman Connector", and to erect appropriate signs.

HCR 35

Confirms the appointment of Joan N. Taylor to the Council on Postsecondary Education for a term expiring December 31, 2006.

HCR 36

Confirms the appointment of Ronald Greenberg to the Council on Postsecondary Education for a term expiring December 31, 2006.

HCR 42

Urges Congress to direct the Commodity Credit Corporation to destroy its 1999 burley pool stocks and to not allow the pool stocks to be sold in the United States or any foreign market.

HJR 44

Honors Arius Holbrook, Sr., and names a bridge on US 119 in Mayking, Kentucky "The Arius Holbrook, Sr., Memorial Bridge."

HCR 47

Confirms the appointment of Howard "Eddie" Sellers III to the Agricultural Development Board.

ACTIONS OF THE 2001 GENERAL ASSEMBLY

HCR 48

Confirms the appointment of Willa H. Poynter to the Agricultural Development Board for a term to expire on July 6, 2001.

HCR 50

Confirms the appointment of Daniel C. Case to the Agricultural Development Board for a term to expire on July 6, 2002.

HCR 51

Confirms the appointment of Seth Allen Conner to the Agricultural Development Board for a term to expire on July 6, 2003.

HCR 52

Confirms the appointment of Sam Moore to the Agricultural Development Board for a term to expire on July 6, 2001.

HCR 53

Confirms the appointment of Michael L. Slaughter to the Agricultural Development Board.

HCR 55

Confirms the appointment of Sam Lawson to the Agricultural Development Board.

HCR 56

Confirms the appointment of Susan G. Harkins to the Agricultural Development Board.

HCR 57

Confirms the appointment of Wayne Hunt to the Agricultural Development Board for a term to expire on July 6, 2002.

HCR 58

Confirms the appointment of Larry Clay to the Agricultural Development Board.

HJR 60

Names US 60 between Morehead and Olive Hill "The Tom T. Hall Highway."

HCR 67

Creates a legislative task force on services and supports to individuals with acquired brain injuries; require recommendations for accurate assessment of the incidence of acquired brain injuries, changes to administrative regulations, case management services, and strategies to develop inpatient services, decriminalization, and increased education and employment services; specifies membership; requires report to the Legislative Research Commission by July 1, 2002.

ACTIONS OF THE 2001 GENERAL ASSEMBLY

HJR 70

Names KY 28 in Perry County from KY 15 to the City of Buckhorn "The Don Duff Scenic Highway."

HJR 71

Approves and authorizes the sale, lease, or conveyance of the present forestry building and all real property, located in Bell County, through a competitive bid request and allow for the construction and operation of a new hotel at that location; sets space restrictions for new forestry facility; approves the exchange of state forestry property as consideration for a new facility; provides that conveyance of the property shall not be deeded to the successful bidder until the bidder successfully completes the new forestry building; requires approval by the Secretary of Finance and Administration Cabinet who shall submit a progress report to the Capital Projects and Bond Oversight Committee.

HJR 81

Directs the Transportation Cabinet to name the section of US 68 that runs through Taylor County the "Trooper Johnny Edrington Memorial Highway", and to erect appropriate signs.

HCR 89

Creates a task force to study the long-term funding needs for emergency medical services, identify sources of funding, and identify strategies to ensure that governmental payors and private insurers adequately cover ambulance services; and requires a report to the Legislative Research Commission prior to September 1, 2001.

HJR 91

Directs the Transportation Cabinet to name the bridge on KY 676 over the Kentucky River in Franklin County the "Julian M. Carroll Bridge" and erect appropriate signs.

SENATE MEMBERS

(Legislators' names are in alphabetical order with party affiliation designated by initial, home town, counties in district, and number of the legislative district.)

ADAMS, DICK (D-Madisonville) Butler, Hopkins, McLean, Muhlenburg, 6

BLEVINS, WALTER, JR. (D-West Liberty) Boyd, Elliott, Lawrence, Martin, Morgan, 27

BORDERS, CHARLIE (R-Russell) Carter, Greenup, Lewis, Mason, Robertson, 18

BOSWELL, DAVID E. Sr. (D-Owensboro) Daviess, Hancock, 8

BUFORD, TOM (R-Nicholasville) Anderson, Boyle, Fayette, Jessamine, Mercer, 22

CASEBIER, LINDY (R-Louisville) Bullitt, Jefferson, 7

DENTON, JULIE C. (R-Louisville) Jefferson, 36

GUTHRIE, BRETT (R-Bowling Green) Logan, Warren, 32

HARRIS, ERNIE (R-Crestwood) Carroll, Gallatin, Grant, Jefferson, Oldham, Trimble, 26

HERRON, PAUL, JR. (D-Henderson) Crittenden, Henderson, Livingston, Lyon, Union, Webster, 4

JACKSON, ROBERT L. (BOB) (D-Murray) Calloway, Carlisle, Fulton, Graves, Hickman, Trigg, 1

JONES, RAY S. II (D-Pikeville) Letcher, Pike, 31

KAREM, DAVID K. (D-Louisville) Jefferson, 35

KELLY, DAN (R-Springfield) Larue, Marion, Nelson, Spencer, Taylor, Washington, 14

KERR, ALICE FORGY (R-Lexington) Fayette, 12

LEEPER, ROBERT J. (BOB) (R-Paducah) Ballard, McCracken, Marshall, 2

LONG, MARSHALL (D-Shelbyville) Franklin, Henry, Jefferson, Owen, Shelby, 20

McGAHA, VERNIE (R-Russell Springs) Adair, Casey, Pulaski, Russell, 15

MILLER, EDWIN (ED) (D-Cynthiana) Bourbon, Bracken, Harrison, Nicholas, Scott, Woodford, 30

MONGIARDO, DANIEL (D-Hazard) Bell, Harlan, Perry, 17

MOORE, VIRGIL (R-Leitchfield) Breckinridge, Grayson, Hart, Meade, Ohio, 5

NEAL, GERALD A. (D-Louisville) Jefferson, 33

PENDLETON, JOEY (D-Hopkinsville) Caldwell, Christian, Todd, 3

ROBINSON, ALBERT (R-London) Jackson, Knox, Laurel, Rockcastle, 21

ROEDING, RICHARD L. (DICK) (R-Lakeside Park) Boone, Kenton, 11

SANDERS, RICHARD (RICHIE) (R-Franklin) Allen, Barren, Edmonson, Green, Metcalfe, Simpson, 9

SAUNDERS, LARRY (D-Louisville) Jefferson, 37

SCORSONE, ERNESTO (D-Lexington) Fayette, 13

SEUM, DANIEL (R-Louisville) Jefferson, 38

SHAUGHNESSY, TIM (D-Louisville) Jefferson, 19

SHROUT, DALE (D-Mt. Sterling) Bath, Clark, Estill, Fleming, Montgomery, Powell, 28

STINE, KATIE KRATZ (R-Fort Thomas) Campbell, Pendleton, 24

STIVERS, ROBERT II (R-Manchester) Clay, Lee, Leslie, Magoffin, Menifee, Owsley, Rowan, Wolfe, 25

TORI, ELIZABETH J. (R-Radcliff) Hardin, Jefferson, 10

TURNER, JOHNNY RAY (D-Drift) Breathitt, Floyd, Johnson, Knott, 29

WESTWOOD, JOHN D. (JACK) (R-Erlanger) Kenton, 23

WILLIAMS, DAVID L. (R-Burkesville) Clinton, Cumberland, McCreary, Monroe, Wayne, Whitley, 16

WORLEY, ED (D-Richmond) Fayette, Garrard, Lincoln, Madison, 34

ACTIONS OF THE 2001 GENERAL ASSEMBLY

HOUSE MEMBERS

(Legislators' names are in alphabetical order with party affiliation designated by initial, home town, counties in district, and number of the legislative district.)

ADAMS, JOHN W. (D-Hopkinsville) Christian, Trigg, 8

ADAMS, ROYCE W. (D-Dry Ridge) Grant, Henry, Owen, 61

ADKINS, ROCKY (D-Sandy Hook) Boyd, Elliott, Lawrence, 99

ALLEN, WILLARD C. "WOODY" (R-Morgantown) Butler, Grayson, Hardin, 17

ARNOLD, ADRIAN K. (D-Mt. Sterling) Lee, Montgomery, Powell, 74

ARNOLD, JOHN A., JR. (D-Sturgis) Daviess, Henderson, Union, 7

BALLARD, JOSEPH "EDDIE" (D-Madisonville) Hopkins, 10

BARROWS, JOSEPH (D-Versailles) Fayette, Franklin, Woodford, 56

BATHER, PAUL (D-Louisville) Jefferson, 43

BAUGH, SHELDON E. (R-Russellville) Logan, Todd, 16

BELCHER, CAROLYN (D-Preston) Bath, Bourbon, Fayette, Nicholas, 72

BELCHER, LARRY (D-Shepherdsville) Bullitt, 49

BOWLING, JOHN W. D. (D-Danville) Boyle, Washington, 54

BRANHAM, IRA ESEL (D-Pikeville) Floyd, Pike, 94

BRATCHER, KEVIN (R-Louisville) Jefferson, 29

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