

1 AN ACT relating to promoting outdoor recreation and tourism development by  
2 establishing the Kentucky Mountain Regional Recreation Authority and making an  
3 appropriation therefor.

4 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

5 ➔SECTION 1. A NEW SECTION OF KRS 42.450 TO 42.495 IS CREATED TO  
6 READ AS FOLLOWS:

7 *(1) The Kentucky Coal Fields Endowment Authority is hereby created as a public*  
8 *corporation, governmental agency, and instrumentality of the Commonwealth,*  
9 *with the perpetual succession and with power in that name to:*

10 *(a) Contract and be contracted with;*

11 *(b) Acquire and convey property;*

12 *(c) Sue and be sued;*

13 *(d) Have and use a corporate seal;*

14 *(e) Adopt bylaws;*

15 *(f) Invest moneys; and*

16 *(g) Exercise, in addition to the powers and functions specifically stated in this*  
17 *section and Section 2 of this Act, all of the usual powers of private*  
18 *corporations to the extent that the same are not inconsistent with*  
19 *specifically enumerated powers or limitations upon public corporations.*

20 *(2) It shall be the role and duty of the authority to support through funding efforts to*  
21 *diversify the economy of the coal fields within Kentucky.*

22 *(a) Projects that may be funded shall be non-recurring investments in:*

23 *1. Economic development;*

24 *2. Public infrastructure, water, and wastewater;*

25 *3. Public health and safety; and*

26 *4. Information technology development and access.*

27 *(b) Projects shall be selected based on economic impact, job creation,*

1 workforce development, community benefit, available partnerships, project  
 2 readiness, and the ability for a project to be self-sustaining.

3 (3) Seven million five hundred thousand dollars (\$7,500,000) of the severance and  
 4 processing taxes on coal collected annually shall be transferred from the general  
 5 fund to the Kentucky coal fields endowment authority established in this section.  
 6 The transfers shall be made in quarterly amounts of one million eight hundred  
 7 seventy-five thousand dollars (\$1,875,000) at the same time as the transfers to the  
 8 local government economic development fund.

9 (4) Moneys transferred to the authority are hereby appropriated for the purposes set  
 10 forth in this section and shall not be appropriated or transferred by the General  
 11 Assembly for any other purpose. State moneys appropriated that are not spent at  
 12 the end of the fiscal year shall not lapse.

13 (5) All property and income of the Kentucky coal fields endowment authority shall be  
 14 exempt from all taxes and assessment of any nature.

15 ➔SECTION 2. A NEW SECTION OF KRS 42.450 TO 42.495 IS CREATED TO  
 16 READ AS FOLLOWS:

17 (1) As used in this section:

18 (a) "Authority" means the Kentucky coal fields endowment authority;

19 (b) "Board" means the chair, vice chair, and secretary-treasurer of the  
 20 authority;

21 (c) "Chair" means the chair of the Kentucky coal fields endowment authority;

22 (d) "Commissioner" means the commissioner of the Department for Local  
 23 Government; and

24 (e) "Eligible counties" means counties of the Commonwealth of Kentucky  
 25 participating in the Local Government Economic Development Fund on the  
 26 effective date of this Act and those that participated on January 1, 2016;

27 (2) The authority shall consist of seven (7) persons, who shall be selected as follows:

- 1        (a) Two (2) persons, appointed by the Governor, from counties located within  
2                the Eastern Coal Field;
- 3        (b) Two (2) persons, appointed by the Governor, from counties located within  
4                the Western Coal Field;
- 5        (c) Two (2) persons, appointed by the Governor, possessing experience and  
6                expertise in finance and investment; and
- 7        (d) The commissioner or the commissioner's proxy.
- 8        (3) Two (2) members initially appointed to the authority shall have a term of one (1)  
9                year each, two (2) members initially appointed to the authority shall have a term  
10               of two (2) years each, and two (2) members initially appointed to the authority  
11               shall have a term of three (3) years each, except that any person appointed to fill  
12               a vacancy shall serve only for the remainder of the unexpired term. All  
13               subsequent appointments shall be for a term of three (3) years.
- 14        (4) The board members are hereby determined to be officers and agents of the  
15                Commonwealth of Kentucky and, as such, shall enjoy the same immunities from  
16                suit for the performance of their official acts as do other officers of the  
17                Commonwealth of Kentucky.
- 18        (5) If any member or officer of the authority shall be interested in, either directly or  
19                indirectly, or shall be an officer of, employee of, or have an ownership interest in  
20                any firm or corporation interested directly or indirectly in any project funded by  
21                the authority, the interest shall be disclosed clearly in the application and shall be  
22                set forth in the minutes of the authority, and the member or officer having an  
23                interest therein shall not participate in the application process.
- 24        (6) Any person appointed to the authority shall be eligible for reappointment.
- 25        (7) The members of the authority shall elect biennially from the authority's  
26                membership the following offices: chair, vice chair, secretary-treasurer, and any  
27                assistant secretaries and assistant treasurers the authority deems necessary. The

1 commissioner shall not be eligible to hold any of these offices.

2 (8) A majority of the members of the authority, determined by excluding any existing  
3 vacancies from the total number of members, shall constitute a quorum. A  
4 majority vote of the members present at a duly called meeting of the authority  
5 shall be required for the purposes of conducting its business and exercising its  
6 powers and for all other purposes.

7 (9) The authority shall prepare bylaws and procedures applicable to the operation of  
8 the authority and submit them to the commissioner to be promulgated as  
9 administrative regulations in accordance with KRS Chapter 13A.

10 (10) Members of the authority shall be entitled to reimbursement for all necessary  
11 expenses in connection with the performance of their duties.

12 (11) The authority shall meet twice annually and at other times upon call of the chair  
13 or a majority of the board to discuss and vote on funding for projects in eligible  
14 counties permitted to receive moneys from the authority under subsection (2) of  
15 Section 1 of this Act.

16 (12) The authority may invest any and all of the assets of the fund in:

17 (a) Obligations and contracts for future delivery of obligations backed by the  
18 full faith and credit of the United States or a United States government  
19 agency, including but not limited to:

- 20 1. United States Treasury;
- 21 2. Export-Import Bank of the United States;
- 22 3. Farmers Home Administration;
- 23 4. Government National Mortgage Corporation; and
- 24 5. Merchant Marine bonds;

25 (b) Obligations of any corporation of the United States government or  
26 government-sponsored enterprise, including but not limited to:

- 27 1. Federal Home Loan Mortgage Corporation;

- 1            2. Federal Farm Credit Banks;
- 2                    a. Bank for Cooperatives;
- 3                    b. Federal Intermediate Credit Banks; and
- 4                    c. Federal Land Banks;
- 5            3. Federal Home Loan Banks;
- 6            4. Federal National Mortgage Association; and
- 7            5. Tennessee Valley Authority obligations;
- 8            (c) Collateralized or uncollateralized certificates of deposit, issued by banks
- 9                    rated in one (1) of the three (3) highest categories by a nationally
- 10                   recognized statistical rating organization or other interest-bearing accounts
- 11                   in depository institutions chartered by this state or by the United States,
- 12                   except for shares in mutual savings banks;
- 13            (d) Bankers acceptances for banks rated in the highest short-term category by a
- 14                   nationally recognized statistical rating organization;
- 15            (e) Commercial paper rated in the highest short-term category by a nationally
- 16                   recognized statistical rating organization;
- 17            (f) Securities issued by a state or local government, or any instrumentality or
- 18                   agency thereof, in the United States, and rated in one (1) of the three (3)
- 19                   highest long-term categories by a nationally recognized statistical rating
- 20                   organization;
- 21            (g) United States denominated corporate, Yankee, and Eurodollar securities,
- 22                   excluding corporate stocks, issued by foreign and domestic issuers,
- 23                   including sovereign and supranational governments, rated in one (1) of the
- 24                   three (3) highest long-term categories by a nationally recognized statistical
- 25                   rating organization;
- 26            (h) Asset-backed securities rated in the highest category by a nationally
- 27                   recognized statistical rating organization;

1 (i) Shares of mutual funds, each of which shall have the following  
 2 characteristics:

3 1. The mutual fund shall be an open-end diversified investment company  
 4 registered under Federal Investment Company Act of 1940, as  
 5 amended;

6 2. The management company of the investment company shall have been  
 7 in operation for at least five (5) years; and

8 3. The mutual fund shall be rated in the highest category by a nationally  
 9 recognized statistical rating organization; and

10 (j) State and local delinquent property tax claims which upon purchase shall  
 11 become certificates of delinquency secured by interests in real property not  
 12 to exceed twenty-five million dollars (\$25,000,000) in the aggregate. For  
 13 any certificates of delinquency that have been exonerated pursuant to KRS  
 14 132.220(5), the Department of Revenue shall offset the loss suffered by the  
 15 Finance and Administration Cabinet against subsequent local distributions  
 16 to the affected taxing districts as shown on the certificate of delinquency.

17 ➔SECTION 3. A NEW SECTION OF KRS CHAPTER 148 IS CREATED TO  
 18 READ AS FOLLOWS:

19 As used in Sections 3 to 7 of this Act, unless the context requires otherwise:

20 (1) "Authority" or "KMRRRA" means the Kentucky Mountain Regional Recreation  
 21 Authority established in Section 4 of this Act;

22 (2) "Board" means the board of directors of KMRRRA;

23 (3) "County" means a county, charter county, urban-county government, unified  
 24 local government, or consolidated local government;

25 (4) "Kentucky Mountain Recreational Area" or "KMRA" means lands on which  
 26 there is a system of recreational trails, including streams, rivers, and other  
 27 waterways, and appurtenant facilities, including trailhead centers, parking areas,

1 camping facilities, picnic areas, recreational areas, historic or cultural  
 2 interpretive sites, and other facilities in Kentucky and designated by the KMRRA  
 3 as a part of the KMRA;

4 (5) "Land" means roads, water, watercourses, buildings, structures, and machinery  
 5 or equipment thereon when attached to the realty;

6 (6) "Landowner" means a tenant, lessee, occupant, or person in control of the  
 7 premises;

8 (7) "Participating county" means a county that has qualified under subsection (5) of  
 9 Section 4 of this Act;

10 (8) "Participating landowner" means a landowner who owns land in a participating  
 11 county and has a contractual agreement with the KMRRA for trail development  
 12 as part of the KMRA;

13 (9) "Recreational purposes" means all-terrain vehicle riding, bicycling, canoeing,  
 14 hiking, horseback riding, hunting, kayaking, motorcycle riding, rock climbing,  
 15 fishing, swimming, archaeological activities, nature study, off-highway vehicle  
 16 driving, pleasure driving, watersports, winter sports, visiting or viewing historical  
 17 or scenic sites, and otherwise using land for purposes pertaining to recreation or  
 18 trail activities; and

19 (10) "Target county" means Bell, Breathitt, Clay, Floyd, Harlan, Johnson, Knott,  
 20 Knox, Laurel, Lawrence, Lee, Leslie, Letcher, Magoffin, Martin, Morgan,  
 21 Owsley, Perry, Pike, Powell, or Wolfe County.

22 ➔SECTION 4. A NEW SECTION OF KRS CHAPTER 148 IS CREATED TO  
 23 READ AS FOLLOWS:

24 (1) The Kentucky Mountain Regional Recreation Authority is hereby created and  
 25 established as an independent, de jure municipal corporation and political  
 26 subdivision of the Commonwealth and shall exercise all of the powers that a  
 27 corporation may lawfully exercise under the laws of the Commonwealth. The

1 authority shall be a public body corporate and politic and an instrumentality of  
2 the Commonwealth, established with all the general corporate powers incidental  
3 thereto. The authority shall be attached to the Kentucky Department for Local  
4 Government for administrative purposes only. The authority shall be authorized  
5 for an initial period of five (5) years from the effective date of this Act and may be  
6 renewed by the General Assembly. The authority may adopt by laws and  
7 administrative regulations, subject to KRS Chapter 13A, for the orderly conduct  
8 of its affairs.

9 (2) The purpose of the authority is to establish, maintain, and promote a recreational  
10 trail system throughout the KMRA to increase economic development, tourism,  
11 and outdoor recreation for residents and visitors. The recreational trail system  
12 shall be located with significant portions of the system situated on private  
13 property made available for use through lease, license, easement, or other  
14 appropriate legal form by willing landowners.

15 (3) The authority shall be governed by a board of directors consisting of  
16 representatives from participating counties and the Commonwealth as provided  
17 in this section.

18 (4) The authority and board shall become operational when sixteen (16) target  
19 counties complete the requirements established by subsection (5)(a)1. of this  
20 section. When at least sixteen (16) target counties become participating counties,  
21 the commissioner of the Department for Local government shall notify the county  
22 judge/executive of each of the participating counties, as well as the board  
23 members described in subsection (6) of this section, that the requirements have  
24 been met for the authority and board to become operational. The commissioner  
25 shall also establish a date, time, and place for an initial organizational meeting of  
26 the board, and shall serve as interim chair of the initial organizational meeting  
27 until such time as a chair is elected. The chair shall be a resident of a



1 participating county.

2 (5) To become a participating county, a county shall meet one (1) of the following:

3 (a) Any target county may become a participating county upon adoption of a  
4 resolution or ordinance by the governing body of the county specifically  
5 approving the county's participation in the KMRRA and submission of the  
6 adopted resolution or ordinance to:

7 1. The commissioner of the Department for Local Government if the  
8 resolution or ordinance is adopted prior to the KMRRA becoming  
9 operational pursuant to subsection (4) of this section; or

10 2. The KMRRA if the resolution or ordinance is adopted after KMRRA  
11 becomes operational; or

12 (b) Any county that is not a target county and is contiguous to a target county  
13 may become a participating county through an application process  
14 developed by the KMRRA. The application shall be approved or rejected by  
15 a majority of the board's voting members.

16 (6) The KMRRA board shall consist of the following members:

17 (a) The secretary of the Tourism, Arts and Heritage Cabinet or his or her  
18 designee;

19 (b) The commissioner of the Department for Local Government or his or her  
20 designee;

21 (c) The executive director of the authority, who shall serve as a nonvoting  
22 member;

23 (d) One (1) representative from each participating county, who shall be either:

24 1. The county judge/executive; or

25 2. The county judge/executive's designee, who shall be an individual  
26 involved with economic development, tourism, recreation, or a related  
27 area within the county;

1 (e) One (1) landowner or his or her designee, who shall be selected by  
2 participating landowners;

3 (f) One (1) state Representative, who shall serve as a nonvoting member,  
4 appointed to an annual term by the Speaker of the Kentucky House of  
5 Representatives; and

6 (g) One (1) state Senator, who shall serve as a nonvoting member, appointed to  
7 an annual term by the President of the Kentucky Senate.

8 (7) (a) The board membership of each county judge/executive or his or her  
9 designee shall:

10 1. Begin with the county judge/executive's term of office; and

11 2. End with the county judge/executive's term of office.

12 If a county judge/executive ceases to serve as the county judge/executive  
13 prior to the end of his or her term, he or she shall be removed from the  
14 board, and his or her replacement as county judge/executive shall serve on  
15 the board for the remainder of the term.

16 (b) The term of the landowner member shall be four (4) years, and he or she  
17 may be reappointed for one (1) successive term.

18 (8) (a) The twelve (12) voting members of the board shall be:

19 1. Nine (9) of the county representatives or their designees described in  
20 subsection (6)(d) of this section who have been accorded voting status  
21 under paragraphs (b) to (e) of this subsection;

22 2. One (1) landowner or his or her designee described in subsection  
23 (6)(e) of this section;

24 3. The secretary of the Tourism, Arts and Heritage Cabinet or his or her  
25 designee; and

26 4. The commissioner of the Department for Local Government or his or  
27 her designee.

- 1        (b) The nine (9) initial county representatives shall be the county  
2        judges/executive of Breathitt, Martin, Perry, Knott, Leslie, Letcher, Pike,  
3        Magoffin, and Floyd Counties or their designees in that order. The first  
4        three (3) representatives listed shall serve a three (3) year term as voting  
5        members, the next three (3) representatives shall serve a two (2) year term  
6        as voting members, and the remaining three (3) representatives shall serve a  
7        one (1) year term as voting members.
- 8        (c) After each term ends, the voting county representative shall be replaced by  
9        one (1) of the county judges/executive or his or her designee from one (1) of  
10       the target counties whose representative has not yet served as a voting  
11       member.
- 12       (d) After the third year of operation, each new voting member shall serve a  
13       term of three (3) years, then step down and let a representative from a  
14       county whose representative has not served as a voting member take his or  
15       her place.
- 16       (e) Once representatives from all participating counties within KMRA have  
17       each served one (1) term, the rotation shall begin again. The rotation order  
18       may vary as long as no participating county has a representative serve as a  
19       voting member more than four (4) years more than any other county in a  
20       four (4) year period.
- 21       (9) (a) The board shall meet at least once every quarter to elect officers, establish a  
22       regular meeting schedule, and perform other duties as may be prescribed in  
23       the authority's bylaws. The board chair may call special meetings at any  
24       time.
- 25       (b) Notice of each meeting shall be made in writing and delivered to board  
26       members at least seven (7) days before the scheduled meeting date.  
27       Electronic mail is an acceptable form of notice of special meetings, so long

1 as it is sent to directors at least seven (7) days before the scheduled meeting  
2 date.

3 (c) The presence of a majority of the total voting members of the KMRRA  
4 board shall constitute a quorum. Vacant board positions shall be counted  
5 against the quorum total necessary for board action.

6 (10) The KMRRA board:

7 (a) Shall elect a chair, vice chair, secretary, treasurer, and any other officers as  
8 established in the bylaws of the board;

9 (b) May appoint temporary and standing committees to accomplish the  
10 purposes of Sections 3 to 7 of this Act and shall clearly describe the role,  
11 responsibilities, and tenure of each committee so created;

12 (c) Shall adopt bylaws for the management and regulation of its affairs and all  
13 other matters necessary to effect proper management and accountability of  
14 the board. The bylaws shall include, at a minimum, the following:

15 1. The powers and duties of the board's members and the manner and  
16 number of officers to be elected from among the board members;

17 2. The terms, conditions, and manner in which a board member will be  
18 removed; and

19 3. The terms and conditions under which a board member will be paid to  
20 attend meetings, if at all, and the extent to which members will be  
21 reimbursed for travel and other expenses and any requirements for  
22 approval of expense reports, if applicable;

23 (d) Shall review and approve an annual budget;

24 (e) Shall annually procure an audit of the authority's financial systems,  
25 conducted in accordance with generally accepted auditing standards. The  
26 Auditor of Public Accounts shall perform the audit. A copy of the audit  
27 shall be sent to the Legislative Research Commission within ten (10) days of

1 receipt by the board;

2 (f) Shall ensure that all administrative costs for operating the authority are  
3 paid from funds accruing to the authority. The authority, its board, and its  
4 staff shall incur no liability or obligation beyond the extent to which  
5 revenues have been provided under Sections 3 to 7 of this Act;

6 (g) May seek administrative and management assistance through written  
7 agreement with state agencies, local area development districts, or local  
8 governing bodies until such time as the board has secured sufficient  
9 funding through grants, loans, fee systems, or any other funding source to  
10 hire staff;

11 (h) Shall employ an executive director to act as its chief executive officer to  
12 serve at its will and pleasure; and

13 (i) Shall establish personnel, retirement, and benefit systems through  
14 professional programs approved by the board.

15 (11) The executive director:

16 (a) May, with permission of the board, employ any other personnel considered  
17 necessary, retain temporary services, and retain consultants;

18 (b) Shall carry out plans to implement Sections 3 to 7 of this Act and to exercise  
19 those powers enumerated in the bylaws of the board;

20 (c) Shall, along with any staff with responsibilities so delegated by the executive  
21 director, ensure that all minutes, records, and orders of the authority and its  
22 board are complete and available for public inspection, if necessary; and

23 (d) Shall prepare narrative and financial reports of the authority's fiscal  
24 obligations and submit these reports to the board at regularly scheduled  
25 meetings or as otherwise directed.

26 (12) The executive director, all full-time or part-time personnel, all seasonal  
27 employees, and all contractual employees, if any, shall be paid from funds

1 accruing to the authority and authorized in a budget approved by the board.

2 ➔SECTION 5. A NEW SECTION OF KRS CHAPTER 148 IS CREATED TO  
3 READ AS FOLLOWS:

4 (1) The KMRA shall:

5 (a) Supervise the design and construction of trail systems within the KMRA  
6 and provide all management functions for the trails and for any other  
7 property built, acquired, or leased pursuant to its powers under Sections 3 to  
8 7 of this Act;

9 (b) Construct, develop, manage, maintain, operate, improve, renovate, finance,  
10 or otherwise provide for recreational and trail-related activities and  
11 facilities on designated public lands and private lands of participating  
12 landowners who have voluntarily entered into use agreements with the  
13 board;

14 (c) Promote the growth and development of the trail system, tourism, and the  
15 hotel, restaurant, and entertainment industry within the KMRA and the  
16 Commonwealth, through marketing KMRA to enhance local economic and  
17 tourism development;

18 (d) Establish agreements with other persons, businesses, agencies,  
19 organizations, or any other entity to levy a surcharge on tickets for events,  
20 activities, festivals, or functions that are cosponsored with other entities and  
21 contribute to the authority's operating revenue; and

22 (e) Procure insurance against any losses in connection with its property,  
23 licenses, easements, or contracts, including hold-harmless agreements,  
24 operations, or assets in such amounts and from such insurers as the board  
25 considers desirable.

26 (2) The board's management program shall prioritize contractual arrangements with  
27 private landowners to use land for recreational purposes, which shall not

1 diminish the participating landowner's interest, control, or profitability of the  
2 land. If necessary to implement a comprehensive trail system, the board may also  
3 contract with public landowners through contractual agreements that recognize  
4 the primary mission for which the public entity controls and manages the land.

5 (3) The board may carry out any of the following to accomplish the purposes of  
6 Sections 3 to 7 of this Act:

7 (a) Acquire, own, and hold property, and all interests therein, by deed,  
8 purchase, gift, devise, bequest, or lease, or by transfer from the State  
9 Property and Buildings Commission, except that the authority shall not  
10 acquire property through the exercise of the power of eminent domain;

11 (b) Dispose of any property acquired in any manner provided by law;

12 (c) Lease property, whether as lessee or lessor, and acquire or grant through  
13 easement, license, or other appropriate legal form, the right to develop and  
14 use property and open it to the use of the public;

15 (d) Mortgage or otherwise grant security interests in its property;

16 (e) Maintain sinking funds and reserves as the board determines appropriate  
17 for the purposes of meeting future monetary obligations and needs of the  
18 authority;

19 (f) Sue and be sued, plead and be impleaded, and complain and defend in any  
20 court;

21 (g) Make contracts and execute instruments necessary for carrying on its  
22 business, including contracts with any Kentucky state agency, the federal  
23 government, or any person, individual, partnership, or corporation to effect  
24 any or all of the purposes of Sections 3 to 7 of this Act;

25 (h) Accept grants and loans from and enter into contracts and other  
26 transactions with any federal agency, regional commission, or state agency  
27 for accomplishing the purposes of Sections 3 to 7 of this Act;

- 1        (i) Maintain an office at any place within the KMRA as the board may  
2            designate;
- 3        (j) Borrow money and issue bonds, security interests, or notes;
- 4        (k) Provide for and secure the payment of the bonds, security interests, or  
5            notes;
- 6        (l) Provide for the rights of the holders of the bonds, security interests, or  
7            notes;
- 8        (m) Purchase, hold, and dispose of any of its bonds, security interests, or notes;
- 9        (n) Accept gifts or grants of property, security interests, money, labor, supplies,  
10            or services from any governmental unit or from any person, firm, or  
11            corporation;
- 12        (o) Establish a regional recreational trail system based upon contracts and  
13            agreements with participating landowners. The board may enter into  
14            contracts with landowners, and other persons holding an interest in the  
15            land being used for its recreational facilities, to hold those landowners  
16            harmless with respect to any claim in tort growing out of the use of the land  
17            for public recreation or growing out of the recreational activities operated  
18            or managed by the board from any claim, except a claim for damages  
19            proximately caused by the willful or malicious conduct of the landowner or  
20            any of his or her agents or employees;
- 21        (p) 1. Establish a fee-based system of permits, user registrations, or other  
22            trail or facility access mechanisms.
- 23            2. The fees may be imposed for access to and use of the trails, parking  
24            facilities, visitor centers, or other trail-related recreational purpose  
25            facilities or recreation activities that are part of the KMRA or as an  
26            admission to an event.
- 27            3. The fees shall be decided by the board.



1           4. The KMRA shall retain and use the revenue from fees for any  
 2           purposes consistent with Sections 3 to 7 of this Act;

3           (q) Promulgate administrative regulations in accordance with KRS Chapter  
 4           13A to govern use and maintenance of the KMRA and any other matters for  
 5           effective management of the KMRA;

6           (r) Cooperate and contract with the regional recreation authorities of  
 7           Tennessee, Virginia, West Virginia, and other contiguous states to connect  
 8           the trails in Kentucky with similar recreation facilities in those states; and

9           (s) Exercise all of the powers that a corporation may lawfully exercise under  
 10           the laws of the Commonwealth.

11           (4) Nothing in this section shall be construed as a waiver of sovereign immunity.

12           ➔SECTION 6. A NEW SECTION OF KRS CHAPTER 148 IS CREATED TO  
 13 READ AS FOLLOWS:

14           (1) Revenue bonds and revenue refunding bonds of the authority issued under  
 15           Sections 3 to 7 of this Act do not constitute a debt of the Commonwealth or of any  
 16           political subdivision of the Commonwealth or a pledge of the faith and credit of  
 17           the Commonwealth or of any political subdivision, but the bonds shall be payable  
 18           solely from the funds provided for in Sections 3 to 7 of this Act from revenues  
 19           resulting from the issuance of bonds.

20           (2) All bonds shall contain on the face of the bond a statement to the effect that  
 21           neither the Commonwealth nor any political subdivision of the Commonwealth is  
 22           obligated to pay the bond or the interest on the bond, except from revenues of the  
 23           recreational project or projects for which they are issued, and that neither the  
 24           faith or credit nor the taxing power of the Commonwealth or any political  
 25           subdivision of the Commonwealth is pledged to the payment of the principal or  
 26           the interest on the bonds.

27           ➔SECTION 7. A NEW SECTION OF KRS CHAPTER 148 IS CREATED TO

1 READ AS FOLLOWS:

2 *A participating landowner who has a contractual agreement with the KMRA for use*  
 3 *of private land as part of the KMRA does not waive any protection granted to the*  
 4 *landowner by KRS 411.190.*

5 ➔Section 8. KRS 147A.090 is amended to read as follows:

6 Each district board of directors shall have the power, duty, and authority to:

- 7 (1) Establish such functional advisory committees as may be necessary and advisable.  
 8 These functional advisory committees shall be organized to meet such guidelines as  
 9 may be required for federal or state assistance;
- 10 (2) Conduct the necessary research and studies and coordinate and cooperate with all  
 11 appropriate groups and agencies in order to develop, and adopt and revise, when  
 12 necessary, a district development plan or series of plans, including, but not limited  
 13 to, the following districtwide plan elements: goals and objectives; water and sewer;  
 14 land-use; and open space and recreation. Such plans shall serve as a general guide  
 15 for public and private actions and decisions to assure the development of public and  
 16 private property in the most appropriate relationships;
- 17 (3) Prepare annually a report of its activities to the cities and counties within the  
 18 district, the legislature, and the Governor. The board shall make copies of the report  
 19 available to members of the public within the district;~~and~~
- 20 (4) Comply with the provisions of KRS 65A.010 to 65A.090; and
- 21 *(5) Cooperate with the Kentucky Mountain Regional Recreation Authority*  
 22 *established in Section 4 of this Act for the purpose of establishing, maintaining,*  
 23 *and promoting recreational trails to increase economic development, tourism,*  
 24 *and outdoor recreation for Kentucky's residents and visitors, not only in eastern*  
 25 *Kentucky but throughout the Commonwealth.*

26 ➔Section 9. The following KRS sections are repealed:

27 148.795 Kentucky Recreational Trails Authority -- Purpose -- Membership -- Meetings -

- 1           - Land use agreements for recreational purposes -- General use permits -- Authority
- 2           may hold property for public use -- Proceeds.
- 3   148.796 Strategy to increase recreational activity on private land -- Landowner's
- 4           permission required for entry on private land.
- 5   150.091 Enforcement of KRS 148.795 and 148.796 by conservation officers.