

Local Government Law News

Salmon P. Chase College of Law ♦ Kentucky Department for Local Government ♦ Northern Kentucky University

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THE 2000 KENTUCKY GENERAL ASSEMBLY: A TOPICAL REVIEW OF SELECTED ACTS AFFECTING LOCAL GOVERNMENTS

A NOTE ON EFFECTIVE DATES

"[L]egislation (except for general appropriation measures and acts containing emergency or delayed effective date provisions) passed during the 2000 Regular Session of the Kentucky General Assembly will be effective on the first moment of Friday, July 14, 2000." Opinion of the Attorney General 00-4 (April 24, 2000).

ALCOHOLIC BEVERAGES

AN ACT relating to alcoholic beverage licenses at automobile racetracks and declaring an emergency. Amends KRS Chapter 243 to establish a license for the retail sale of alcoholic beverages at automobile racetracks with a seating capacity of at least 30,000; caps city license fee at \$ 2,000.00. House Bill 463 (2000 Ky. Acts ch. 69), effective March 6, 2000.

AN ACT relating to small and farm wineries. Amends several sections of KRS including KRS 243.155 and 243.156 to allow a limited sale local option election in a dry precinct containing a licensed small or farm winery. House Bill 663 (ch. 167).

AN ACT relating to sale of alcoholic beverages. Adds new sections to KRS Chapter 242 to promote economic development by allowing a local option election for the limited sale of alcoholic beverages in certain precincts containing golf courses. Senate Bill 39 (ch. 411).

AN ACT relating to alcoholic beverages. Amends numerous sections of KRS, including KRS 242.185, to allow local option elections in certain instances and amends KRS 243.075 regarding license fees. Senate Bill 247 (ch. 435).

CITIES

AN ACT relating to intergovernmental agreements. Amends KRS 67.083 to allow contracting governments to

agree that one government may pay all or part of the cost of the joint undertaking and makes conforming amendments to KRS 178.010. House Bill 61 (ch. 82).

AN ACT relating to city audits. Amends KRS 91A.040 to raise from \$ 25,000 to \$75,000 the limit for audits in cities of the sixth class. House Bill 253 (ch. 89).

AN ACT relating to city civil service. Amends KRS 90.330 to allow cities to enact ordinances that require persons appointed to civil service positions to be a resident of the county in which the city is located. House Bill 302 (ch. 90).

AN ACT relating to the structure and function of cities upon reclassification to the second class and declaring an emergency. Adds a new section to KRS Chapter 81 to provide that, in a county containing a city of the first class, a city reclassified as a city of the second class is exempt from the fire, police, and pension provisions of KRS Chapters 90 and 95. House Bill 423 (ch. 122), effective March 16, 2000.

AN ACT relating to city civil service positions. Amends KRS 90.300 and 90.310 to allow all cities of the second class, by ordinance, to classify employees and designate the classes of employees included in the civil service; excludes persons designated as non-civil service from the definition of employee. House Bill 335 (ch. 178).

AN ACT relating to the consolidation of local governments in counties containing cities of the first class. Adds new sections to KRS Chapter 67C to create a procedure

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DIRECTOR'S DESK

A recent thread on an attorney listserv began with the question "Why would anyone work for the government?" One participant answered, "I personally choose to stick with this area of the law - not because of the money or any public recognition I might receive - but because I gain great satisfaction in knowing that I can have a positive influence on the community in which I live by simply doing my job to the best of my abilities." Another said, "[T]he daily routine of a government lawyer requires serious attention to major public issues At the end of a typical week, if not daily, you can see that you had a hand shaping decisions and actions that will benefit an entire community The government lawyer . . . sees that the client is the government itself, which in this country means the people. Doing right by the client, for the government lawyer, means a sense of accomplishment worth more than money could buy." Others echoed those answers.

Persons not in government may underestimate the range of matters with which local officials and their lawyers must deal. Few areas of law do not touch local government in some way. Consider that the 2000 Kentucky General Assembly enacted over five hundred new laws. Chances are that most of these new laws will have at least an indirect effect on local government. In addition, over one hundred of these laws will affect local governments directly. Those are the laws we highlight in this issue. A few of them deserve special mention.

Concerned for the financial stability and well being of cities and counties, the General Assembly established the Advisory Committee on City and County Relations (SB 163, ch. 425). The committee to study issues and problems facing cities and counties, including overlapping service delivery and allocation of taxing authority. The committee is to report its recommendations to the Legislative Research Commission by August 1, 2001. Notable in a similar respect is the proposed consolidation of local governments in counties containing cities of the first class (HB 647, ch. 189).

Economic development also received considerable attention from the General Assembly. One example is the

Kentucky Increment Financing Act (HB 852, ch. 358). Tax increment financing is an innovative technique for financing local projects and improvements. It uses property tax differentials resulting from improvements to pay for those improvements. Tax increment financing is not new in Kentucky; variations have been used before. However, this new statute gives cities and counties broad authority to use this increasingly popular tool.



In addition, two constitutional amendments passed the General Assembly and will appear on November's ballot. One (SB 70, Acts ch. 399) proposes to abolish the Railroad Commission. Previous proposals (in 1972 and 1992) to abolish the commission failed at the polls. The other (HB 936, Acts ch. 407) proposes odd-year legislative sessions. A related proposal in 1998 also failed at the polls.

Finally, it is worth noting two laws whose effects limit the scope of home rule in the Commonwealth. In the home rule model used in Kentucky, cities in particular may exercise any power and perform any function in furtherance of a public purpose and not in conflict with a statute (KRS 82.082). The scope of county home rule is narrower (see KRS 67.083), but ordinarily both cities and counties have the capacity to sue in their own behalf. However, in House Bill 15 (Acts ch. 213), the General Assembly reserved to the Commonwealth the right to sue any firearms or ammunition manufacturer on behalf of any city, county, or other local government.

The second instance also involved firearms. In House Bill 331 (Acts ch. 405), the General Assembly required police departments to transfer confiscated weapons to the Kentucky State Police for disposition at auction. Originally a bill to reverse a controversial 1998 law and restore local control, the House of Representatives amended it and changed its meaning. The Governor vetoed the version that passed, but the General Assembly overrode the veto.

permitting a consolidation of a city of the first class and its county. House Bill 647 (ch. 189).

AN ACT relating to firearms and ammunition for firearms. Adds a new section to KRS Chapter 65 to prevent local government suits against firearms and ammunition manufacturers; requires dismissal of any suit in progress on effective date of act. House Bill 15 (ch. 213).

AN ACT relating to relocated cities. Amends KRS 81.380 to provide a procedure by which a relocated city may change its name. House Bill 143 (ch. 224).

AN ACT relating to city revenue bonds. Amends KRS 96.537 to allow any city, not just those of the third class, operating a municipal natural gas distribution system to issue revenue bonds. Senate Bill 171 (ch. 286).

AN ACT relating to cities and counties. Amends KRS 68.197 to require that the fiscal court of each county having a population of 30,000 or more impose license fees only by ordinance; amends the same section and KRS 91A.080 with respect to city license fees credited against county license fees; creates the Advisory Committee on City and County Relations to examine issues facing cities and counties and report its findings by August 1, 2001. Senate Bill 163 (ch. 425).

AN ACT relating to interlocal agreements. Amends KRS 65.269, 65.220, 65.230, and 65.245 to require submission of interlocal agreements to the Department for Local Government instead of the Attorney General; permits sheriffs, with the approval of the fiscal court, to enter into interlocal agreements. House Bill 275 (ch. 464).

AN ACT relating to city utilities. Amends KRS 96.740 with respect to the one-year waiting period for membership on the electric plant board; amends KRS 96.520 to provide for regulation of municipal telephone service by the Public Service Commission. House Bill 645 (ch. 486).

CLASSIFICATION OF CITIES

AN ACT changing the classification of the city of Union, in Boone County. Transfers the city from the sixth to the fifth class. House Bill 257 (ch. 24).

AN ACT changing the classification of the city of Hollow Creek, in Jefferson County. Transfers the city from the sixth to the fifth class. House Bill 56 (ch. 36).

AN ACT changing the classification of the city of Hebron Estates, in Bullitt County. Transfers the city from the sixth to the fifth class. House Bill 252 (ch. 119).

AN ACT changing the classification of the city of Jeffersontown, in Jefferson County. Transfers the city from the fourth to the second class. House Bill 604 (ch. 159).

AN ACT changing the classification of the city of Pioneer Village, in Bullitt County. Transfers the city from the fifth to the fourth class. House Bill 62 (ch. 175).

AN ACT changing the classification of the city of Henderson, in Henderson County. Transfers the city from the third to the second class. House Bill 431 (ch. 181).

AN ACT providing for the reclassification of cities. Transfers the city of White Plains, Hopkins County from the sixth to the fifth class; transfers the city of Albany, Clinton County from the fifth to the fourth class. House Bill 471 (ch. 231).

AN ACT changing the classification of the city of Independence, in Kenton County. Transfers the city from the fifth to the third class. House Bill 650 (ch. 272).

AN ACT relating to the classification of cities. Transfers the cities of Indian Hills, Jefferson County, Cave City, Barren County, and Horse Cave, Hart County, from the fifth to the fourth class. Senate Bill 113 (ch. 531).

CONSTITUTIONAL AMENDMENTS

AN ACT proposing an amendment to Sections 201, 209, and 218 of the Constitution of Kentucky relating to the abolition of the Railroad Commission. Proposes to abolish the Railroad Commission. Senate Bill 70 (ch. 399).

AN ACT proposing an amendment to sections 36 and 42 of the Constitution of Kentucky relating to legislative sessions. Proposes odd-year legislative sessions. House Bill 936 (ch. 407).

COUNTIES

AN ACT relating to intergovernmental agreements. Amends KRS 67.083 to allow contracting governments to agree that one government may pay all or part of the cost of the joint undertaking and makes conforming amendments to KRS 178.010. House Bill 61 (ch. 82).

AN ACT relating to the consolidation of local governments in counties containing cities of the first class. Adds new sections to KRS Chapter 67C to create a procedure permitting a consolidation of a city of the first class and its county. House Bill 647 (ch. 189).

AN ACT relating to firearms and ammunition for firearms. Adds a new section to KRS Chapter 65 to prevent local government suits against firearms and ammunition manufacturers; requires dismissal of any suit in progress on effective date of act. House Bill 15 (ch. 213).

AN ACT relating to the disposition of real and personal property by counties. Adds a new section to KRS Chapter 67 governing the sale or other disposition of a county's real or personal property and makes a conforming amendment to KRS 67.080. House Bill 127 (ch. 223).

AN ACT relating to county budgets. Amends KRS 68.260 to require passage of the county budget by July 1 and allows the fiscal court to amend the budget based on the assessment of the Revenue Cabinet. Senate Bill 101 (ch. 248).

AN ACT relating to property valuation administrators. Amends KRS 132.370 to direct the Personnel Cabinet to adopt regulations allowing property valuation administrators and their deputies to receive lump-sum payments for accrued annual leave and compensatory time when separated from employment. House Bill 824 (ch. 392).

AN ACT relating to coroners. Amends KRS 64.185 to raise the salaries of coroners and deputy coroners. Senate Bill 159 (ch. 424).

AN ACT relating to cities and counties. Amends KRS 68.197 to require that the fiscal court of each county having a population of 30,000 or more impose license fees only by ordinance; amends the same section and KRS 91A.080 with respect to city license fees credited against county license fees; creates the Advisory Committee on City and County Relations to examine issues facing cities and counties and report its findings by August 1, 2001. (Senate Bill 163 (ch. 425)).

AN ACT relating to marriage licenses. Amends KRS 402.100 to require the Social Security number of each party and to require the county clerk to store the number with a nonidentifying numeric and not release it except for use by the Cabinet for Families and Children in efforts to enforce child support. Senate Bill 198 (ch. 428).

AN ACT relating to county government. Amends KRS 64.840 to require a county to issue a receipt when taxes are paid in certain instances and permits a county to accept payment by credit or debit card; adds new sections to KRS Chapter 65 to permit, in certain counties with county-wide fire protection districts, mergers of ambulance districts, fire protection districts, and local rescue squad districts under jurisdiction of an emergency services board. Senate Bill 217 (ch. 429).

AN ACT relating to interlocal agreements. Amends KRS 65.269, 65.220, 65.230, and 65.245 to require submission of interlocal agreements to the Department for Local Government instead of the Attorney General and permits sheriffs, with the approval of the fiscal court, to enter into interlocal agreements. House Bill 275 (ch. 464).

AN ACT relating to compensation of property valuation administrators. Amends KRS 132.590 and 132.385 and repeals KRS 132.591 and 132.592 to conform the method of determining the compensation of property valuation administrators to that used for other county officials. House Bill 538 (ch. 479).

AN ACT relating to the confinement of prisoners in county jails. Adds a new section to KRS Chapter 441 directing a sentencing court to require a prisoner in a county jail to reimburse the county for expenses incurred by reason of the prisoner's confinement, except for good cause shown. Senate Bill 332 (ch. 537).

CRIMINAL JUSTICE

AN ACT relating to compensation for returning fugitives from justice. Amends KRS 440.090 and 440.380 to require reimbursement for expenses incurred in the return of a fugitive to the extradition agent's employer instead of to the agent directly. House Bill 164 (ch. 30).

AN ACT relating to rape crisis centers. Adds new sections to KRS Chapter 211 to require the Cabinet for Health Services to designate one nonprofit corporation in each area development district to serve as the regional rape crisis center and makes corresponding amendments to KRS 216B.015, 216B.400, and 314.011. House Bill 448 (ch. 142).

AN ACT relating to children's advocacy centers. Amends numerous provisions of KRS related to the establishment and operation of regional children's advocacy centers and the investigation of reported or suspected child abuse. House Bill 237 (ch. 144).

AN ACT relating to identity theft. Adds new sections to KRS Chapter 514 to create the crimes of identity theft and trafficking in stolen identities; adds related sections to KRS Chapters 15, 411, and 532. House Bill 4 (ch. 174).

AN ACT relating to crimes and punishment. Amends KRS 441.125 to establish procedures for jail prisoners working on community-service-related projects; amends KRS 441.510 to provide for the transportation of jail inmates; amends KRS 532.100 to permit certain felons to serve their term in county jail. House Bill 533 (ch. 384).

AN ACT relating to the confinement of prisoners in county jails. Adds a new section to KRS Chapter 441 directing a sentencing court to require a prisoner in a county jail to reimburse the county for expenses incurred by reason of the prisoner's confinement, except for good cause shown. Senate Bill 332 (ch. 537).

DISTRICTS

AN ACT relating to intergovernmental agreements. Amends KRS 67.083 allow contracting governments to agree that one government may pay all or part of the cost of the joint undertaking and makes conforming amendments to KRS 178.010. House Bill 61 (ch. 82).

AN ACT relating to agricultural districts. Adds a new section to KRS Chapter 74 and amends KRS 262.850 to allow an owner of land in an agricultural district that would benefit from the extension of a water district water line to defer payment of the costs assessed for the extension until the land is removed from the agricultural district. House Bill 203 (ch. 115).

AN ACT relating to watershed conservancy districts. Amends KRS 262.720 to require that, with respect to a proposed conservancy district, the board of supervisors must establish a proposed maximum budget and funding mechanism. Also amends KRS 262.725 respecting the referendum requirement, 262.760 authorizing millage or per acre levies, 262.763 to provide for quadrennial audits, and 262.765 to allow for levy by acreage. House Bill 277 (ch. 120).

AN ACT relating to sanitation districts. Amends KRS 220.140 to establish the composition of multi-county sanitation district boards where the district is coextensive with the boundaries of two or more counties. House Bill 412 (ch. 150).

AN ACT relating to county government. Amends KRS 64.840 to require a county to issue a receipt when taxes are paid in certain instances and permits a county to accept payment by credit or debit card; adds new sections to KRS Chapter 65 to permit, in certain counties with county-wide fire protection districts, mergers of ambulance districts, fire protection districts, and local rescue squad districts under jurisdiction of an emergency services board. Senate Bill 217 (ch. 429).

AN ACT relating to area development districts' boards of directors. Amends KRS 147A.060 to provide that a state officer, a deputy state officer, or a member of the General Assembly may serve only in a nonmember advisory capacity to the board of directors of an area development district. House Bill 16 (ch. 450).

ECONOMIC DEVELOPMENT

AN ACT relating to economic development. Amends numerous sections of KRS to provide varied additional incentives for economic development. House Bill 381 (ch. 300).

AN ACT relating to a pilot program for tax increment financing in counties containing a city of the first class. Adds new sections to KRS Chapter 65 to enable a county containing a city of the first class or a city of the first class to use tax increment financing for the redevelopment and revitalization of development areas; repeals KRS 99.751, 99.756, 99.761, 99.766, and 99.771. Senate Bill 372 (ch. 326).

AN ACT relating to tourism and convention commissions. Amends various sections of and adds new sections to KRS Chapter 91A to expand the purposes of tourist and convention commissions, change the manner in which members are appointed, and impose certain controls including a requirement for audits. House Bill 438 (ch. 344).

AN ACT relating to incremental financing by local governments. Creates new sections of KRS Chapter 65 to establish the Kentucky Increment Financing Act. House Bill 852 (ch. 358).

AN ACT relating to sale of alcoholic beverages. Adds new sections to KRS 242 to promote economic development by allowing a local option election for the limited sale of alcoholic beverages in certain precincts containing golf courses. Senate Bill 39 (ch. 411).

AN ACT relating to economic development and declaring an emergency. Amends various sections of KRS Chapter 154 pertaining to the East Kentucky Corporation, the West Kentucky Corporation, and to enterprise zones. House Bill 287 (ch. 465), effective April 21, 2000.

AN ACT relating to economic development and declaring an emergency. Amends various sections of KRS pertaining to the Bluegrass State Skills Corporation. House Bill 330 (ch. 466), effective April 21, 2000.

AN ACT relating to research, innovation, and technology businesses. Adds new sections to KRS Chapter 164 to enact the Kentucky Innovation Act, creates the Kentucky Innovation Commission, establishes the Kentucky Research and Development Voucher Program, the Kentucky Rural Innovation Program, and the Kentucky Commercialization Fund Program, provides for regional technology corporations, and creates the Office of the Commissioner for the

New Economy in the Cabinet for Economic Development. House Bill 572 (ch. 522).

AN ACT relating to opportunity zone development. Adds subchapter 23 to KRS Chapter 154 establishing the Kentucky Economic Opportunity Zone Act providing inducements for the location and expansion of industries within qualified zones. Senate Bill 225 (ch. 528).

AN ACT relating to infrastructure projects. Adds and amends numerous provisions of KRS providing a program for the provision of water services through the Kentucky Infrastructure Authority. Senate Bill 409 (ch. 529).

ELECTIONS

AN ACT relating to campaign expenditures. Amends KRS 229.205 to prohibit giving anything of value to a person to sign a petition to have a public question placed on an election ballot and makes a violation a Class B misdemeanor. House Bill 2 (ch. 53).

AN ACT relating to election precincts. Amends KRS 117.055 to prohibit election precincts from crossing aldermanic ward boundaries. House Bill 113 (ch. 61).

AN ACT relating to candidates for office. Amends KRS 118.125 to require that the notification and declaration for a candidate for office state that the candidate meets all the statutory and constitutional qualifications for the office being sought; makes conforming amendments to KRS 118.315 and 118A.060. House Bill 777 (ch. 275).

AN ACT relating to local elections. Amends KRS 83A.047, 83A.170, 83A.175, and 118.356 to require that, in a city whose boundaries extend beyond those of a single county, nomination papers shall be filed with the county clerk of the county in which the candidate resides rather than with the Secretary of State and provides that each county clerk shall certify to the clerk of the other county the names of candidates who filed. Also amends KRS 67.045 to require a fiscal court to initiate reapportionment proceedings in May of the first year following the decennial census rather than in February of the second year following. House Bill 740 (ch. 354).

AN ACT relating to candidates for city elections. Amends KRS 83A.040 to provide that in cities candidates for mayor and legislative body member must be residents of the city for a least one year before election. House Bill 808 (ch. 368), effective January 1, 2001.

AN ACT relating to campaign finance. Amends various provisions of KRS to provide for automated filing of cam-

paign finance information and to facilitate distribution of filed reports. House Bill 939 (ch. 398).

EMERGENCY MEDICAL SERVICES

AN ACT relating to emergency medical technicians. Amends KRS 211.964 to change the requirements for initial certification and recertification of emergency medical technicians. House Bill 312 (ch. 25).

AN ACT relating to police radios. Amends KRS 432.570 to permit a paid or volunteer member of a fire department or a paid or volunteer member of a public ambulance service to possess a radio capable of monitoring police frequencies provided the member has the written authorization of the respective fire chief or ambulance service director and the chief of each law enforcement agency whose frequency is to be monitored. House Bill 141 (ch. 176).

AN ACT relating to emergency medical services. Amends various provisions of KRS to create the Kentucky Board of Emergency Medical Services and set forth its powers and duties and to amend laws affecting the licensing and practice of emergency medical technicians and paramedics. House Bill 405 (ch. 343).

AN ACT relating to county government. Amends KRS 64.840 to require a county to issue a receipt when taxes are paid in certain instances and permits a county to accept payment by credit or debit card; adds new sections to KRS Chapter 65 to permit, in certain counties with county-wide fire protection districts, mergers of ambulance districts, fire protection districts, and local rescue squad districts under jurisdiction of an emergency services board. Senate Bill 217 (ch. 429).

FINANCE

AN ACT relating to the issuance of bonds for low cost housing by the Kentucky Housing Corporation. Amends KRS 198A.090 to increase the debt ceiling of the Kentucky Housing Corporation to \$2.5 billion. House Bill 147 (ch. 15).

AN ACT relating to city audits. Amends KRS 91A.040 to raise from \$25,000 to \$75,000 the limit for audits in cities of the sixth class. House Bill 253 (ch. 89).

AN ACT relating to municipal finances. Amends KRS 91A.060 to allow collateralization of the amount of city funds in an official depository in accordance with 12 U.S.C. § 1823. Senate Bill 72 (ch. 207).

AN ACT relating to municipal budgets. Amends KRS 91A.020 to delete the reference to financial data required by the Federal Revenue Sharing Program. Senate Bill 73 (ch. 208).

AN ACT relating to procurement authority. Amends KRS 424.260 to raise from \$10,000 to \$20,000 the minimum expenditure above which local governments must advertise for bids; amends other sections to raise expenditure limits. House Bill 249 (ch. 225).

AN ACT relating to county budgets. Amends KRS 68.260 to require passage of the county budget by July 1; allows the fiscal court to amend the budget on the basis of the assessment of the Revenue Cabinet. Senate Bill 101 (ch. 248).

AN ACT relating to city revenue bonds. Amends KRS 96.537 to allow any city, not just those of the third class, operating a municipal natural gas distribution system to issue revenue bonds. Senate Bill 171 (ch. 286).

AN ACT relating to a pilot program for tax increment financing in counties containing a city of the first class. Adds new sections to KRS Chapter 65 to enable a county containing a city of the first class or a city of the first class to use tax increment financing for the redevelopment and revitalization of development areas; repeals KRS 99.751, 99.756, 99.761, 99.766, and 99.771. Senate Bill 372 (ch. 326).

AN ACT relating to court fees and costs. Amends KRS 23A.205, 24A.175, and 64.092 to increase certain fees and costs. Senate Bill 326 (ch. 328).

AN ACT relating to incremental financing by local governments. Creates new sections of KRS Chapter 65 to establish the Kentucky Increment Financing Act. House Bill 852 (ch. 358).

FIRE SERVICE

AN ACT related to the probationary period of police and firefighters. Amends KRS 95.762 to allow the civil service commission to increase the probationary period for members of a police or fire department from six months to twelve months. House Bill 326 (ch. 95).

AN ACT relating to police radios. Amends KRS 432.570 to permit a paid or volunteer member of a fire department or a paid or volunteer member of a public ambulance service to possess a radio capable of monitoring police frequencies provided the member has the written authorization of the respective fire chief or ambulance service direc-

tor and the chief of each law enforcement agency whose frequency is to be monitored. House Bill 141 (ch. 176).

AN ACT relating to fire chiefs and assistant chiefs in cities of the second class. Amends KRS 95.500 to exclude chiefs and assistant chiefs from the 24 hours on/48 hours off requirement in cities of the second class. House Bill 301 (ch. 177).

AN ACT relating to the Commission on Fire Protection Personnel Standards and Education. Amends KRS 95A.020 and other sections to transfer the commission from the State Fire Marshal's office to the Kentucky Community and Technical College System. House Bill 631 (ch. 270).

AN ACT relating to fire districts. Amends KRS 75.031 to provide that property owners voting to select representatives to the board of trustees shall be at least 18 years old. House Bill 555 (ch. 348).

AN ACT relating to city police and fire departments. Amends KRS 90.360 to allow a city to exclude from the classified service chiefs and assistant chiefs of police and chiefs and assistant chiefs of firefighters. House Bill 865 (ch. 359).

AN ACT relating to fire department aid. Amends KRS 95A.252 to increase the allotment to qualifying fire departments to \$8,000 and, beginning July 1, 2001, to \$8,250. Senate Bill 130 (ch. 402).

AN ACT relating to county government. Amends KRS 64.840 to require a county to issue a receipt when taxes are paid in certain instances and permits a county to accept payment by credit or debit card; adds new sections to KRS Chapter 65 to permit, in certain counties with county-wide fire protection districts, mergers of ambulance districts, fire protection districts, and local rescue squad districts under jurisdiction of an emergency services board. Senate Bill 217 (ch. 429).

OFFICERS AND EMPLOYEES

AN ACT relating to emergency medical technicians. Amends KRS 211.964 to change the requirements for initial certification and recertification of emergency medical technicians. House Bill 312 (ch. 25).

AN ACT relating to city civil service. Amends KRS 90.330 to allow cities to enact ordinances that require persons appointed to civil service positions to be a resident of the county in which the city is located. House Bill 302 (ch. 90).

AN ACT related to the probationary period of police and firefighters. Amends KRS 95.762 to allow the civil service commission to increase the probationary period for members of a police or fire department from six months to twelve months. House Bill 326 (ch. 95).

AN ACT relating to sick leave for public school teachers and employees. Amends KRS 161.155 to expand the definition of “immediate family” for purposes of sick leave. House Bill 126 (ch. 137).

AN ACT relating to city civil service positions. Amends KRS 90.300 and 90.310 to allow all cities of the second class, by ordinance, to classify employees and designate the classes of employees included in the civil service; excludes persons designated as non-civil service from the definition of employee. House Bill 335 (ch. 178).

AN ACT relating to candidates for office. Amends KRS 118.125 to require that the notification and declaration for a candidate for office state that the candidate meets all the statutory and constitutional qualifications for the office being sought; makes conforming amendments to KRS 118.315 and 118A.060. House Bill 777 (ch. 275).

AN ACT relating to a building inspectors training program. Adds a new section to KRS Chapter 198B authorizing the Board of Housing, Buildings and Construction to establish a building inspectors training program and providing for a Building Inspectors’ Financial Incentive Training Program. House Bill 244 (ch. 322).

AN ACT relating to local government officials’ bonds. Adds a new section to KRS Chapter 65 to require all officers, officials, and employees of local governments who handle public funds to post bond, with the local government to pay the cost of the bond. Senate Bill 75 (ch. 332).

AN ACT relating to deputy sheriffs. Amends KRS 70.260 to allow deputy sheriff merit boards in all counties, not just those in counties containing a city of the first class, to exclude from coverage those deputy sheriffs in policy-making or confidential positions; amends KRS 70.267 to provide that the probationary term follows an initial appointment or a promotional appointment. Senate Bill 194 (ch. 334).

AN ACT relating to deputy sheriff merit boards. Adds a new section to KRS 70.260 to 70.273 providing that, in any county containing a city of the first class, deputies subject to the merit system may organize and bargain collectively; permits deputies to refrain, but makes them subject to the lawful provisions of any collective bargaining agreement reached under the section; expressly prohibits strikes; where

a majority of deputies are represented, requires sheriff to contract with the representative with respect to wages, hours, and terms and conditions of employment. House Bill 328 (ch. 340).

AN ACT relating to city police and fire departments. Amends KRS 90.360 to allow a city to exclude from the classified service chiefs and assistant chiefs of police and chiefs and assistant chiefs of firefighters. House Bill 865 (ch. 359).

AN ACT relating to a sick leave bank for local school district employees. Amends KRS 161.155 to include employees as well as teachers within the scope of a sick leave bank. House Bill 373 (ch. 381).

AN ACT relating to property valuation administrators. Amends KRS 132.370 to direct the Personnel Cabinet to adopt regulations allowing property valuation administrators and their deputies to receive lump-sum payments for accrued annual leave and compensatory time when separated from employment. House Bill 824 (ch. 392).

AN ACT relating to the hiring of sheriff’s deputies. Amends KRS 61.300 to require deputy sheriffs to be a resident of the Commonwealth and permit sheriffs to require that deputies be residents of the county in which they serve. Senate Bill 62 (ch. 416).

AN ACT relating to coroners. Amends KRS 64.185 to raise the salaries of coroners and deputy coroners. Senate Bill 159 (ch. 424).

AN ACT relating to compensation of property valuation administrators. Amends KRS 132.590 and 132.385 and repeals KRS 132.591 and 132.592 to conform the method of determining the compensation of property valuation administrators to that used for other county officials. House Bill 538 (ch. 479).

AN ACT relating to law enforcement. Amends various sections of and adds new sections to KRS Chapter 15 to prescribe minimum qualifications of and training for peace officers. House Bill 544 (ch. 480).

POLICE

AN ACT related to the probationary period of police and firefighters. Amends KRS 95.762 to allow the civil service commission to increase the probationary period for members of a police or fire department from six months to twelve months. House Bill 326 (ch. 95).

AN ACT relating to police radios. Amends KRS 432.570 to permit a paid or volunteer member of a fire department or a paid or volunteer member of a public ambulance service to possess a radio capable of monitoring police frequencies provided the member has the written authorization of the respective fire chief or ambulance service director and the chief of each law enforcement agency whose frequency is to be monitored. House Bill 141 (ch. 176).

AN ACT relating to city police and fire departments. Amends KRS 90.360 to allow a city to exclude from the classified service chiefs and assistant chiefs of police and chiefs and assistant chiefs of firefighters. House Bill 865 (ch. 359).

AN ACT relating to the sale of confiscated firearms. Amends KRS 95.435, and makes conforming amendments to other sections, to require certain police departments to transfer to the Kentucky State Police certain firearms for subsequent disposition. House Bill 331 (ch. 405); vetoed; veto overridden.

RETIREMENT

AN ACT relating to retirement. Amends KRS 61.510, 61.592, and other sections to provide members employed in hazardous positions so-called “high 3” benefits. Senate Bill 87 (ch. 210).

AN ACT relating to retirement. Amends KRS 61.535 and 161.470 to provide that persons hired after August 1, 2000 forfeit their retirement benefits upon conviction of a felony related to their employment. House Bill 737 (ch. 273).

AN ACT relating to retirement. Amends KRS 78.615 to alter the retirement calculations for noncertified employees of school boards. House Bill 258 (ch. 299).

AN ACT relating to retirement. Adds a new section to KRS Chapter 21 and amends KRS 21.400 to create a Senior Status Program for Special Judges as a pilot project; repeals pilot project effective July 1, 2007. House Bill 439 (ch. 305).

AN ACT relating to retirement. Amends various provisions of KRS Chapter 95 to increase benefits payable from the police and firefighters’ retirement fund in cities of the second class. House Bill 360 (ch. 341).

AN ACT relating to retirement. Amends numerous provisions of KRS making omnibus revisions to state and local retirement systems. House Bill 537 (ch. 385).

AN ACT relating to retirement. Amends KRS 161.155 to provide that days of sick leave for non-teaching employees

as well as teachers may accumulate without limitation. House Bill 675 (ch. 390).

AN ACT relating to teachers’ retirement. Adds a new section to KRS Chapter 156 to define a “critical shortage area” and amends KRS 161.605 to allow a retired teacher to return to work in a critical shortage area without loss of retirement benefits. House Bill 519 (ch. 477).

SCHOOLS

AN ACT relating to personal telecommunications devices in public schools. Amends KRS 158.165 to require a local board of education to develop a policy regarding the possession and use of a personal telecommunications device by a student on school property or at a school-related activity; deletes language prohibiting possession and use and directing confiscation by and forfeiture to the school district. House Bill 266 (ch. 34).

AN ACT relating to eminent domain by boards of education. Amends KRS 416.560 to allow boards of education, having a right of eminent domain under other statutes, to forego the requirement of requesting the Finance and Administration Cabinet to institute condemnation proceedings on its behalf. House Bill 284 (ch. 45).

AN ACT relating to sick leave for public school teachers and employees. Amends KRS 161.155 to expand the definition of “immediate family” for purposes of sick leave. House Bill 126 (ch. 137).

AN ACT relating to public school volunteers. Adds a new section to KRS Chapter 161 to authorize school districts to use adult volunteers in supplementary instructional and non-instructional activities; requires local boards of education to adopt policy requiring criminal records check on all volunteers who have contact with students on a regular or continuing basis; makes conforming amendments to KRS 161.044. House Bill 136 (ch. 336).

AN ACT relating to a sick leave bank for local school district employees. Amends KRS 161.155 to include employees as well as teachers within the scope of a sick leave bank. House Bill 373 (ch. 381).

AN ACT relating to school finance. Adds a new section to KRS Chapter 160 to require the local district superintendent to appoint a finance manager to be responsible for the cash, investment, and financial management of the school district; makes technical amendments to other sections related to school finance. House Bill 668 (ch. 389).

AN ACT relating to retirement. Amends KRS 161.155 to provide that days of sick leave for non-teaching employees as well as teachers may accumulate without limitation. House Bill 675 (ch. 390).

AN ACT relating to school-based decision making councils. Amends KRS 160.345 to ease certain restrictions with respect to membership on the councils. Senate Bill 76 (ch. 418).

AN ACT relating to school safety. Amends KRS 158.163, which provides for an earthquake emergency procedure system, to include a tornado emergency procedure system. Senate Bill 229 (ch. 433).

AN ACT relating to members of boards of education. Amends KRS 160.280 to increase the per diem and the limitation on expenses for members of boards of education. House Bill 142 (ch. 454).

AN ACT relating to teachers' retirement. Adds a new section to KRS Chapter 156 to define a "critical shortage area" and amends KRS 161.605 to allow a retired teacher to return to work in a critical shortage area without loss of retirement benefits. House Bill 519 (ch. 477).

AN ACT relating to audits of school district cooperatives and school districts. Adds a new section to KRS Chapter 43 to make the Auditor of Public Accounts responsible for an annual audit of the funds of any entity formed by school districts and makes conforming amendments to KRS 156.265. House Bill 689 (ch. 491).

AN ACT relating to retired teachers and declaring an emergency. Adds a new section to KRS 161.230 to 161.716 authorizing a supplemental retirement benefit plan for persons whose retirement benefits are limited under the Internal Revenue Code and makes conforming amendments to other sections. House Bill 739 (ch. 498), effective July 1, 2000.

AN ACT relating to the professional preparation of school personnel. Adds a new section to KRS Chapter 156 to create the Teachers' Professional Growth Fund and adds or amends other sections respecting teacher qualifications and professional development. Senate Bill 77 (ch. 527).

TAXATION

AN ACT relating to property taxes. Amends KRS 132.819 to extend the homestead tax exemption for totally disabled persons to include totally disabled person who die before the end of the taxable year; deletes requirement that to-

tally disabled persons reapply for the exemption every year. House Bill 158 (ch. 149).

AN ACT relating to the transient room tax. Amends KRS 91A.392 to extend the additional levy of the transient room tax to counties containing a city of the second class (except those included in a multi-county tourist and convention commission); allows counties having multi-county tourism and convention commissions to levy an additional 1% room tax. House Bill 584 (ch. 154).

AN ACT relating to property taxes. Amends KRS 134.500 to allow county attorneys to agree with delinquent taxpayers to accept installment payments on the delinquent tax bill. House Bill 556 (ch. 155).

AN ACT relating to the levy of a transient room tax by urban-county governments. Amends KRS 153.450 to increase the additional transient room tax to 2% and to permit use of the tax to finance a nonprofit corporation created for the funding, construction, and management of a convention center. House Bill 656 (ch. 158).

AN ACT relating to property taxes. Amends KRS 132.190 and adds new sections to Chapter 132 to exempt from the ad valorem tax for state purposes personal property placed in a warehouse for subsequent shipment out-of-state and limits the tax rate levied by local governments on such personal property; repeals KRS 132.095. House Bill 749 (ch. 274).

AN ACT relating to collection of taxes. Amends KRS 134.500 to waive the fee payable to the county attorney for delinquent tax bills if the taxpayer pays the delinquency within five days of the sheriff's sale. House Bill 719 (ch. 281).

AN ACT relating to intangible property taxes. Amends various sections of KRS to exempt shares of stock from the intangible personal property tax; adds a new section to KRS Chapter 132 to exempt shares of stock from state and local ad valorem tax. Senate Bill 336 (ch. 327).

AN ACT relating to property tax. Amends various sections of KRS Chapter 134 to permit county clerks to provide a certified electronic certificate of delinquency rather than delivering a certified copy of the certificate of delinquency; excludes add-on fees from the interest calculation. House Bill 807 (ch. 357).

TELECOMMUNICATIONS

AN ACT relating to the provision of telecommunication services by municipalities and municipal utilities. Adds a

new section to KRS Chapter 96 to provide that any city of the first through fifth class may provide telecommunications service subject to regulation by the Public Utility Commission. Makes corresponding amendments to KRS 96.170 (third class cities), KRS 96.190 (fourth class cities), and KRS 96.520 (second through sixth class cities). Amends KRS 278.010 to remove a municipal utility that provides telecommunications services from the list of exemptions that apply to other utility services. House Bill 477 (ch. 101).

AN ACT relating to cellular antenna towers. Amends KRS 268.665 to direct the Public Service Commission to require an applicant for a cellular antenna tower to provide notice by certified mail to owners of property contiguous to that where the tower will be located. House Bill 417 (ch. 103).

UTILITIES

AN ACT relating to the provision of telecommunication services by municipalities and municipal utilities. Adds a new section to KRS Chapter 96 to provide that any city of the first through fifth class may provide telecommunications service subject to regulation by the Public Utility Commission. Makes corresponding amendments to KRS 96.170 (third class cities), KRS 96.190 (fourth class cities), and KRS 96.520 (second through sixth class cities). Amends KRS 278.010 to remove a municipal utility that provides telecommunications services from the list of exemptions that apply to other utility services. House Bill 477 (ch. 101).

AN ACT relating to cellular antenna towers. Amends KRS 268.665 to direct the Public Service Commission to require an applicant for a cellular antenna tower to provide notice by certified mail to owners of property contiguous to that where the tower will be located. House Bill 417 (ch. 103).

AN ACT relating to public utilities. Amends KRS 278.010 to include within the definition of a Public Service Commission-regulated those utility sewage collection and transmission facilities that are not municipally owned, except facilities of sanitation districts. Senate Bill 110 (ch. 118).

AN ACT relating to city utilities. Amends KRS 96.740 with respect to the one-year waiting period for membership on the electric plant board; amends KRS 96.520 to provide for regulation of municipal telephone service by the Public Service Commission. House Bill 645 (ch. 486).

AN ACT relating to the purchase of wholesale electric power by municipal electric utilities. Adds a new section of KRS Chapter 96 to allow membership and participation in a group purchasing program; makes conforming amendments to KRS 45A.365 and 424.260. House Bill 895 (ch. 510).

ZONING, PLANNING, AND LAND USE

AN ACT relating to the airport zoning commission. Amends KRS 183.861 to expand the jurisdiction of the Kentucky Airport Zoning Commission to include military and public use airports, heliports, and seaplane bases. Senate Bill 97 (ch. 80).

AN ACT relating to cellular antenna towers. Amends KRS 268.665 to direct the Public Service Commission to require an applicant for a cellular antenna tower to provide notice by certified mail to owners of property contiguous to that where the tower will be located. House Bill 417 (ch. 103).

AN ACT relating to agricultural districts. Adds a new section to KRS Chapter 74 and amends KRS 262.850 to allow an owner of land in an agricultural district that would benefit from the extension of a water district water line to defer payment of the costs assessed for the extension until the land is removed from the agricultural district. House Bill 203 (ch. 115).

AN ACT relating to watershed conservancy districts. Amends KRS 262.720 to require that, with respect to a proposed conservancy district, the board of supervisors must establish a proposed maximum budget and funding mechanism. Also amends KRS 262.725 respecting the referendum requirement, 262.760 authorizing millage or per acre levies, 262.763 to provide for quadrennial audits, and 262.765 to allow for levy by acreage. House Bill 277 (ch. 120).

AN ACT relating to manufactured homes. Adds a new section to KRS 186A to create a procedure for converting manufactured homes to real estate. House Bill 348 (ch. 166).

AN ACT relating to floodplains and declaring an emergency. Amends KRS 151.230 to allow local governments, by ordinance, to establish minimum standards for floodplain management subject to sunset provision. House Bill 957 (ch. 243), effective March 29, 2000.

AN ACT relating to the purchase of development rights for public parks. Amends various provisions of KRS to allow an urban-county government to combine a purchase of development rights program proposal with a parks purchase and maintenance program proposal. House Bill 742 (ch. 355).

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