

2009—Bill Summaries and KCC Positions

NOTE: At our meetings during the session, the board of KCC tracks bills before the General Assembly that fall within our mission and considers what KCC’s position on them should be. Bills that are central to our mission are identified as “**Priority**” for work by our lobbyist and to encourage communications with legislators by our members. The newsletter is sent out immediately after our meetings and should be inclusive of legislative activity up to the Friday evening prior to your receiving this newsletter.

Bills that have become law are in bold.

Senate Bills

Bill No	KCC Position	Priority	Sponsor	Summary	Status/ Committee
SB 7	Monitor		Tapp, Seum	cf HB 21, 81, 135. Allows low-speed electric vehicles to use highways with a posted speed limit of 45 mph or less; requires title, registration, insurance.	S-Trans
SB 12	Study		Pendleton	Requires fuel terminals to sell ethanol blends; permits biodiesel and ethanol blended gasoline to be freely blended for retail.	S-NR & E
SB 13	Oppose		Leeper	Changes “means for permanent disposal” to “plan for storage” for nuclear waste in criteria for PSC approval of nuclear power facilities. Cf HB 537.	Passed S H-NR & E
SB 27	Support		Leeper	Establish a brownfield development fund.	Passed S & H Sgd Governor
SB 49	Oppose		Thayer	Prohibits charging stormwater rates against unsewered customers.	S-S & LG
SB 51	Strongly support		Harris	Authorizes PSC to require demand-side plans from utilities and to review and approve them.	S-NR & E
SB 52	Support		Jones	Requires emergency action plans to include information to expedite medical air evacuation from mine sites.	Passed S H-NR & E
SB 55	Oppose		Jones	Makes new coal generating plants and modifications to existing plants eligible for the HB 1 incentives.	S-A & R
SB 63	Support		Harper Angel	Creates an e-scrap recycling program requiring registration of manufacturers and their recycling plans, prohibits sale of non-registered equipment after 2011, separates e-scrap from regular waste after 2014, provides for fines, and establishes a trust fund from fees. CS	Recomm S-NR & E
SB 64	Monitor		Jensen	Amends law to conform repair of mine ventilation fans with MSHA standards.	Passed S H-NR & E
SB 66	Oppose		Boswell	Adds crude oil from tar sands to the definition of alternative fuels eligible for incentives under HB 1; sets minimum investment at level for coal. Cf HB 537.	S-NR & E
SB 84	Support		Givens	Requires reports from state agencies on purchases of KY-grown agricultural products.	Passed S & H Sgd Governor
SB 89	Oppose		Denton	Requires a nonprofit with budget less than \$10m to retain an attorney and CPA to sign state government contracts, explain them to the non-profit’s board, and attend all meetings of the board; requires minutes of each board meeting sent to contracting agency.	S-S & L Govt
SB 99	Support		Stein	Requires state agencies and institutions to annually report amounts of recycled waste except aluminum.	S-NR & E
SB 100	Strongly Support		Stein	“Stream saver” bill. Cf HB 104.	S-NR & E
SB 131	Support		Pendleton, Stein	Authorizes agricultural production of “industrial hemp” regulated by Dept of Agriculture; authorizes random testing by county sheriffs.	S-Ag
SB 134	Support		Ridley	Requires regulation of gas well tank batteries; authorizes forfeited bond fees for reclamation of batteries and lines at abandoned wells. Committee substitute funds reclamation from petroleum tank assurance fund.	S-Rules
SB 138	Strongly Oppose		Jensen, Stivers	Authorizes the Finance Cabinet to lease mineral rights on lands owned by the state or by public universities; proceeds of sales to agency of deed record, not General Fund. Cf SJR 67. Committee substitute moves authorization to Secty of EPPC and funds reclamation from petroleum tank assurance fund.	Passed S H-Rules
SB 156	Support		Thayer	Doubles maximum output of “small farm wineries.”	S-LO & AR

Senate and House Resolutions

Bill No	KCC Position	Priority	Sponsor	Summary	Status/ Committee
SJR 37	Strongly Support		Jones	Requires EPPC regulations for emergency action plans for high-hazard-potential dams. Cf HJR 119	S-NR & E
HJR 7	Oppose		Edmunds	Directs UK to study potential impact of mining in Robinson Forest on forests and streams. NOTE: Robinson Forest has been designated "lands unsuitable for mining."	H-NR & E
SJR 67	Monitor		Jensen	Directs Dept of Energy to contract with KY Geo Survey to study potential oil and gas reserves on lands owned by state agencies and public universities. Cf SB 138.	Passed S & H Sgd Governor
HJR 116	Oppose		Hall	Gives infrastructure funding priority to coal-to-liquid projects.	Passed H S-NR & E
HJR 119	Oppose as amended		Webb	Requires EPPC regulations for emergency action plans for high-hazard-potential dams. Cf SJR 37.	Passed H S-Rules
HJR 126	Monitor		Adkins	Express support for KGS study of carbon sequestration research.	Passed H S-Rules
HJR 152	Oppose		Comer	Requires study of economic incentives for large-scale dairy ops.	H-Ag & SB

House Bills

Bill No	KCC Position	Priority	Sponsor	Summary	Status/ Committee
HB 21	Monitor		Riggs, Clark	cf SB 7, HB 81, 135. Allows low-speed electric vehicles to use highways with a posted speed limit of 35 mph or less; requires title, registration, insurance. Committee substitute adds "alternative-speed motorcycle."	Passed H & S Sgd Governor
HB 34	Support		Marzian	Adds a representative of the Brain Injury Assn to the KY Recreational Trails Authority.	H-TD & E
HB 53	Oppose as amended		Edmonds et al	Requires titling of ATVs but prohibits registration.	passed H & S Sgd Governor
HB 65	Monitor		Meeks	Permits F & W staff to assist the KY F & W Foundation.	H-NR & E
HB 81	Monitor		Yonts	cf SB 7, HB 21, 135. Allows low-speed electric vehicles to use highways with a posted speed limit of 45 mph or less; requires title, registration, insurance.	H-Trans
HB 84	Monitor		Glenn et al	Authorizes lifetime hunting/ fishing licenses for persons 65 and older.	H-Rules
HB 88	Monitor		Wayne et al	Establishes offense of vehicular assault of a bicyclist or pedestrian.	H-Judiciary
HB 91	Monitor		Denham	Defines "agro-terrorism": "Using any biological, chemical, or radiological agent against, or damaging or destroying, any agricultural facility, agricultural equipment, or agricultural product with the intent to deprive the public of a source of food or water or adversely affect the agriculture industry, the economy, or the public."	H-Judiciary
HB 92	Support		Yonts	Extends registration deadline for petroleum storage tanks to 2015.	H-NR & E
HB 104	Strongly support		Pasley	"Stream-Saver" Bill. Prohibits placing mining spoil in streams.	H-NR & E
HB 119	Oppose		Hall et al	Reduces number of required emergency-trained staff from two to one in mining operations with fewer than 18 employees.	H-Rules
HB 122	Monitor		Nelson, Denham	Requires teaching of "fire ecology" in core science curriculum.	H-Edn
HB 127	Monitor		Rollins et al	Reduces duration of scenic easements on property owned by air boards from 30 to 20 years.	Passed H S-Judiciary
HB 135	Monitor		Higdon	cf SB 7, HB 21, 81. Allows low-speed electric vehicles to use highways with a posted speed limit of 45 mph or less; requires title, registration, insurance.	H-Transpnt
HB 160	Study		Meeks et al	Requires state agencies and universities to estimate recycled waste.	Passed H S-NR & E
HB 162	Support		Pullin et al	Reduces property taxes on land used to produce "energy feedstocks" (eg switchgrass) on voluntarily-remediated brownfields.	Passed H S-NR & E
HB 172	Support		McKee, Osborne	Clarifies land size (min 5 acres), duration of use, and uses of lands that qualify for an agricultural district; requires conservation district to consider comprehensive and drinking water plans before approving; requires periodic reviews.	Passed H S-Ag

House Bills (cont'd)

Bill No	KCC Position	Priority	Sponsor	Summary	Status/ Committee
HB 178	Strongly support	✓	Adkins, Steele	Re-enacts HB 2, including "High Performance Building" requirements for state offices and conservation incentives. HB 2 passed the 2008 session after midnight of the last day. S floor amendment adds SB 66 (tar sands) to incentivized alternatives.	Passed H S-NR & E
HB 205	Monitor		Riggs et al	Requires impairment as basis for lawsuit for cancer from silica dust.	H-Judiciary
HB 211	Support		Combs	Includes "removal of woody biomass" in definition of "timber harvesting operations" related to forest conservation law; restricts exemption for firewood to personal use.	H-Rules
HB 215	Support		Flood	Expands coverage of the Environmental Trust Fund to "environment-ally beneficial projects;" prohibits funds for routine EPPC activities. Committee Substitute better defines eligible projects.	Passed H S-Rules
HB 217	Monitor		Floyd	Amends the KY constitution to permit 5% of registered voters for a statute and 8% for a constitutional amendment to petition for a ballot initiative that must be constitutional and cannot be vetoed.	H-ECAIA
HB 224	Support		Wayne, Clark	Exempts vegetable oil from motor fuels tax for five years.	H-A & R
HB 235	Support		McKee, Denham	Establishes a "Forest Health Board" related to identifying/ prioritizing threats; includes Woodland Owners Assn; requires the Division of Forestry's education program to include fire prevention.	Passed H S-Rules
HB 245	Support		Collins	Designates Heritage Lands nature license plates as the official "green license plate."	recomm H-Transpt
HB 266	Support		Napier	Creates a "Go Green" license plate with proceeds payable to Kentucky PRIDE.	H-Transpt
HB 285	Oppose		Adkins	Establishes tax incentives for a pilot "clean coal" generating plant with certain carbon capture or sequestration <i>capabilities</i> greater than 300 mw if federal incentives become available.	H-Rules
HB 344	Support		McKee et al	Establishes a KY agricultural commodities program that distributes to food banks.	Passed H & S Sgd Governor
HB 345	Support		Stewart	Exempts geo-thermal heat pumps from sales and use tax.	H-A & R
HB 351	Monitor		Adkins et al	Establishes requirements for demonstration carbon sequestration projects authorized by the General Assembly and developed in collaboration with the UK Center for Applied Energy Research and KGS; projects supervised by KGS, all liabilities and benefits accrue to KY.	H-NR & E posted
HB 376	Oppose		Rudy et al	cf SB 13. Changes "means for permanent disposal" to "plan for storage" for nuclear waste in criteria for PSC approval of nuclear power facilities.	H-TD & E
HB 396	Support		Combs	Authorizes Div of Forestry to investigate forestry-related crimes, defines investigators as peace officers, and gives AG, Commonwealth and County attorneys jurisdiction to prosecute.	H-NR & E
HB 397	Support		Combs	Increases maximum penalties for "bad actor" loggers and strengthens enforcement provisions.	H-NR & E
HB 422	Needs Revision		Belcher et al	Permits inter-jurisdictional commissions for establishing wastewater treatment plants.	H-Loc Govt posted
HB 452	Oppose		Gooch	Specifies how plans for drilling through coal mines will be permitted. Decreases the buffer from 500 to 300 feet.	Passed H & S Sgd Governor
HB 481	Support		Combs	Requires seller of timber to demonstrate title to the timber.	H-NR & E
HB 485	Support		McKee	Doubles cost of registration of a pesticide with Dept of Agriculture to \$250.	Passed H & S Sgd Governor
HB 492	Support		Steele	Encourages pollinator habitat on reclaimed mine lands.	H-NR & E
HB 522	Oppose		Nelson	Directs KY F & W to designate horse trails on suitable F & W lands in certain coal-producing counties.	H-TD & E
HB 537	Oppose		Adkins	Establishes a "Renewable and Efficiency Portfolio Standard " for utilities to set goals (but not standards) consistent with the Governor's Energy Plan; provides tax incentives for ethanol from algae and cellulose and petroleum from oil shale and tar sands. Senate committee substitute adds SB 13 related to nuclear waste storage and SB 138 and SJR 67 related to leasing mineral rights on state lands.	Passed S Rec'd H