

KCC Alert



Kentucky Conservation Committee, P.O. Box 1152, Frankfort, KY 40602

Kentucky Pride?

The Kentucky Pride program was established to clean up old municipal dumps and litter, and to help fund environmental education. The General Assembly established the fund and cleanup program in 2002 through HB174. The program is funded through a \$1.75 per ton fee collected by landfills. Governor Fletcher's proposed budget (HB380, Part V) would transfer \$18 million from the Kentucky Pride Program in FY06-07 to the General Fund.

The purpose of Kentucky Pride is to help clean up thousands of open dumps; pick up roadside litter; and cover costs of studying and securing an estimated 650 old landfills not meeting modern environmental standards. The program generates \$11 million a year. A \$25 million bond in 2003 was to provide revenue to initiate engineering design and initial cleanup of some of these landfills. The Div for Waste Management estimates the cost of cleaning up the top 20 priority landfills will exceed \$35 million. To clean up all of the 650 old landfills will take decades. The transfer of funds will slow progress in cleanup of old landfills.

Cities and counties have agreements with the state for open dump cleanups and litter abatement programs. It is not clear if the state will be able to honor existing agreements, and will have to scale back on future agreements. The loss of funding will negate some of the progress made to eliminate open dumps and litter that has been achieved over the last years.

Contact your legislator to oppose the transfer of Kentucky Pride funds and allow them to be used as the General Assembly intended in passing HB 174 to keep Kentucky clean.

KCC To-Do List:

- ❑ Find out who your state Senator and Representative are by contacting your county clerk's office. All you need give them is your address.
- ❑ Ask your local representative to support HCR120, the Land Stewardship and Conservation Task Force
- ❑ Ask your Representative to co-sponsor the Stream-Saver bill, HB 83.

Rep. Robin Webb Introduces KCC's Land Stewardship and Conservation Program

Rep. Robin Webb introduced HCR120 to establish a Task Force to study the Commonwealth's strategy for the protection of natural resources, farmlands, habitats and forests. The Task Force will review ways to provide long term funding for existing programs: Land Heritage Conservation Fund, Forest Stewardship Fund, PACE and Fish and Wildlife Land. The Task Force will include representatives from the General Assembly, League of Kentucky Sportsman, Kentucky Resource Council, Kentuckians for the Commonwealth, Kentucky League of Cities, Kentucky Woodland Owners, Kentucky Farm Bureau, Kentucky Homebuilders Association, Kentucky Association of Counties, KY Nature Preserves Commission, and the Dept of Fish and Wildlife. The Task Force will report by June 30, 2007.

The Stewardship Program was proposed by the Kentucky Conservation Committee. Kentucky is losing 130 acres a day to urban use. Kentucky is ranked 47th in the nation of state ownership and protection of natural areas. The other sponsors of the resolution include Reps. Burch, L. Clark, Cherry, Pasley, Siler, and Wiley.

Support the Stream-Saver Bill (HB 83)

One of the most devastating aspects of the mining method known as mountaintop removal is the dumping of rocks and mining waste into nearby valleys and streams. Valley fills do substantial and irreversible harm to Kentucky's streams. The practice has buried nearly 500 miles of Kentucky streams at an immeasurable cost to Kentucky taxpayers, coalfield residents and downstream communities.

There are damaging environmental effects both in the mountains and downstream:

- Increased flooding and erosion resulting from increased volume and speed of runoff
- Loss of significant acreage used for recreational activities
- Loss of habitat for invertebrates and absorption of organic matter that provide feeder sources of nutrients for downstream aquatic life
- Altered stream chemistry and the presence of selenium and sulfates. Selenium is highly toxic to aquatic life at relatively low concentrations.
- Increased sedimentation and higher water treatment costs
- Lost recreational opportunities and reduced aesthetic (tourism) appeal

(Background information provided by Kentuckians for the Commonwealth)

Key Committee Assignments

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Senate State and Local Govt. Damon Thayer (R), Chair; Alice Kerr (R), Vice Chair; Walter Blevins (D); Julian Carroll (D); Carroll Gibson (R); Ernie Harris (R); Tom Jensen (R); Dan Kelly (R); Elizabeth Tori (R); Johnny Ray Turner (D); Ed Worley (D)

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Contacting Legislators

Who are my legislators? You can look up your legislators on the web at www.lrc.state.ky.us/whoswho/whoswho.htm or you can call your local county clerk. All they need is your address.

How do I communicate with them? There are several ways.

The legislative message line will get you an operator who will write down a message for you, no questions asked. Use the number listed under Legislative Message line in our phone number box. Call 8:00 AM to 11:00 pm.

You can send a fax; the number is listed here. A fax can be sent to multiple legislators, you must list all names individually.

Many legislators have email. They can be found from the web address listed above. Some legislators respond, some do not.

Regular mail can be sent to the Capitol Annex, Frankfort, KY 40601.

What do I say? Your message can be as simple as "Please oppose bill xyz." You don't have to be an expert. Your relevant personal experiences can be effective.

Important Legislative Phone Numbers

Legislator Message Line: 1-800-372-7181

To talk to a legislator: 1-502-564-8100

Bill Status Line: 1-866-301-9004

Committee Calendar Line: 1-800-633-9650

Governor's Office: 502-564-2611

Secretary LaJuana Wilcher: 502-564-3350

Legislator Fax line: 502-564-6543

2005 KCC Lobbyists

Bruce Williams, 502-863-5938

Kristen Dunaway 502-777-5429

Bill Summaries and KCC Position

Bill No	Position	Sponsor	Summary	Status
SB 29	Monitor	J. Carroll	Restrict the use of eminent domain by public entities to only "qualified public uses" involving public ownership and control.	Senate Judiciary
SB 39	Strong Oppose	Seum	Require air pollution control district rules and regulations be no more stringent than state or federal ones.	Senate Ag & Natural Resources
SB 50	Strong Support	Kelly	Stipulate uses of Kentucky Pride Funds for purposes such as hazardous waste cleanups, landfill protection, litter control, recycling, etc.	House Natural Resources & Environment
SB 75	Support	Harris	Extend the hazardous waste assessment fee from June 30, 2006 to June 30, 2008; waive it if under \$50/year.	Senate Rules, on consent calendar
SB 76	Monitor	Harris	Allow EPPC to terminate post-closure monitoring of hazardous waste disposal sites before the end of the 30-year responsibility.	Senate Rules
SB 96	Oppose	Roeding et al.	Would require a cost-benefit analysis when a state agency proposes administrative regulations. Same as HB 374.	Senate Econ. Development, Tourism and Labor
SB 103	Oppose	Guthrie	Allow speed limits on interstates and parkways to be raised to 70 mph, and 65 mph on all other four-lane state highways. KCC feels higher speeds will increase traffic deaths and waste gas.	Senate Transportation
SB120	Support	Stivers	Prohibits transfer of Game and Fish Funds to transfer general fund	Senate Appropriations
HB 53	Support	Vincent, Meeks	Allow the Kentucky Bicycle and Bikeways Commission to file amicus briefs in cases involving the rights of bicyclists.	House Rules
HB 55	Support	Nunn et al.	Require a state government smoking policy; permit smoking policies in local government office buildings including restricting indoor smoking.	House State Government
HB 69	Support	Yonts	Updates nuisance laws to include other forms of local govts and imposes liability on landowners for fines and court costs.	Posted House Rules

HB 83	Strong Support	Pasley et al.	"Stream-Saver Bill." Surface mine overburden must be returned to mine area to the maximum extent possible; other overburden is to be disposed of in permitted or previously mined areas. No overburden or spoil is to be disposed of in the waters of the Commonwealth. Spoil not returned to mine area must be disposed of only in previously-disturbed areas eligible for reclamation under the abandoned mine land program.	House Nat. Resources & Environment
HB 85	Support	Vincent	Record-keeping requirements for automobile junkyards.	House Transportation
HB 114	Monitor	Wilkey	Delineate allowable and prohibited public uses of property subject to eminent domain.	House Judiciary
HB 117	Strong Support	Meeks, Brinkman	Require testing for an elevated blood lead level of at-risk persons and other target populations of children under age six and pregnant women. Require remediation of lead hazards.	House Health & Welfare
HB 120	Support	Crimm	Require bottled water distributed in the Commonwealth to identify the source of the water on a label affixed to the bottle.	Posted House Seniors, Mil. Affairs & Public Safety
HB 122	Monitor	Nelson et al.	Define permitted & prohibited practices in the use of eminent domain.	House Judiciary
HB 145	Strong Support	Pasley et al.	Extend the waste tire fee until July 31, 2010; EPPC to report program effectiveness to General Assembly.	Passed House, received in Senate
HB 165	Monitor	Floyd	Define permitted & prohibited practices in the use of eminent domain.	House Judiciary
HB 183	Monitor	Wilkey et al.	Define permitted & prohibited practices in the use of eminent domain.	Posted House Judiciary
HB 229	Monitor	Jenkins, Wayne, Clark	Establishes a permitting program for development within noise - sensitive areas around airports.	Posted House Local Gov.
HB 233	Support	W. Hall	Establish a temporary Multiple-use Recreational Trail Commission in the Commerce Cabinet to develop and implement a multi-county demonstration trail system project funded by counties.	Posted House Tourism Devel. & Energy
HB 239	Strong Oppose	Gray, Rudy	Exclude sand or gravel from the definition of "strip mining."	Posted House Nat. Resources & Environment
HB248	Monitor	McKee	Modification of ginseng harvesting rules and agreements	Posted House Ag and Small Business
HB 262	Oppose	Denham	Authorize local governments with sufficient expertise to issue building permits for land in a flood hazard area.	House Local Gov.
HB 271	Support	McKee, Arnold, Osborne	Allow land of at least five contiguous acres that is used for agriculture to be included in an agricultural district.	Posted House Ag & Small Business
HB 283	Support	Owens et al.	Appropriate \$5 million from the budget reserve trust fund in fiscal year 2005-2006 to support the crisis component of the Low Income Home Energy Assistance Program. Senate Committee specified \$10 million.	To House for Concurrence with Senate Committee Substitute
HB 299	Monitor	Adkins et al.	"Kentucky Energy Security National Leadership Act" Direct the Office of Energy Policy to develop a strategy for production of liquid fuels from coal and biomass, and for energy conservation.	Passed House, received in Senate
HB 311	Oppose	Weaver	Increase speed limit from 65 mph to 70 mph	House Transportation
HB 374	Oppose	Palumbo et al.	Would require a cost-benefit analysis when a state agency proposes administrative regulations. Same as SB 96.	Posted House Rules
HB 380	Needs amendment	Moberly, Hoover	Executive Budget proposal. Would remove money from Kentucky Pride Fund (\$18 mill) and Petroleum Storage Tank Assurance Fund (\$41 mill) and transfer \$550,100 from Air Quality to Water for 404 primacy.	House Appropriations & Revenue
HB 383	Support	Gooch	Would increase penalties for persons failing to comply with water well drilling certification provisions.	Posted House Nat. Resources & Environment
HB 450	Support	Comer, Hall, Rudy	Would require Cabinet to issue immediate cease order to a logger with two bad actor designations who is violating best management practices and causing water pollution.	House Nat. Resources & Environment
HCR 24	Monitor	Brinkman	Urge the US Congress to amend the Constitution to protect the citizens from government takings for private economic development.	House Judiciary
HCR 28	Strong Support	Webb	Create a task force to study ways to increase recycling of electronic waste; report to LRC by Dec. 1, 2006.	Posted House Nat. Resources & Environment
HCR 115	Support	Adams	Would reauthorize the Task Force on Funding for Wildlife Conservation.	Posted House Nat. Resources & Environment
HCR 120	Strong Support	Webb, Burch, Cherry, Clark, Pasley, Siler	Would create a Land Stewardship and Conservation Task Force to study strategies for protection of natural areas, farmlands, habitats and forests.	House Nat. Resources & Environment

The Earth Needs a Friend in Frankfort

Please check all that apply:

\$25 (individual) \$35 (family) \$15 (limited Income) \$50 (contributor) \$100+(patron) \$365("365 Club")

Total Enclosed: \$ _____

Name: _____ My state representative is: _____

Address: _____ My state senator _____

_____ Home phone: (_____) _____ - _____

Email address: _____ Fax number: (_____) _____ - _____

Because one of KCC's main activities is influencing legislation, contributions are not tax deductible. Please send your check and membership information to: KCC, P.O. Box 1152, Frankfort, KY 40602. For more information call: 502-875-0909.

KCC thanks **Plangaphics**, Frankfort, KY for *KCC Alert* production assistance.

Internet Access to the Alert

Sierra Club graciously posts the Alert on their web site, go to <http://kentucky.sierraclub.org/kcc/billsummary.asp>

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