

## CHAPTER 29

## (SB 20)

AN ACT relating to the Kentucky Infrastructure Authority.

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

➔Section 1. KRS 224A.030 is amended to read as follows:

- (1) There is hereby created the Kentucky Infrastructure Authority, which authority shall be a body corporate and politic, constituting a public corporation and a governmental agency and instrumentality of the state. All powers, duties, and obligations of the Kentucky Pollution Abatement and Water Resources Finance Authority shall be transferred March 31, 1988, to the Kentucky Infrastructure Authority. The affairs of the authority shall be managed and carried out by a board consisting of **eleven (11)**~~nine (9)~~ members. The secretaries of the Economic Development, Finance and Administration, and Environmental and Public Protection Cabinets; the executive director of the Public Service Commission; and the commissioner of the Governor's Office for Local Development shall serve as ex officio members of the authority. The secretaries, the executive director, and the commissioner may designate alternates.~~On or before August 1, 2000,~~ The Governor shall additionally appoint **six (6)**~~five (5)~~ at-large members. One (1) member shall be selected from a list of three (3) nominees submitted by the Kentucky Association of Counties, one (1) member selected from a list of three (3) nominees submitted by the Kentucky League of Cities, one (1) member selected from a list of three (3) nominees submitted by the Kentucky Rural Water Association, one (1) member representing for-profit private water companies,~~and~~ one (1) member selected from a list of three (3) nominees submitted by the Kentucky section of the American Water Works Association, **and one (1) member selected from a list of three (3) nominees submitted by the Kentucky Municipal Utilities Association.**~~The at large members shall serve as follows: two (2) shall serve a term ending June 30, 2004; two (2) shall serve a term ending June 30, 2003; and one (1) shall serve a term ending June 30, 2002.~~ As the terms of the at-large members expire, the Governor shall appoint successors for terms of four (4) years and until their successors are appointed. The members shall constitute the Kentucky Infrastructure Authority, with power in that name to contract and be contracted with, sue and be sued, have and use a corporate seal, and exercise, in addition to the powers and functions specifically stated in this chapter, all of the usual powers of private corporations to the extent that the **powers**~~same~~ are not inconsistent with specifically enumerated powers of the authority. In the carrying out of its purposes and the exercise by it of the powers conferred by this chapter, the authority is deemed and declared to be performing essential governmental functions and public purposes of the state.
- (2) The members of the authority shall receive no compensation for their services in **their official**~~said~~ capacity but shall be entitled to reimbursement for all reasonable expenses necessarily incurred in connection with performance of their duties and functions as **authority**~~such~~ members.
- (3) **Six (6)**~~Five (5)~~ members of the authority shall constitute a quorum for the transaction of business, and in the absence of a quorum, one (1) or more members may adjourn from time to time until a quorum is convened. The members of the authority shall choose from their ranks a chair and a vice chair. The authority shall elect a secretary and a treasurer who shall not be members of the authority, each of whom shall serve at the pleasure of the authority and shall receive compensation as may be determined by the authority.
- (4)
  - (a) The authority shall, for administrative purposes, be attached to the Governor's Office for Local Development, which shall provide any office space required by the authority.
  - (b) The secretary of the authority shall at all times maintain therein complete records of all of the authority's actions and proceedings which shall constitute public records open to inspection at all reasonable times.

➔Section 2. On or before August 1, 2009, the Governor shall appoint the member representing the Kentucky Municipal Utilities Association to the Kentucky Infrastructure Authority in accordance with subsection (1) of Section 1 of this Act, who shall serve a term ending June 30, 2012. Following the initial appointment, appointments of this member shall be for a term of four (4) years or until a successor is appointed and qualified in accordance with subsection (1) of Section 1 of this Act.

**Signed by the Governor March 20, 2009.**