

1 AN ACT relating to energy.

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

3 ➔Section 1. KRS 278.702 is amended to read as follows:

4 (1) There is hereby established the Kentucky State Board on Electric Generation and
5 Transmission Siting. The board shall be composed of seven (7) members as
6 follows:

7 (a) The three (3) members of the Kentucky Public Service Commission;

8 (b) The secretary of the Energy and Environment Cabinet or the secretary's
9 designee;

10 (c) The secretary of the Cabinet for Economic Development or the secretary's
11 designee;

12 (d) 1. If the facility subject to board approval is proposed to be located in one
13 (1) county, two (2) ad hoc public members to be appointed by the
14 Governor from a county where a facility subject to board approval is
15 proposed to be located:

16 a. One (1) of the ad hoc public members shall be the chairman of the
17 planning commission with jurisdiction over an area in which a
18 facility subject to board approval is proposed to be located. If the
19 proposed location is not within a jurisdiction with a planning
20 commission, then the Governor shall appoint either the county
21 judge/executive of a county that contains the proposed location of
22 the facility or the mayor of a city, if the facility is proposed to be
23 within a city; and

24 b. One (1) of the ad hoc public members shall be appointed by the
25 Governor and shall be a resident of the county in which the facility
26 is proposed to be located.

27 2. If the facility subject to board approval is proposed to be located in more

1 than one (1) county, two (2) ad hoc public members to be chosen as
2 follows:

3 a. One (1) ad hoc public member shall be the county judge/executive
4 of a county in which the facility is proposed to be located, to be
5 chosen by majority vote of the county judge/executives of the
6 counties in which the facility is proposed to be located; and

7 b. One (1) ad hoc public member shall be a resident of a county in
8 which the facility is proposed to be located, and shall be appointed
9 by the Governor.

10 If a member has not been chosen by majority vote, as provided in
11 subdivision a. of this subparagraph, by thirty (30) days after the filing of
12 the application, the Governor shall directly appoint the member.

13 3. Ad hoc public members appointed to the board shall have no direct
14 financial interest in the facility proposed to be constructed.

15 (2) The term of service for the ad hoc members of the board shall continue until the
16 board issues a final determination in the proceeding for which they were appointed.
17 The remaining members of the board shall be permanent members.

18 (3) The board shall be attached to the Public Service Commission for administrative
19 purposes. The commission staff shall serve as permanent administrative staff for the
20 board. The members of the board identified in subsection (1)(a) to (d) of this section
21 shall promulgate administrative regulations in accordance with KRS Chapter 13A to
22 implement KRS 278.700 to 278.716.

23 (4) No member of the board shall receive any salary or fee for service on the board. **No**
24 **member**~~[-or]~~ shall have any financial interest in any facility the application for
25 which comes before the board. **Each**~~[-, but each]~~ member shall **only** be reimbursed
26 for actual travel and expenses directly related to service on the board.

27 (5) The chairman of the Public Service Commission shall be the chairman of the board.

1 The chairman shall designate one (1) member of the board as vice chairman. A
2 majority of the members of the board shall constitute a quorum for the transaction
3 of business. No vacancy on the board shall impair the right of the remaining
4 members to exercise all of the powers of the board. The board shall convene upon
5 the call of the chairman.