

1 AN ACT relating to mandated reports.

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

3 ➔Section 1. KRS 15A.065 is amended to read as follows:

- 4 (1) The Department of Juvenile Justice shall be headed by a commissioner and shall  
5 develop and administer programs for:
- 6 (a) Prevention of juvenile crime;
  - 7 (b) Identification of juveniles at risk of becoming status or public offenders and  
8 development of early intervention strategies for these children, and, except for  
9 adjudicated youth, participation in prevention programs shall be voluntary;
  - 10 (c) Providing educational information to law enforcement, prosecution, victims,  
11 defense attorneys, the courts, the educational community, and the public  
12 concerning juvenile crime, its prevention, detection, trial, punishment, and  
13 rehabilitation;
  - 14 (d) The operation of or contracting for the operation of postadjudication treatment  
15 facilities and services for children adjudicated delinquent or found guilty of  
16 public offenses or as youthful offenders;
  - 17 (e) The operation or contracting for the operation, and the encouragement of  
18 operation by others, including local governments, volunteer organizations, and  
19 the private sector, of programs to serve predelinquent and delinquent youth;
  - 20 (f) Utilizing outcome-based planning and evaluation of programs to ascertain  
21 which programs are most appropriate and effective in promoting the goals of  
22 this section;
  - 23 (g) Conducting research and comparative experiments to find the most effective  
24 means of:
    - 25 1. Preventing delinquent behavior;
    - 26 2. Identifying predelinquent youth;
    - 27 3. Preventing predelinquent youth from becoming delinquent;

- 1           4.   Assessing the needs of predelinquent and delinquent youth;
- 2           5.   Providing an effective and efficient program designed to treat and
- 3                 correct the behavior of delinquent youth and youthful offenders;
- 4           6.   Assessing the success of all programs of the department and those
- 5                 operated on behalf of the department and making recommendations for
- 6                 new programs, improvements in existing programs, or the modification,
- 7                 combination, or elimination of programs as indicated by the assessment
- 8                 and the research; and
- 9           (h)   Seeking funding from public and private sources for demonstration projects,
- 10                 normal operation of programs, and alterations of programs.
- 11   (2)   The Department of Juvenile Justice may contract, with or without reimbursement,
- 12             with a city, county, or urban-county government, for the provision of probation,
- 13             diversion, and related services by employees of the contracting local government.
- 14   (3)   The Department of Juvenile Justice may contract for the provision of services,
- 15             treatment, or facilities which the department finds in the best interest of any child,
- 16             or for which a similar service, treatment, or facility is either not provided by the
- 17             department or not available because the service or facilities of the department are at
- 18             their operating capacity and unable to accept new commitments. The department
- 19             shall, after consultation with the Finance and Administration Cabinet, promulgate
- 20             administrative regulations to govern at least the following aspects of this
- 21             subsection:
- 22             (a)   Bidding process; and
- 23             (b)   Emergency acquisition process.
- 24   (4)   The Department of Juvenile Justice shall develop programs to:
- 25             (a)   Ensure that youth in state-operated or contracted residential treatment
- 26                 programs have access to an ombudsman to whom they may report program
- 27                 problems or concerns;

- 1 (b) Review all treatment programs, state-operated or contracted, for their quality  
2 and effectiveness; and
- 3 (c) Provide mental health services to committed youth according to their needs.
- 4 (5) (a) The Department of Juvenile Justice shall have an advisory board appointed by  
5 the Governor, which shall serve as the advisory group under the Juvenile  
6 Justice and Delinquency Prevention Act of 1974, Pub. L. No. 93-415, as  
7 amended, and which shall provide a formulation of and recommendations for  
8 meeting the requirements of this section not less than annually to the  
9 Governor, the Justice and Public Safety Cabinet, the Department of Juvenile  
10 Justice, the Cabinet for Health and Family Services, and the Interim Joint  
11 Committee~~[Committees]~~ on Judiciary ~~[and on Appropriations and Revenue]~~  
12 of the Legislative Research Commission when the General Assembly is not in  
13 session, and the Judiciary Committee~~[and the Appropriations and Revenue]~~  
14 ~~Committees]~~ of the House of Representatives and the Senate when the  
15 General Assembly is in session. The advisory board shall develop program  
16 criteria for early juvenile intervention, diversion, and prevention projects,  
17 develop statewide priorities for funding, and make recommendations for  
18 allocation of funds to the Commissioner of the Department of Juvenile  
19 Justice. The advisory board shall review grant applications from local juvenile  
20 delinquency prevention councils and include in its annual report the activities  
21 of the councils. The advisory board shall meet not less than quarterly.
- 22 (b) The advisory board shall be chaired by a private citizen member appointed by  
23 the Governor and shall serve a term of two (2) years and thereafter be elected  
24 by the board. The members of the board shall be appointed to staggered terms  
25 and thereafter to four (4) year terms. The membership of the advisory board  
26 shall consist of no fewer than fifteen (15) persons and no more than thirty-  
27 three (33) persons who have training, experience, or special knowledge

1 concerning the prevention and treatment of juvenile delinquency or the  
2 administration of juvenile justice. A majority of the members shall not be full-  
3 time employees of any federal, state, or local government, and at least one-  
4 fifth (1/5) of the members shall be under the age of twenty-four (24) years at  
5 the time of appointment. On July 15, 2002, any pre-existing appointment of a  
6 member to the Juvenile Justice Advisory Board and the Juvenile Justice  
7 Advisory Committee shall be terminated unless that member has been re-  
8 appointed subsequent to January 1, 2002, in which case that member's  
9 appointment shall continue without interruption. The membership of the board  
10 shall include the following:

- 11 1. Three (3) current or former participants in the juvenile justice system;
- 12 2. An employee of the Department of Juvenile Justice;
- 13 3. An employee of the Cabinet for Health and Family Services;
- 14 4. A person operating alternative detention programs;
- 15 5. An employee of the Department of Education;
- 16 6. An employee of the Department of Public Advocacy;
- 17 7. An employee of the Administrative Office of the Courts;
- 18 8. A representative from a private nonprofit organization with an interest in  
19 youth services;
- 20 9. A representative from a local juvenile delinquency prevention council;
- 21 10. A member of the Circuit Judges Association;
- 22 11. A member of the District Judges Association;
- 23 12. A member of the County Attorneys Association;
- 24 13. A member of the County Judge/Executives Association;
- 25 14. A person from the business community not associated with any other  
26 group listed in this paragraph;
- 27 15. A parent not associated with any other group listed in this paragraph;

- 1           16. A youth advocate not associated with any other group listed in this  
2           paragraph;
- 3           17. A victim of a crime committed by a person under the age of eighteen  
4           (18) not associated with any other group listed in this paragraph;
- 5           18. A local school district special education administrator not associated  
6           with any other group listed in this paragraph;
- 7           19. A peace officer not associated with any other group listed in this  
8           paragraph; and
- 9           20. A college or university professor specializing in law, criminology,  
10          corrections, psychology, or similar discipline with an interest in juvenile  
11          corrections programs.
- 12          (c) Failure of any member to attend three (3) meetings within a calendar year  
13          shall be deemed a resignation from the board. The board chair shall notify the  
14          Governor of any vacancy and submit recommendations for appointment.
- 15          (6) The Department of Juvenile Justice shall, in cooperation with the Department of  
16          Public Advocacy, develop a program of legal services for juveniles committed to  
17          the department who are placed in state-operated residential treatment facilities and  
18          juveniles in the physical custody of the department who are detained in a state-  
19          operated detention facility, who have legal claims related to the conditions of their  
20          confinement involving violations of federal or state statutory or constitutional  
21          rights. This system may utilize technology to supplement personal contact. The  
22          Department of Juvenile Justice shall promulgate an administrative regulation to  
23          govern at least the following aspects of this subsection:
- 24                  (a) Facility access;
- 25                  (b) Scheduling; and
- 26                  (c) Access to residents' records.
- 27          (7) The Department of Juvenile Justice may, if space is available and conditioned upon

1 the department's ability to regain that space as needed, contract with another state or  
2 federal agency to provide services to youth of that agency.

3 ➔Section 2. KRS 18A.2255 is amended to read as follows:

4 ~~[(1)]~~The secretary of the Personnel Cabinet shall submit to the Advisory Committee of  
5 State Health Insurance Subscribers established in KRS 18A.225, at least thirty (30) days  
6 prior to issuing requests for proposals, the health benefit plans that will be submitted to  
7 carriers. The secretary of the Personnel Cabinet shall also provide to employee  
8 organizations who are represented on the Advisory Committee of State Health Insurance  
9 Subscribers information necessary so that the member representing the organization can  
10 fulfill his or her responsibilities under this section. The advisory committee shall submit  
11 in writing to the secretary the committee's approval of the plans or its recommendations  
12 on changes to the plans no later than seven (7) days prior to the issuance of requests for  
13 proposals. The advisory committee shall advise the secretary on:

14 ~~(1)~~~~[(a)]~~ Health insurance benefit options that should be included in the program;

15 ~~(2)~~~~[(b)]~~ Procedures for soliciting bids or requesting proposals for contracts from  
16 carriers for the program;

17 ~~(3)~~~~[(c)]~~ The implementation, maintenance, and administration of the health insurance  
18 benefits under the program; and

19 ~~(4)~~~~[(d)]~~ The development of a uniform prescription drug formulary that contains fair  
20 and reasonable standards and procedures for patient access to medically necessary  
21 alternatives to the formulary and patient choice of higher-cost alternatives to the  
22 formulary, and that ensures that discounts negotiated with drug manufacturers are  
23 passed to the program.

24 ~~[(2)]~~ ~~The secretary of the Personnel Cabinet shall, at the discretion of the co-chairs of the~~  
25 ~~Interim Joint Committee on Appropriations and Revenue, either submit a written~~  
26 ~~report to or testify before the Interim Joint Committee on Appropriations and~~  
27 ~~Revenue on the state employee health insurance program for the next plan year prior~~

1       ~~to the issuance of the requests for proposals.]~~

2       ➔Section 3. KRS 39G.030 is amended to read as follows:

3       Each year by November 1, the executive director of the Kentucky Office of Homeland  
4       Security shall submit a written report to the Governor, the Auditor of Public Accounts,  
5       the Legislative Research Commission, and the Interim Joint Committee on Seniors,  
6       Veterans, Military Affairs, and Public Protection. The written report shall:

- 7       (1) Assess the Commonwealth's preparedness to respond to acts of war or terrorism,  
8       including nuclear, biological, chemical, electromagnetic pulse, agro-, eco-, or cyber-  
9       terrorism;
- 10      (2) Identify the priority of needs, areas of improvement, and the overall progress made  
11      with regard to the Commonwealth's preparedness; and
- 12      (3) Provide a record of all federal homeland security funding, including grants, gathered  
13      under KRS 39G.020 since the last annual written report, as well as any other  
14      relevant homeland security funding information gathered by the Kentucky Office of  
15      Homeland Security. The record shall identify, at a minimum, the specific federal  
16      source, the amount, the specific recipient, the intended use of the funding, the actual  
17      use of the funding, and any unspent amount.
- 18      (4) The Auditor of Public Accounts shall conduct an examination of revenues and  
19      expenditures provided under the annual written report and under KRS  
20      39G.020(2)(c) and, if examination findings warrant, shall conduct audits. No later  
21      than January 30, the Auditor shall submit all examination and audit reports to the  
22      Senate Veterans, Military Affairs, and Public Protection Committee and the House  
23      Seniors, Military Affairs, and Public Safety Committee.
- 24      (5) (a) In addition to the annual report required under this section, the executive  
25      director of the Office of Homeland Security shall provide to the Legislative  
26      Research Commission and the Interim Joint Committee on Appropriations  
27      and Revenue an annual~~[a quarterly]~~ report on the receipt and expenditure of

1 homeland security funds since the previous ~~quarterly~~ report.

2 (b) The report shall identify, at a minimum, the following:

- 3 1. Amount and specific source of any homeland security funds received;
- 4 2. Specific expenditures by amount, recipient, and intended or actual use;
- 5 and
- 6 3. Balance of funds remaining in the account.

7 (c) The initial annual~~quarterly~~ report shall be submitted by October 15,  
8 2022~~2006~~, and shall contain the required information on receipts and  
9 expenditures since the passage of the federal Homeland Security Act of 2002,  
10 Pub. L. No. 107-296.

11 ➔Section 4. KRS 45.031 is amended to read as follows:

12 (1) Any department, board, commission, agency, advisory council, interstate compact,  
13 corporate body, or instrumentality of the Commonwealth of Kentucky applying for  
14 federal funds, aids, loans, or grants shall file a summary notification of the intended  
15 application with the Department for Local Government in accordance with the  
16 existing A-95 procedures.

17 (2) When as a condition to receiving federal funds, the Commonwealth of Kentucky is  
18 required to match the federal funds, a statement shall be filed with the notice of  
19 intent or summary of the application stating:

- 20 (a) The amount and source of state funds needed for matching purposes;
- 21 (b) The length of time the matching funds shall be required;
- 22 (c) The growth of the program;
- 23 (d) How the program will be evaluated;
- 24 (e) What action will be necessary should the federal funds be canceled, curtailed,  
25 or restricted; and
- 26 (f) Any other financial and program management data required by the Finance  
27 and Administration Cabinet or by law.



- 1 (3) Any application for federal funds, aids, loans, or grants which will require state  
2 matching or replacement funds at the time of application or at any time in the  
3 future, must be approved by the secretary of the Finance and Administration  
4 Cabinet, the Legislative Research Commission, and the Chief Justice for their  
5 respective branches of government or their designated agents prior to its filing with  
6 the appropriate federal agency. Any application for federal funds, aids, loans, or  
7 grants which will require state matching or replacement funds at the time of  
8 application or at any time in the future, when funds have not been appropriated for  
9 that express purpose, must be approved by the General Assembly, if in session.  
10 ~~[When the General Assembly is not in session, the application shall be reported to~~  
11 ~~and reviewed by the Interim Joint Committee on Appropriations and Revenue, as~~  
12 ~~provided by KRS 48.500(3).]~~
- 13 (4) When any federal funds, aids, loans, or grants are received by any department,  
14 board, commission or agency of the Commonwealth of Kentucky, a report of the  
15 amount of funds received shall be filed with the Finance and Administration  
16 Cabinet; and this report shall specify the amount of funds which would reimburse  
17 an agency for indirect costs as provided for under OMB Circular A-87.
- 18 (5) The secretary of the Finance and Administration Cabinet may refuse to issue his  
19 warrant for the disbursement of any state or federal funds from the State Treasury as  
20 the result of any application which is not approved as provided by this section, or in  
21 regard to which the statement or reports required by this section were not filed.
- 22 (6) The secretary of the Finance and Administration Cabinet shall be responsible for the  
23 orderly administration of this section and for issuing the appropriate guidelines and  
24 regulations from each source of fund used.

25 ➔Section 5. KRS 45.241 is amended to read as follows:

- 26 (1) As used in this section:  
27 (a) "Debt" means:

- 1           1. For agencies, a sum certain which has been certified by an agency as due  
2           and owing; and
- 3           2. For local governments, a sum certain which has been certified by a local  
4           government as due and owing, including but not limited to any  
5           delinquent taxes or fees other than delinquent real and personal property  
6           taxes;
- 7           (b) "Liquidated debt" means:
- 8           1. For agencies, a legal debt for a sum certain which has been certified by  
9           an agency as final due and owing, all appeals and legal actions having  
10          been exhausted;
- 11          2. For local governments, a legal debt for a sum certain which has been  
12          certified by a local government as final due and owing, all appeals and  
13          legal actions having been exhausted, including but not limited to any  
14          delinquent taxes or fees other than delinquent real and personal property  
15          taxes; and
- 16          3. For the Court of Justice, a legal debt including any fine, fee, court costs,  
17          or restitution due the Commonwealth, which have been imposed by a  
18          final sentence of a trial court of the Commonwealth and for which the  
19          time permitted for payment pursuant to the provisions of KRS 534.020  
20          has expired;
- 21          (c) "Agency" means an organizational unit or administrative body in the  
22          executive branch of state government, as defined in KRS 12.010;
- 23          (d) "Department" means the Department of Revenue;
- 24          (e) "Court of Justice" means the Administrative Office of the Courts, all courts,  
25          and all clerks of the courts;
- 26          (f) "Forgivable loan agreement" means a loan agreement entered into between an  
27          agency and a borrower that establishes specific conditions, which, if satisfied

- 1 by the borrower, allows the agency to forgive a portion or all of the loan;
- 2 (g) "Improper payment" means a payment made to a vendor, provider, or recipient  
3 due to error, fraud, or abuse; and
- 4 (h) "Local government" means any city, county, urban-county government,  
5 consolidated local government, charter county, or unified local government of  
6 the Commonwealth.
- 7 (2) Each agency and the Court of Justice shall develop, maintain, and update in a timely  
8 manner an ongoing inventory of each debt owed to it, including debts due to  
9 improper payments, and shall make every reasonable effort to collect each debt.  
10 Within sixty (60) days after the identification of a debt, each agency shall begin  
11 administrative action to collect the debt.
- 12 (3) The Auditor of Public Accounts shall review each agency's debt identification and  
13 collection procedures as part of the annual audit of state agencies.
- 14 (4) An agency shall not forgive any debt owed to it unless that agency has entered into a  
15 forgivable loan agreement with a borrower, or unless otherwise provided by statute.
- 16 (5) For those agencies without statutory procedures for collecting debts, the Department  
17 of Revenue shall promulgate administrative regulations in accordance with KRS  
18 Chapter 13A to prescribe standards and procedures with which those agencies shall  
19 comply regarding collection of debts, notices to persons owing debt, information to  
20 be monitored concerning the debts, and an appeals process.
- 21 (6) (a) Each agency and the Court of Justice shall identify all liquidated debts,  
22 including debts due to improper payments, and shall submit a list of those  
23 liquidated debts in the form and manner prescribed by the department to the  
24 department for review. The department shall review the information submitted  
25 by the agencies and the Court of Justice and shall, within ninety (90) days of  
26 receipt of the information, determine whether it would be cost-effective for  
27 the department to further pursue collection of the liquidated debts.

- 1 (b) A local government, after making reasonable efforts to collect its debts, may  
2 by ordinance, resolution, or otherwise pursuant to law, submit a list of its  
3 liquidated debts that have been due and owing for more than ninety (90) days  
4 to the department for review to determine whether it would be cost-effective  
5 for the department to pursue collection of the liquidated debts. The  
6 department shall review the information submitted by a local government and  
7 shall, within ninety (90) days of receipt of the information, determine whether  
8 it would be cost-effective for the department to further pursue collection of the  
9 liquidated debts.
- 10 (c) The department may, after consultation with the agency, Court of Justice, or a  
11 local government, return the liquidated debt to the entity submitting the  
12 liquidated debt if:
- 13 1. The request for review contains insufficient information; or
  - 14 2. The debt is not feasible to collect.
- 15 Any return of a liquidated debt shall be in writing, and shall state why the debt  
16 is being returned.
- 17 (d) The department shall identify in writing to the submitting agency, Court of  
18 Justice, or local government, the liquidated debts it has determined that it can  
19 pursue in a cost-effective manner, and the agency, Court of Justice, or local  
20 government shall officially refer the identified liquidated debts to the  
21 department for collection.
- 22 (e) The agency, Court of Justice, and local government shall retain a complete  
23 record of all liquidated debts referred to the department for collection until the  
24 debt is collected, forgiven, or returned as uncollectible.
- 25 (f) Each agency, the Court of Justice, and local government shall make  
26 appropriate accounting of any uncollected debt as prescribed by law.
- 27 (7) (a) If the agency recovers the debt funds prior to referral to the department, the

1           agency shall retain the collected funds in accordance with its statutory  
2           authority.

3           (b) 1.   Upon referral of a liquidated debt to the department, the liquidated debt  
4           shall accrue the following amounts:

5                   a.   Interest on the total amount of the debt plus legal accruals at the  
6                   tax interest rate provided in KRS 131.183, from the time of referral  
7                   until paid; and

8                   b.   A one (1) time twenty-five percent (25%) collection fee on the  
9                   total amount of the debt plus legal accruals, as of the time of  
10                  referral;

11                  unless the interest and collection fee are waived by the department.

12           2.   The interest and collection fee shall be in addition to any other costs  
13           accrued prior to the time of referral.

14           3.   The department may deduct and retain from the liquidated debt  
15           recovered an amount equal to the lesser of the collection fee or the  
16           actual expenses incurred in the collection of the debt.

17           4.   In the case of agencies and the Court of Justice, any funds recovered by  
18           the department after the deduction of the department's cost of collection  
19           expenses may, at the discretion of the secretary of the Finance and  
20           Administration Cabinet, be returned to the agency identifying the  
21           liquidated debt or to the Court of Justice for allocation as otherwise  
22           provided by law. If the recovered funds and interest are not returned to  
23           the agency or Court of Justice, the amounts shall be deposited in the  
24           general fund, except for Medicaid benefits funds and funds required by  
25           law to be remitted to a federal agency, which shall be remitted as  
26           required by law.

27           5.   In the case of local governments, any funds recovered by the department

1                   after the deduction of the department's cost of collection expenses shall  
2                   be returned to the local government referring the liquidated debt, for  
3                   allocation as provided by ordinance, resolution, or as otherwise provided  
4                   by law.

5           (c) Nothing in this section shall prohibit the department from entering into a  
6           memorandum of agreement with an agency pursuant to KRS 131.130(11), for  
7           collection of debts prior to liquidation. If an agency enters into an agreement  
8           with the department, the agency shall retain funds collected according to the  
9           provisions of the agreement.

10          (d) This section shall not affect any agreement between the department and an  
11          agency entered into under KRS 131.130(11) that is in effect on July 13, 2004,  
12          that provides for the collection of liquidated debts by the department on behalf  
13          of the agency.

14          (e) This section shall not affect the collection of delinquent taxes by sheriffs or  
15          county attorneys under KRS 91A.070 or 134.504.

16          (f) This section shall not affect the collection of performance or reclamation  
17          bonds.

18   (8) Upon receipt of a referred liquidated debt and after its determination that the debt is  
19       feasible and cost-effective to collect, the department shall pursue collection of the  
20       referred debt in accordance with KRS 131.030.

21   (9) By administrative regulation promulgated under KRS Chapter 13A, the department  
22       shall prescribe the electronic format and form of, and the information required in, a  
23       referral.

24   (10) ~~[(a)]~~ The department shall report annually by October 1 to the Interim Joint  
25       Committee on Appropriations and Revenue on the collection of debts,  
26       including debts due to improper payments, referred by agencies and the Court  
27       of Justice. The report shall include the total amount by agency and fund type

1 of liquidated debt that has been referred to the department; the amount of each  
2 referring agency's liquidated debt, by fund type, that has been collected by the  
3 department; and the total amount of each referring agency's liquidated debt, by  
4 fund type, that the department determined to be cost-ineffective to collect,  
5 including the reasons for the determinations.

6 ~~[(b) Each cabinet shall report annually by October 1 to the Interim Joint  
7 Committee on Appropriations and Revenue on:~~

8 ~~1. The amount of previous fiscal year unliquidated debt by agency,  
9 including debts due to improper payments, fund type, category, and age,  
10 the latter to be categorized as less than one (1) year, less than five (5)  
11 years, less than ten (10) years, and over ten (10) years; and~~

12 ~~2. The amount, by agency, of liquidated debt, including debts due to  
13 improper payments, not referred to the department; a summary, by  
14 criteria listed in subsection (6)(a) of this section, of reasons the  
15 department provided for not requesting referral of those liquidated debts;  
16 and a summary of the actions each agency is taking to collect those  
17 liquidated debts.~~

18 ~~(c) Beginning on October 1, 2005, the Court of Justice shall report annually by  
19 October 1 of each year to the Interim Joint Committee on Appropriations and  
20 Revenue the amount of previous fiscal year unliquidated debt by county and  
21 whether in the Circuit Court or District Court; and fund type and age, the  
22 latter categorized as less than one (1) year, less than five (5) years, less than  
23 ten (10) years, and over ten (10) years. The first year for which the Court of  
24 Justice shall be required to report is the fiscal year beginning on July 1, 2004  
25 and ending on June 30, 2005. The Court of Justice shall not be required to  
26 report unliquidated debts in existence prior to July 1, 2004.~~

27 ~~(d) The Finance and Administration Cabinet shall report annually by October 1 to~~

1           ~~the Interim Joint Committee on Appropriations and Revenue on the amount of~~  
2           ~~the General Government Cabinet's unliquidated debt by agency, fund type,~~  
3           ~~and age, the latter categorized as less than one (1) year, less than five (5)~~  
4           ~~years, less than ten (10) years, and over ten (10) years.]~~

5 (11) At the time of submission of a liquidated debt to the department for review, the  
6       referring agency, the Court of Justice, or, where feasible, the local government shall  
7       provide information about the debt to the State Treasurer for the Treasurer's action  
8       under KRS 44.030(1).

9       ➔Section 6. KRS 45.812 is amended to read as follows:

10 (1) Prior to the issuance of the revenue bonds or notes authorized by an appropriation  
11       of the General Assembly, or by or on behalf of any Kentucky school district, the  
12       agency, corporation, or school district authorized to issue the bonds or notes shall  
13       furnish to the Capital Projects and Bond Oversight Committee~~and the Interim~~  
14       ~~Joint Committee on Appropriations and Revenue],~~ and make available to the public,  
15       a listing of all costs associated, either directly or indirectly, with the issuance of the  
16       revenue bonds or notes. The costs shall be itemized as to amount and name of  
17       payee, and shall include fees or commissions paid to, or anticipated to be paid to,  
18       issuers, underwriters, placement agents and advisors, financial advisors,  
19       remarketing agents, credit enhancers, trustees, accountants, and the counsel of all  
20       these persons, bond counsel, and special tax counsel, and shall include the  
21       economic benefits received or anticipated to be received by any other persons from  
22       any source in return for services performed relating to the issuance of the bonds or  
23       notes. Changes in amounts or names of payees or recipients, or additions of  
24       amounts or names of payees or recipients, to the listing furnished and made  
25       available pursuant to this subsection, shall be furnished to the Capital Projects and  
26       Bond Oversight Committee~~and the Interim Joint Committee on Appropriations~~  
27       ~~and Revenue] and made available to the public within three (3) days following the~~



1 change.

2 (2) The costs required to be furnished under the provisions of subsection (1) of this  
3 section shall not include the payment of wages or expenses to full-time, permanent  
4 employees of the Commonwealth of Kentucky.

5 ➔Section 7. KRS 45.814 is amended to read as follows:

6 Prior to the issuance of the revenue bonds or notes authorized by a branch budget bill, the  
7 agency authorized to issue the bonds or notes shall furnish to the Capital Projects and  
8 Bond Oversight Committee ~~and the Interim Joint Committee on Appropriations and~~  
9 ~~Revenue~~, and make available to the public, a listing of all costs associated, either directly  
10 or indirectly, with the issuance of the revenue bonds or notes. The costs shall be itemized  
11 as to amount and name of payee, and shall include fees or commissions paid to, or  
12 anticipated to be paid to issuers, underwriters, placement agents and advisors, financial  
13 advisors, remarketing agents, credit enhancers, trustees, accountants, and the counsel of  
14 all these persons, bond counsel, and special tax counsel, and shall include the economic  
15 benefits received or anticipated to be received by any other persons from any source in  
16 return for services performed relating to the issuance of the bonds or notes. Changes in  
17 amounts or names of payees or recipients, or additions of amounts or names of payees or  
18 recipients, to the listing furnished and made available pursuant to this section shall be  
19 furnished to the Capital Projects and Bond Oversight Committee ~~and the Interim Joint~~  
20 ~~Committee on Appropriations and Revenue~~ and made available to the public within  
21 three (3) days following the change.

22 ➔Section 8. KRS 45.816 is amended to read as follows:

23 Prior to the issuance of the revenue bonds or notes, the agency authorized to issue the  
24 bonds or notes shall furnish to the Capital Projects and Bond Oversight Committee ~~and~~  
25 ~~the Interim Joint Committee on Appropriations and Revenue~~, and make available to the  
26 public, a listing of all costs associated, either directly or indirectly, with the issuance of  
27 the revenue bonds or notes. The costs shall be itemized as to amount and name of payee,

1 and shall include fees or commissions paid to, or anticipated to be paid to, issuers,  
2 underwriters, placement agents and advisors, financial advisors, remarketing agents,  
3 credit enhancers, trustees, accountants, and the counsel of all such persons, bond counsel  
4 and special tax counsel, and shall include the economic benefits received or anticipated to  
5 be received by any other persons from any source in return for services performed relating  
6 to the issuance of the bonds or notes. Changes in amounts or names of payees or  
7 recipients, or additions of amounts or names of payees or recipients, to the listing  
8 furnished and made available pursuant to this section, shall be furnished to the Capital  
9 Projects and Bond Oversight Committee and ~~the Interim Joint Committee on~~  
10 ~~Appropriations and Revenue and~~ made available to the public within three (3) days  
11 following the change.

12       ➔Section 9. KRS 56.863 is amended to read as follows:

13 The commission shall have the power and duty to:

- 14 (1) Maintain the records and perform the functions necessary and proper to accomplish  
15 the purposes of KRS 56.860 to 56.869;
- 16 (2) Promulgate administrative regulations relating to KRS 56.860 to 56.869;
- 17 (3) Conduct analysis to determine the impact of fluctuating receipts of revenues on the  
18 budget of the Commonwealth, fluctuating interest rates upon the interest-sensitive  
19 assets and interest-sensitive liabilities of the Commonwealth, and the resulting  
20 change in the net interest margin on the budget of the Commonwealth;
- 21 (4) Develop strategies to mitigate the impact of fluctuating receipts of revenues on the  
22 budget of the Commonwealth and of fluctuating interest rates on the  
23 Commonwealth's interest-sensitive assets and interest-sensitive liabilities;
- 24 (5) Report its findings to the State Investment Commission at least annually to assist  
25 the State Investment Commission in developing and implementing its investment  
26 strategy. The State Investment Commission shall provide the commission with a  
27 copy of its monthly investment income report to aid the commission in developing

- 1 and implementing its strategies;
- 2 (6) Issue funding notes, project notes, and tax and revenue anticipation notes or other  
3 obligations on behalf of any state agency to fund authorized projects or to satisfy  
4 judgments;
- 5 (7) Refund any funding notes, project notes, or tax and revenue anticipation notes  
6 issued under KRS 56.860 to 56.869 to achieve economic savings, to better match  
7 receipts with expenditures, or as a part of a continuing finance program;
- 8 (8) Designate individual employees or officers of the Office of Financial Management  
9 within the Office of the Controller as agents for purposes of approving the principal  
10 amount of tax and revenue anticipation notes, the interest rate, the discount,  
11 maturity date, and other relevant terms of tax and revenue anticipation notes, project  
12 notes, and funding notes or refunding notes issued within constraints established by  
13 the commission and to execute agreements, including notes and financial  
14 agreements, for the commission;
- 15 (9) Enter into financial agreements for the purpose of hedging its current or projected  
16 interest-sensitive assets and interest-sensitive liabilities to stabilize the  
17 Commonwealth's net interest margin, as deemed necessary by the commission,  
18 subject to administrative regulations promulgated by the commission that limit the  
19 net exposure of the Commonwealth as a result of these financial agreements;
- 20 (10) Deposit net interest payments and premiums received by the commission under  
21 financial agreements into a restricted account, which shall not lapse at the end of the  
22 fiscal year but shall continue to accumulate to act as security for these financial  
23 agreements. This duty is mandatory in nature. Any accumulated funds in excess of  
24 the amount determined by the commission to be necessary to establish this security  
25 may be applied to debt service payments, net interest payments, and premiums and  
26 expenses related to interest-sensitive liabilities; and
- 27 (11) Report to the Capital Projects and Bond Oversight Committee ~~and the Interim Joint~~

1 ~~Committee on Appropriations and Revenue]~~ on a semiannual basis, by September  
2 30 and March 31 of each year, the following:

- 3 (a) A description of the Commonwealth's investment and debt structure;
- 4 (b) The plan developed to mitigate the impact of fluctuating revenue receipts on  
5 the budget of the Commonwealth and fluctuating interest rates on the interest-  
6 sensitive assets and interest-sensitive liabilities of the Commonwealth,  
7 including an analysis of the impact that a change in the net interest margin  
8 would have on the budget of the Commonwealth. The report due by March 31  
9 of each year shall reflect the strategy for January through June of the fiscal  
10 year, and the report due by September 30 shall reflect the strategy for July  
11 through December of the fiscal year;
- 12 (c) The principal amount of notes issued, redeemed, and outstanding; and a  
13 description of all financial agreements entered into during the reporting  
14 period. The report due by March 31 shall include information about  
15 agreements entered into from July through December of the fiscal year. The  
16 report due by September 30 shall include information about agreements  
17 entered into between January and June of the prior fiscal year; and
- 18 (d) A summary of gains and losses associated with financial agreements and any  
19 other cash flow strategies undertaken by the commission to mitigate the effect  
20 of fluctuating interest rates during each reporting period. The report due by  
21 March 31 shall include information about agreements and strategies entered  
22 into or undertaken from July through December of the fiscal year. The report  
23 due by September 30 shall include information about agreements and  
24 strategies entered into or undertaken from January through June of the prior  
25 fiscal year.

26 ➔Section 10. KRS 151.720 is amended to read as follows:

27 The Kentucky River Authority is authorized and empowered to:

- 1 (1) Construct, reconstruct, provide for the major maintenance, or repair the locks and  
2 dams on the Kentucky River and all real and personal property pertaining thereto, as  
3 well as maintain the channel;
- 4 (2) Acquire by purchase, exercise of the rights of eminent domain, grant, gift, devise, or  
5 otherwise, the fee simple title to or any acceptable lesser interest in any real or  
6 personal property and by lease or other conveyance, contract for the right to use and  
7 occupy any real or personal property selected in the discretion of the authority as  
8 constituting necessary, desirable, or acceptable sites to fulfill its statutory authority  
9 and power;
- 10 (3) Lease its real or personal property to other state agencies, political subdivisions of  
11 the Commonwealth, corporations, partnerships, associations, foundations, or  
12 persons as the authority deems necessary to carry out the purposes of this section;
- 13 (4) Sell or otherwise dispose of its real or personal property in accordance with KRS  
14 56.463 and 45A.045;
- 15 (5) Collect water use fees from all facilities using water from the Kentucky River basin,  
16 except those facilities using water primarily for agricultural purposes. Facilities  
17 charged such a fee may pass on all or any part of the fee;
- 18 (6) Issue revenue bonds in accordance with KRS 151.730;
- 19 (7) Employ persons to carry out the authority's responsibilities with revenue from the  
20 water use fees, including an executive director who shall serve at the pleasure of the  
21 authority;
- 22 (8) Contract for services with other state agencies, political subdivisions of the  
23 Commonwealth, corporations, partnerships, associations, foundations, or persons to  
24 perform its duties;
- 25 (9) Promulgate administrative regulations providing for clean water, which shall not be  
26 less stringent than the state and federal regulations for clean water;
- 27 (10) Exercise all other powers necessary to perform its public purpose to implement and

1 enforce the plans developed by the authority pursuant to this section and KRS  
2 151.727 and 151.728, and to enforce administrative regulations promulgated by the  
3 authority. The long-range water resource plan and drought response plan shall be  
4 implemented for the basin upon the direction of the authority;

5 (11) Develop comprehensive plans for the management of the Kentucky River within the  
6 basin, including a long-range water resource plan and a drought response plan. Each  
7 county within the basin shall develop a long-range water resource plan and submit it  
8 to the authority. The authority, after consultation with the Energy and Environment  
9 Cabinet, shall develop a unified long-range water resource plan for the basin. The  
10 unified long-range water resource plan shall be implemented over short-range and  
11 long-range time periods. The short-range plan shall be for a period of six (6) years  
12 and the long-range plan shall be for a period of twenty (20) years. The authority  
13 shall conduct a public hearing on the plan prior to its adoption and amend the plan  
14 as appropriate based on the comments received. The Energy and Environment  
15 Cabinet shall review the draft unified plan and provide comment during the public  
16 comment period concerning the consistency of the plan with the state requirements  
17 under KRS Chapters 224 and 151. A drought response plan for the basin shall be  
18 developed by the authority and shall be coordinated with the Energy and  
19 Environment Cabinet to assure consistency with KRS Chapters 224 and 151, and  
20 this plan shall be implemented for the basin upon the direction of the authority;

21 (12) Develop and promote a plan for the protection and use of groundwater within the  
22 basin. Administrative regulations may be promulgated implementing the plan, and  
23 these regulations shall not be less stringent than state and federal regulations  
24 protecting groundwater;

25 (13) Promote private investment in the installation of hydroelectric generating units on  
26 all existing constructed and reconstructed Kentucky River dams under the  
27 jurisdiction of the authority, by developing a standard lease, establishing reasonable

- 1 financial responsibility requirements, verifying that the proposed installation of the  
2 hydroelectric unit will not adversely affect the structural integrity of the dam, and  
3 adopting a schedule of reasonable fees for water used in the generation of  
4 hydroelectric power;
- 5 (14) Develop recreational areas within the basin. These recreational areas may be  
6 operated and funded by the state Department of Parks, Office of Kentucky Nature  
7 Preserves, or other governmental entity as specifically authorized or permitted  
8 within the biennial executive budget. There is hereby created the Kentucky River  
9 Park to be located as determined by the authority;
- 10 (15) Utilize funds provided for recreational purposes within the biennial executive  
11 budget for major or minor maintenance if the authority certifies to the secretary of  
12 the Finance and Administration Cabinet that a significant need exists for the repairs  
13 and no other funds are available for the maintenance;
- 14 (16) Coordinate the Kentucky River basin water resources activities among state  
15 agencies;
- 16 ~~(17) Report quarterly on all of its activities to the legislative Committee on~~  
17 ~~Appropriations and Revenue;~~
- 18 ~~(18)~~ Receive reports from state agencies on litigation concerning the Kentucky River,  
19 which agencies are hereby directed to report to the authority;
- 20 (18)~~(19)~~ Credit to the authority any income derived from the interest earned on the  
21 investment of the water use fees collected, which shall be available for the  
22 authority's expenditure; and
- 23 (19)~~(20)~~ Accomplish the watershed management mission of the authority, which is to  
24 fulfill the provisions of this section for the Kentucky River basin, the boundary of  
25 which shall be defined by a hydrologic map promulgated in an administrative  
26 regulation.
- 27 ➔Section 11. KRS 151.728 is amended to read as follows:

- 1 (1) Beginning with the 2000-2002 biennium and each biennium thereafter, the authority  
2 shall submit to the General Assembly a six (6) year program of preconstruction and  
3 construction activities to maintain or increase water available within the Kentucky  
4 River. The program shall include a two (2) year construction component that shall  
5 be implemented as authorized by the General Assembly in the authority's biennial  
6 budget and a four (4) year preconstruction component that shall advise the General  
7 Assembly of the consistency of ongoing and long-term planning with the  
8 construction activities funded by the General Assembly.
- 9 (2) The program shall be developed by considering, at a minimum, the following  
10 factors:
- 11 (a) The population to be served by the available water;
  - 12 (b) The social, economic, and environmental impact of program elements;
  - 13 (c) The condition of existing facilities critical to water availability;
  - 14 (d) The cost of maintaining, improving, replacing, or removing facilities; and
  - 15 (e) The dependence of communities within the river basin on specific Kentucky  
16 River dam pools or other sources of water.
- 17 (3) The program shall include a four (4) year planning document setting out  
18 preconstruction activities that include planning and design and an environmental  
19 analysis of projects to maintain or increase water available within the Kentucky  
20 River and geotechnical and stability evaluations of the Kentucky River locks and  
21 dams.
- 22 (4) The authority shall provide to the General Assembly a long-range planning  
23 document consisting of twenty (20) years for water supply projects being considered  
24 by the authority.
- 25 (5) The authority shall be responsible for the execution of each six (6) year program as  
26 approved and authorized in the budget by the General Assembly ~~and shall report~~  
27 ~~any anticipated deviations from the authorized construction funding or~~



1 ~~preconstruction program to the Interim Joint Committee on Appropriations and~~  
2 ~~Revenue].~~

3 ➔Section 12. KRS 154.80-140 is amended to read as follows:

- 4 (1) There is created the riverport marketing assistance trust fund, to be administered by  
5 the Cabinet for Economic Development.
- 6 (2) The riverport marketing assistance trust fund may receive appropriations, federal  
7 funds, contributions, gifts, and donations.
- 8 (3) The purpose of the riverport marketing assistance trust fund shall be to promote and  
9 market Kentucky's riverport to industrial, business, and commercial prospects, to  
10 attract economic development. To the extent funds are available, the fund shall  
11 make grants to riverport authorities for marketing activities, including research,  
12 advertising, participation in trade shows, and preparation of promotional materials.  
13 Grants shall not be used for activities such as salaries, administrative expenses, or  
14 internal newsletters.
- 15 (4) Notwithstanding KRS 45.229, moneys remaining in the fund at the close of a fiscal  
16 year shall not lapse but shall carry forward into the succeeding fiscal year. Interest  
17 earned on any moneys in the fund shall accrue to the fund. Amounts from the fund  
18 shall be disbursed and expended in accordance with this section.
- 19 (5) Grants under this section shall not exceed fifteen thousand dollars (\$15,000) per  
20 project or thirty thousand dollars (\$30,000) per applicant each year. Projects shall be  
21 completed within one (1) year of funding. To receive a grant, an applicant shall  
22 provide at least a fifty percent (50%) match, which may be obtained from any public  
23 or private source.
- 24 (6) (a) Grants shall be reviewed and awarded semiannually.
- 25 (b) The Cabinet for Economic Development shall submit all applications to the  
26 Water Transportation Advisory Board established by KRS 174.200 for  
27 evaluation and recommendations prior to awarding any grant funding under

1 this section.

2 (c) Higher priority shall be given to applications with a larger share of match  
3 money, for those where the match money has already been obtained, and for  
4 projects with a detailed riverport marketing plan.

5 (7) The Cabinet for Economic Development shall on a semiannual basis submit a report  
6 detailing all grants awarded under this section to the Water Transportation Advisory  
7 Board and~~[,] the Interim Joint Committee on Transportation[, and the Interim Joint~~  
8 ~~Committee on Appropriations and Revenue].~~

9 ➔Section 13. KRS 171.027 is amended to read as follows:

10 There is established a public library facilities construction fund to assist local libraries  
11 with debt service payments for new library facilities and library improvements. The  
12 Department for Libraries and Archives is authorized to enter into long-term written  
13 memoranda of agreement with local libraries or other governing bodies to assist in debt  
14 service payments relating to library construction or renovation projects. The agreements  
15 shall specify the rights, duties, and obligations of both the local public library, or other  
16 governing body, and the department. The department shall promulgate administrative  
17 regulations to establish the application process, criteria for selecting projects for  
18 assistance, a minimum level of local participation, and the process to be followed in the  
19 construction of facilities.~~[The department shall report assistance awards to the Interim~~  
20 ~~Joint Committee on Appropriations and Revenue within thirty (30) days of execution of~~  
21 ~~any memorandum of agreement.]~~

22 ➔Section 14. KRS 174.210 is amended to read as follows:

23 (1) There is created a riverport financial assistance trust fund, to be administered by the  
24 Transportation Cabinet.

25 (2) The riverport financial assistance trust fund may receive appropriations, federal  
26 funds, contributions, gifts, and donations.

27 (3) The purpose of the riverport financial assistance trust fund shall be to improve

1 riverport facilities and infrastructure, to capture the economic and trade potential  
2 offered by water transportation. To the extent funds are available, the fund shall  
3 make grants to riverport authorities for new construction and major replacement or  
4 repair projects, including but not limited to improvement of docks, wharves,  
5 equipment, port buildings, storage facilities, roads and railroads to facilitate the  
6 flow of commerce through the port, other on-site improvements, and related  
7 professional services. Eligible projects shall not include routine operations,  
8 maintenance, or repair activities.

9 (4) Notwithstanding KRS 45.229, moneys remaining in the fund at the close of a fiscal  
10 year shall not lapse but shall carry forward into the succeeding fiscal year. Interest  
11 earned on any moneys in the fund shall accrue to the fund. Amounts from the fund  
12 shall be disbursed and expended in accordance with this section.

13 (5) To be eligible for a grant under this section, the applicant shall provide at least a  
14 twenty percent (20%) match, which may be obtained from any public or private  
15 source.

16 (6) (a) Grant applications shall be reviewed and awarded annually.

17 (b) The Transportation Cabinet shall submit all applications to the Water  
18 Transportation Advisory Board established by KRS 174.200 for evaluation  
19 and recommendations prior to awarding any grant funding under this section.

20 (c) Priority shall be given to applicants with a riverport master plan, for capital-  
21 intensive projects for which permits have been obtained, and for projects for  
22 which matching funds have been obtained.

23 (7) The Transportation Cabinet shall submit on an annual basis a report detailing all  
24 grants awarded under this section to the Water Transportation Advisory Board  
25 and the Interim Joint Committee on Transportation~~, and the Interim Joint~~  
26 ~~Committee on Appropriations and Revenue~~.

27 ➔Section 15. KRS 198A.090 is amended to read as follows:

- 1 (1) Except as provided in subsection (6) of this section, the corporation may provide for  
2 the issuance, at one (1) time or from time to time, of bonds of the corporation if the  
3 cumulative outstanding indebtedness of the corporation's bonds does not exceed  
4 five billion dollars (\$5,000,000,000), in order to carry out and effectuate its  
5 corporate purposes and powers.
- 6 (2) In anticipation of the issuance of bonds, the corporation may provide for the  
7 issuance, at one (1) time or from time to time, of bond anticipation notes. The  
8 principal of and the interest on the bonds or notes shall be payable solely from the  
9 funds provided for the payment. Notes may be made payable from the proceeds of  
10 bonds or renewal notes or, if bond or renewal note proceeds are not available, notes  
11 may be paid from any available revenues or assets of the corporation.
- 12 (3) The bonds or notes of each issue shall be dated and may be made redeemable before  
13 maturity at the option of the corporation at a price and under terms and conditions  
14 determined by the corporation. Bonds or notes shall bear interest at a rate  
15 determined by the corporation. Notes shall mature at a time not exceeding ten (10)  
16 years from their date and bonds shall mature at a time not exceeding forty (40) years  
17 from their date, as determined by the corporation. The corporation shall determine  
18 the form and manner of execution of the bonds or notes, including any interest  
19 coupons to be attached thereto, and shall fix the denomination and the place of  
20 payment of principal and interest, which may be any bank or trust company within  
21 or without the Commonwealth. If an officer whose signature or a facsimile of  
22 whose signature appears on any bonds, notes, or coupons attached to them shall  
23 cease to be an officer before the delivery thereof, the signature or facsimile shall be  
24 valid and sufficient for all purposes as if he had remained in office until delivery.  
25 The corporation may provide for the authentication of the bonds or notes by a  
26 trustee or fiscal agent. The bonds or notes may be issued in coupon or in registered  
27 form, or both, as the corporation may determine, and provision may be made for the

1 registration of any coupon bonds or notes as to principal alone and also as to both  
2 principal and interest, and for the reconversion into coupon bonds or notes of any  
3 bonds or notes registered as to both principal and interest, and for the interchange of  
4 registered and coupon bonds or notes. Upon the approval of a resolution of the  
5 corporation, authorizing the sale of its bonds or notes, the bonds or notes may be  
6 sold in a manner, either at public or private sale, and for a price the corporation  
7 shall determine to be for the best interest of the corporation and best effectuate the  
8 purposes of this chapter, if the sale is approved by the corporation.

9 (4) The proceeds of any bonds or notes shall be used solely for the purposes for which  
10 they are issued and shall be disbursed in the manner and under the restrictions, if  
11 any, the corporation may provide in the resolution authorizing the issuance of bonds  
12 or notes or in the trust agreement securing the same.

13 (5) Prior to the preparation of definitive bonds, the corporation may, under like  
14 restrictions, issue interim receipts or temporary bonds, with or without coupons,  
15 exchangeable for definitive bonds when the bonds have been executed and are  
16 available for delivery. The corporation may also provide for the replacement of any  
17 bonds or notes which become mutilated, destroyed, or lost.

18 (6) (a) Prior to the issuance of any bonds or notes that are not secured by:

- 19 1. Direct obligations or obligations guaranteed by the United States of  
20 America; or
- 21 2. Obligations of federal agencies to the extent that the obligations are  
22 backed by the full faith and credit of the United States of America; or
- 23 3. Repurchase agreements with any primary dealer in securities fully  
24 secured by obligations described in subparagraphs 1. and 2. of this  
25 paragraph if the market value of the security is maintained at one  
26 hundred three percent (103%) of the principal amount of the repurchase  
27 agreement and the security is held by an independent third-party

- 1                   custodian financial institution; or
- 2                   4. Insured or guaranteed construction loans or mortgage loans as defined
- 3                   by KRS 198A.010(10) and (11); or
- 4                   5. Guaranty insurance policies which guarantee payment of the principal
- 5                   and interest on the bonds issued by a nationally recognized entity
- 6                   authorized to issue guarantees and rated in the highest rating category by
- 7                   at least one (1) of the nationally recognized rating services;

8                   the corporation shall obtain the approval of the issuance from the General

9                   Assembly in accordance with the provisions of KRS 56.870(1), unless the

10                  provisions of paragraph (b) of this subsection apply. This requirement shall

11                  not apply to refunding bond or note issues which are for the purpose of

12                  achieving debt service savings and which do not extend the term of the

13                  refunded bonds or notes.

- 14                  (b) The corporation may provide for the issuance, at any one (1) time or from
- 15                  time to time, of bonds which do not satisfy the requirements of paragraph (a)
- 16                  of this subsection without approval of the issuance by the General Assembly if
- 17                  the cumulative outstanding indebtedness of the corporation that does not meet
- 18                  the requirements of paragraph (a) of this subsection does not exceed thirty
- 19                  million dollars (\$30,000,000).

20                  ~~{(c) The corporation shall annually report on its housing and bonding programs to~~

21                  ~~the Interim Joint Committee on Appropriations and Revenue.}~~

- 22                  (7) The Finance and Administration Cabinet shall provide to the corporation fiscal
- 23                  consultant services regarding revenue bond management as necessary.

24                  ➔Section 16. KRS 214.544 is amended to read as follows:

- 25                  (1) A Colon Cancer Screening and Prevention Advisory Committee shall be
- 26                  established. The advisory committee shall include:

- 27                  (a) One (1) member of the House of Representatives who shall be appointed by

1 the Speaker of the House;

2 (b) One (1) member of the Senate who shall be appointed by the President of the  
3 Senate;

4 (c) The deputy commissioner of the Department for Public Health;

5 (d) The commissioner of the Department of Insurance, or his or her designee;

6 (e) The commissioner of the Department for Medicaid Services, or his or her  
7 designee;

8 (f) Two (2) at-large members who shall be appointed by the Governor;

9 (g) One (1) member who shall be appointed by the Governor from a list of three  
10 (3) names provided by the American Cancer Society;

11 (h) The director of the Kentucky Cancer Program at the University of Kentucky;

12 (i) The director of the Kentucky Cancer Program at the University of Louisville;

13 (j) The director of the Kentucky Cancer Registry;

14 (k) The director of the Colon Cancer Prevention Project;

15 (l) The chair of Kentucky African Americans Against Cancer; and

16 (m) The director of the Kentucky Cancer Consortium.

17 Members of the advisory committee shall be appointed for a term of four (4) years.

18 (2) (a) Members appointed under subsection (1)(a) to (g) of this section shall be  
19 appointed as follows:

20 1. Members shall be appointed for a term of four (4) years, except as  
21 provided in subparagraph 2. of this paragraph;

22 2. The initial appointments shall be for a period of two (2) years; thereafter,  
23 the appointments shall be for a term of four (4) years; and

24 3. Members shall not serve more than two (2) terms of four (4) years.

25 (b) Members serving under subsection (1)(h) to (m) of this section shall serve by  
26 virtue of their positions and shall not be subject to term limits.

27 (3) The chair of the advisory committee shall be elected from the membership of the

- 1 advisory committee to serve for a two (2) year term. A member of the advisory  
2 committee may designate an alternate to attend meetings in his or her place.
- 3 (4) The advisory committee may add members from other organizations as deemed  
4 appropriate.
- 5 (5) The advisory committee shall provide recommendations for the overall  
6 implementation and conduct of the Colon Cancer Screening and Prevention  
7 Program.
- 8 (6) The advisory committee shall establish and provide oversight for a colon cancer  
9 screening public awareness campaign. The Cabinet for Health and Family Services  
10 shall contract with the Kentucky Cancer Consortium at the University of Kentucky  
11 to provide the required support. The amount of the contract shall not be included in  
12 the base budget of the university as used by the Council on Postsecondary  
13 Education in determining the funding formula for the university.
- 14 (7) The Colon Cancer Screening and Prevention Advisory Committee shall provide an  
15 annual report on implementation and outcomes from the Colon Cancer Screening  
16 and Prevention Program and recommendations to the Legislative Research  
17 Commission, the Interim Joint Committee on Health, Welfare, and Family Services,  
18 ~~the Interim Joint Committee on Appropriations and Revenue,~~ the Governor, the  
19 secretary of the Cabinet for Health and Family Services, and the commissioner of  
20 the Department for Public Health.
- 21 (8) The Kentucky Cancer Program, jointly administered by the University of Kentucky  
22 and the University of Louisville, shall establish a colon cancer screening, education,  
23 and outreach program in each of the state area development districts. The colon  
24 cancer screening, education, and outreach program shall focus on individuals who  
25 lack access to colon cancer screening. The Cabinet for Health and Family Services  
26 shall contract with the University of Louisville and the University of Kentucky to  
27 provide the required support. The amount of the contract shall not be included in the



1 base budgets of the universities as used by the Council on Postsecondary Education  
2 in determining the funding formula for the universities.

3 ➔Section 17. KRS 214.556 is amended to read as follows:

4 (1) There is hereby established within the Kentucky cancer program the Kentucky  
5 Cancer Registry and the cancer patient data management system for the purpose of  
6 providing accurate and up-to-date information about cancer in Kentucky and  
7 facilitating the evaluation and improvement of cancer prevention, screening,  
8 diagnosis, therapy, rehabilitation, and community care activities for citizens of the  
9 Commonwealth. The cancer patient data management system shall be administered  
10 by the Lucille Parker Markey Cancer Center.

11 (2) Each licensed health facility which provides diagnostic services, or diagnostic  
12 services and treatment, or treatment to cancer patients shall report to the Kentucky  
13 Cancer Registry, through the cancer patient data management system and in a  
14 format prescribed by the Kentucky Cancer Registry, each case of cancer seen at that  
15 health facility. Failure to comply may be cause for assessment of an administrative  
16 fine for the health facility, the same as for violation of KRS 216B.250.

17 (3) Each health facility shall grant to the cancer registry access to all records which  
18 would identify cases of cancer or would establish characteristics of the cancer,  
19 treatment of the cancer, or status of any identified cancer patient. Hospitals actively  
20 participating and enrolled in the cancer patient data management system of the  
21 Kentucky Cancer Program as of July 13, 1990, shall be considered to be in  
22 compliance with this section. The Lucille Parker Markey Cancer Center shall  
23 provide staff assistance in compiling and reporting required information to hospitals  
24 which treat a low volume of patients.

25 (4) No liability of any kind or character for damages or other relief shall arise or be  
26 enforced against any licensed health facility by reason of having provided the  
27 information or material to the Kentucky Cancer Registry pursuant to the

- 1 requirements of this section.
- 2 (5) The identity of any person whose condition or treatment has been reported to the  
3 Kentucky Cancer Registry shall be confidential, except that:
- 4 (a) The Kentucky Cancer Registry may exchange patient-specific data with any  
5 other cancer control agency or clinical facility for the purpose of obtaining  
6 information necessary to complete a case record, but the agency or clinical  
7 facility shall not further disclose such personal data; and
- 8 (b) The Kentucky Cancer Registry may contact individual patients if necessary to  
9 obtain follow-up information which is not available from the health facility.
- 10 (6) All information, interviews, reports, statements, memoranda, or other data furnished  
11 by reason of this section, expressly including all portions, subsets, extracts, or  
12 compilations of the data as well as any findings or conclusions resulting from those  
13 studies, shall be privileged and shall not be considered public records under KRS  
14 61.870 to 61.884. The Kentucky Cancer Registry may determine that certain  
15 extracts, subsets, or compilations of data do not reveal privileged information and  
16 may be published or otherwise shared to further the public health goals set forth  
17 herein.
- 18 (7) The Kentucky Cancer Registry shall make periodic reports of its data and any  
19 related findings and recommendations to the Legislative Research Commission, the  
20 Interim Joint Committee~~{Committees on Appropriations and Revenue and}~~ on  
21 Health and Welfare, the Governor, the Cabinet for Health and Family Services, the  
22 reporting health facility, and other appropriate governmental and nongovernmental  
23 cancer control agencies whose intent it is to reduce the incidence, morbidity, and  
24 mortality of cancer. The Kentucky Cancer Registry may conduct analyses and  
25 studies as are indicated to advance cancer control in the Commonwealth, either  
26 directly or by confidentially sharing data with third parties.
- 27 ➔Section 18. KRS 216.2929 is amended to read as follows:

- 1 (1) (a) The Cabinet for Health and Family Services shall make available on its Web  
2 site information on charges for health-care services at least annually in  
3 understandable language with sufficient explanation to allow consumers to  
4 draw meaningful comparisons between every hospital and ambulatory facility,  
5 differentiated by payor if relevant, and for other provider groups as relevant  
6 data becomes available.
- 7 (b) Any charge information compiled and reported by the cabinet shall include the  
8 median charge and other percentiles to describe the typical charges for all of  
9 the patients treated by a provider and the total number of patients represented  
10 by all charges, and shall be risk-adjusted.
- 11 (c) The report shall clearly identify the sources of data used in the report and  
12 explain limitations of the data and why differences between provider charges  
13 may be misleading. Every provider that is specifically identified in any report  
14 shall be given thirty (30) days to verify the accuracy of its data prior to public  
15 release and shall be afforded the opportunity to submit comments on its data  
16 that shall be included on the Web site and as part of any printed report of the  
17 data.
- 18 (d) The cabinet shall only provide linkages to organizations that publicly report  
19 comparative-charge data for Kentucky providers using data for all patients  
20 treated regardless of payor source, which may be adjusted for outliers, is risk-  
21 adjusted, and meets the requirements of paragraph (c) of this subsection.
- 22 (2) (a) The cabinet shall make information available on its Web site at least annually  
23 describing quality and outcome measures in understandable language with  
24 sufficient explanations to allow consumers to draw meaningful comparisons  
25 between every hospital and ambulatory facility in the Commonwealth and  
26 other provider groups as relevant data becomes available.
- 27 (b) 1. The cabinet shall utilize only national quality indicators that have been

- 1 endorsed and adopted by the Agency for Healthcare Research and  
2 Quality, the National Quality Forum, or the Centers for Medicare and  
3 Medicaid Services; or
- 4 2. The cabinet shall provide linkages only to the following organizations  
5 that publicly report quality and outcome measures on Kentucky  
6 providers:
- 7 a. The Centers for Medicare and Medicaid Services;
  - 8 b. The Agency for Healthcare Research and Quality;
  - 9 c. The Joint Commission; and
  - 10 d. Other organizations that publicly report relevant outcome data for  
11 Kentucky providers.
- 12 (c) The cabinet shall utilize or refer the general public to only those nationally  
13 endorsed quality indicators that are based upon current scientific evidence or  
14 relevant national professional consensus and have definitions and calculation  
15 methods openly available to the general public at no charge.
- 16 (3) Any report the cabinet disseminates or refers the public to shall:
- 17 (a) Not include data for a provider whose caseload of patients is insufficient to  
18 make the data a reliable indicator of the provider's performance;
  - 19 (b) Meet the requirements of subsection (1)(c) of this section;
  - 20 (c) Clearly identify the sources of data used in the report and explain the  
21 analytical methods used in preparing the data included in the report; and
  - 22 (d) Explain any limitations of the data and how the data should be used by  
23 consumers.
- 24 (4) The cabinet shall report at least biennially, no later than October 1 of each odd-  
25 numbered year, on the special health needs of the minority population in the  
26 Commonwealth as compared to the population in the Commonwealth as compared  
27 to the population at large. The report shall contain an overview of the health status

1 of minority Kentuckians, shall identify the diseases and conditions experienced at  
 2 disproportionate mortality and morbidity rates within the minority population, and  
 3 shall make recommendations to meet the identified health needs of the minority  
 4 population.

5 (5) The report required under subsection (4) of this section shall be submitted to the  
 6 Interim Joint Committee~~[Committees]~~ on ~~[Appropriations and Revenue and]~~ Health  
 7 and Welfare and to the Governor.

8 ➔Section 19. KRS 224.10-230 is amended to read as follows:

9 (1) The cabinet shall implement a time and accounting system to reasonably and  
 10 accurately document its actual costs.

11 ~~(2) [The cabinet shall submit documentation of its costs to the Interim Joint~~  
 12 ~~Appropriations and Revenue Committee prior to the cabinet's submittal of its~~  
 13 ~~biennial budget request.~~

14 ~~(3) ]~~The cabinet may promulgate regulations amending the fees set forth in KRS  
 15 224.20-050, 224.46-012 to 224.46-018, and 224.70-120. The fees established in the  
 16 promulgated regulations shall be based on the cabinet's actual costs.

17 ➔Section 20. KRS 342.1223 is amended to read as follows:

18 (1) The Kentucky Workers' Compensation Funding Commission is created as an  
 19 agency of the Commonwealth for the public purpose of controlling, investing, and  
 20 managing the funds collected pursuant to KRS 342.122.

21 (2) The commission shall:

22 (a) Hold, administer, invest, and reinvest the funds collected pursuant to KRS  
 23 342.122 and its other funds separate and apart from all "state funds" or "public  
 24 funds," as defined in KRS Chapter 446;

25 (b) Act as a fiduciary, as defined in KRS Chapter 386, in exercising its power  
 26 over the funds collected pursuant to KRS 342.122, and may invest association  
 27 funds through one (1) or more banks, trust companies, or other financial

- 1 institutions with offices in Kentucky in good standing with the Department of  
 2 Financial Institutions, in investments described in KRS Chapter 386, except  
 3 that the funding commission may, at its discretion, invest in equity securities;
- 4 (c) Report to the General Assembly at each even-numbered-year regular session  
 5 the actuarial soundness and adequacy of the funding mechanism for the  
 6 special fund and other programs supported by the mechanism, including  
 7 detailed information on the investment of funds and yields thereon;
- 8 (d) Recommend to the General Assembly, not later than October 31 of the year  
 9 prior to each even-numbered-year regular legislative session, changes deemed  
 10 necessary in the level of the assessments imposed in this chapter;
- 11 (e) In conjunction with the Labor Cabinet, submit to the General Assembly, not  
 12 later than October 31 of the year prior to each even-numbered-year regular  
 13 legislative session, a proposed budget for the biennium beginning July 1  
 14 following the even-numbered-year regular session of the General Assembly;
- 15 (f) ~~[In conjunction with the Labor Cabinet, provide to the Interim Joint~~  
 16 ~~Committee on Appropriations and Revenue an annual budget and detailed~~  
 17 ~~quarterly financial reports;~~
- 18 ~~(g)~~ Conduct periodic audits, independently or in cooperation with the Labor  
 19 Cabinet or the Department of Revenue, of all entities subject to the  
 20 assessments imposed in this chapter; and
- 21 ~~(g)~~~~(h)~~ Report monthly to the Committee~~[Committees on Appropriations and~~  
 22 ~~Revenue and ]~~on Economic Development and Workforce Investment its  
 23 monthly expenditures of restricted agency funds and the nature of the  
 24 expenditures.
- 25 (3) The commission shall have all of the powers necessary or convenient to carry out  
 26 and effectuate the purposes for which it was established, including, but not limited  
 27 to, the power:

- 1 (a) To sue and be sued, complain, or defend, in its name;
- 2 (b) To elect, appoint, or hire officers, agents, and employees, and define their  
3 duties and fix their compensation within the limits of its budget approved by  
4 the General Assembly. Notwithstanding any provision of KRS Chapter 18A to  
5 the contrary, officers and employees of the funding commission may be  
6 exempted from the classified service;
- 7 (c) To contract for investment counseling, legal, actuarial, auditing, and other  
8 professional services in accordance with the provisions relating to personal  
9 service contracts contained in KRS Chapter 45A;
- 10 (d) To appoint, hire, and contract with banks, trust companies, and other entities  
11 to serve as depositories and custodians of its investment receipts and other  
12 funds;
- 13 (e) To take any and all other actions consistent with the purposes of the  
14 commission and the provisions of this chapter; and
- 15 (f) To make and promulgate administrative regulations.
- 16 (4) The Kentucky Workers' Compensation Funding Commission may utilize the  
17 investment expertise and advice of the Office of Financial Management within the  
18 Finance and Administration Cabinet. The Kentucky Workers' Compensation  
19 Funding Commission may procure one (1) or more consulting firms and enter into a  
20 personal service contract with such consulting firms to provide investment advisory,  
21 investment counseling, or investment management services. The Office of Financial  
22 Management shall participate in the selection of any firms for investment services  
23 provided, however, the Kentucky Workers' Compensation Funding Commission  
24 shall have the right to make the final decision on the selection of any firms.  
25 Notwithstanding any provisions of this section to the contrary, all contracts for  
26 investment advisory, investment counseling, or investment management services or  
27 for the management of assets shall be subject to KRS Chapter 45A. The fees

1 charged by financial institutions for managing the investments of the funds of the  
2 funding commission shall be paid from the investment earnings of the funds.

3 (5) The commission shall be attached to the Labor Cabinet for administrative purposes  
4 only.

5 ➔Section 21. KRS 342.765 is amended to read as follows:

6 (1) Notwithstanding the provisions of KRS Chapter 342 to the contrary, the office of  
7 the Attorney General shall be responsible for the administration of the uninsured  
8 employers' fund and shall be charged with the conservation of the assets of the fund.  
9 Funds to reimburse the Attorney General's office for expenses incurred in litigation  
10 and administration in defense of the uninsured employers' fund shall be transferred  
11 upon request of the Attorney General's office and approval by the secretary of the  
12 Labor Cabinet.

13 (2) The office of the Attorney General shall report monthly to ~~the Interim Joint~~  
14 ~~Committee on Appropriations and Revenue,~~ the Interim Joint Committee on  
15 Economic Development and Workforce Investment~~,~~ and the commissioner the  
16 amount of the agency fund expenditures in each month for the uninsured employers'  
17 fund and the nature of these expenditures. In addition, the Office of the Attorney  
18 General shall report quarterly to the commissioner on the amount of funds recouped  
19 from uninsured employers.

20 ➔Section 22. KRS 353.776 is amended to read as follows:

21 By January 1 each year, the authority shall make an annual report of its activities for the  
22 preceding fiscal year to the Office of the State Budget Director~~and to the Interim Joint~~  
23 ~~Committee on Appropriations and Revenue~~. Each such report shall set forth a complete  
24 operating and financial statement covering its operations during the year. The authority  
25 shall provide for an audit of its books and accounts to be made within ninety (90) days  
26 after the close of each fiscal year by certified public accountants and the cost thereof may  
27 be treated as a part of the cost of construction of the project. Audits under this section



1 shall be public records within the meaning of KRS 61.870 to 61.884.

2 →Section 23. KRS 56.463 is amended to read as follows:

3 The cabinet shall have the power and duty:

- 4 (1) To determine the comparative needs and demands of the various state agencies for  
5 acquiring real estate and for building projects;
- 6 (2) To purchase or otherwise acquire all real property determined to be needed for state  
7 use and upon the approval of the secretary of the Finance and Administration  
8 Cabinet as to the determination of need and as to the action of purchase or other  
9 acquisition, except as provided in KRS Chapters 175, 176, 177, and 180. All such  
10 acquisitions of real property or interests therein shall be made in accordance with  
11 KRS 45A.045;
- 12 (3) To sell or otherwise dispose of all property, including any interest in real property,  
13 of the state that is not needed or has become unsuitable for public use or would be  
14 more suitable consistent with the public interest for some other use as determined  
15 by the secretary of the Finance and Administration Cabinet. All such sales or other  
16 disposition shall be made in accordance with KRS 45A.045;
- 17 (4) (a) To control the use of any real property owned or otherwise held by the  
18 Commonwealth, or any state agency, and to determine for what periods of  
19 time and for what purposes any state agency may use the same, including the  
20 agency for whose use it was initially acquired or improved, and to determine  
21 what appropriate uses shall be made of such real property during periods that  
22 the cabinet finds the same is not required for the purposes of any particular  
23 state agency. The cabinet shall allocate to the General Assembly and the  
24 Legislative Research Commission all~~the amount of~~ space within the New  
25 State Capitol Annex~~[, currently assigned to the legislative branch]~~ in the  
26 basement and on the first, second, third, and fourth floors~~[ floor totaling~~  
27 ~~forty nine thousand six hundred thirty eight (49,638) square feet;~~

1 approximately twenty four thousand four hundred fifty two (24,452) square  
2 feet on the second floor from an imaginary line running north and south down  
3 the center of the center wing hallway of the building and all space to the east  
4 of this line], excluding:

5 1. Mechanical areas, public entrances, vestibules, and restrooms; and

6 2. The following additional space, as allocated on January 1, 2022:

7 a. Areas in the basement occupied by the Kentucky State Police and  
8 Facilities Security;

9 b. Areas in the basement operated as the snack bar and cafeteria,  
10 as well as storage areas related to the operation of the snack bar  
11 and cafeteria;

12 c. The area in the basement operated as a nurse's station;

13 d. The area in the basement used as an automated teller machine  
14 (ATM);

15 e. The office space in the basement occupied by the Secretary of  
16 State;

17 f. Utility spaces in the basement west wing and east wing northern  
18 most hallways occupied by janitorial, maintenance, and  
19 mechanical staff;

20 g. The loading dock in the rear of the annex basement, along with  
21 the office space immediately adjacent to the loading dock on the  
22 back wall of the annex, provided that the General Assembly and  
23 the Legislative Research Commission shall be given access to  
24 and use of the loading dock and the receiving areas adjacent to  
25 the loading dock; and

26 h. Office and studio space on the first floor currently occupied and  
27 used for broadcasting purposes by Kentucky Educational

1                    Television~~]; approximately twenty three thousand nine hundred~~  
 2                    ~~forty (23,940) square feet on the third floor from an imaginary line~~  
 3                    ~~running north and south down the center of the center wing~~  
 4                    ~~hallway of the building and all space to the east of this line,~~  
 5                    ~~excluding mechanical areas, public entrances, and restrooms;~~  
 6                    ~~approximately twenty two thousand fifty six (22,056) square feet~~  
 7                    ~~on the fourth floor from an imaginary line running north and south~~  
 8                    ~~down the center of the center wing hallway of the building and all~~  
 9                    ~~space to the east of this line, excluding mechanical areas, public~~  
 10                   ~~entrances, and restrooms].~~

11                   All space assigned to the legislative branch and plans, uses, furnishings, and  
 12                   equipment therefor are subject to the specific approval of the Legislative  
 13                   Research Commission;

14                   (b) All additional space in the New State Capitol Annex, not specifically allocated  
 15                   for use by the General Assembly and the Legislative Research Commission in  
 16                   paragraph (a) of this subsection, shall be allocated for the use of the legislative  
 17                   branch, with occupancy by the legislative branch to be determined by the  
 18                   Legislative Research Commission, upon a~~]. Until the Legislative Research~~  
 19                   ~~Commission, by] vote of a majority of the~~[its]~~ entire membership of the~~  
 20                   Legislative Research Commission~~], determines that the legislative branch~~  
 21                   ~~shall occupy all or part of such additional space in the Capitol Annex, the~~  
 22                   ~~cabinet shall continue to determine the occupancy of such additional space];~~

23                   (c) ~~[Forty percent (40%) of the floor space provided by paragraph (a) of this~~  
 24                   ~~subsection for use by the legislative branch shall be assigned for the use of the~~  
 25                   ~~Senate. Sixty percent (60%) of the floor space provided by paragraph (a) of~~  
 26                   ~~this subsection for use by the legislative branch shall be assigned for the use~~  
 27                   ~~of the House of Representatives; and~~

1       ~~(d)~~ In order for the General Assembly and the Legislative Research  
2       Commission to efficiently utilize the space provided by paragraphs (a) and  
3       (b) of this subsection, the cabinet shall enter into a memorandum of  
4       understanding with the Legislative Research Commission on or about  
5       February 1, 2023, and as often as every two (2) years thereafter at the  
6       request of the Legislative Research Commission, to establish tenancy terms,  
7       including but not limited to building maintenance, repairs, renovations, and  
8       upgrades; facility security; janitorial services; and applicable rental and  
9       utilities rates. The Legislative Research Commission shall at any time, and  
10       upon at least sixty (60) days' notice, be authorized to discontinue the  
11       cabinet's provision of janitorial services for the New State Capitol Annex  
12       and to enter into a separate contract for the provision of those services, with  
13       the applicable rental and utilities rates to be proportionately reduced to  
14       reflect that separate contract, provided that the Legislative Research  
15       Commission may also at any time, and upon at least sixty (60) days' notice,  
16       elect to have the cabinet continue or reinstate the provision of those  
17       janitorial services at the cabinet's expense;

18       (d) For the purposes of this subsection, real property shall include the parking  
19       areas adjacent to the New State Capitol and the New State Capitol Annex,  
20       and the cabinet shall allocate to the General Assembly and the Legislative  
21       Research Commission all parking spaces within the Capitol campus  
22       parking garage, all parking spaces in the east, south, and west parking lots  
23       of the New State Capitol Annex, and all parking spaces in the west parking  
24       lot of the New State Capitol, except for those spaces in the west parking lot  
25       of the New State Capitol allocated, as of January 1, 2022, to the Supreme  
26       Court of Kentucky, the Attorney General, and the Secretary of State. Any  
27       further allocation of any parking spaces allocated pursuant to this

1                   *paragraph shall be within the sole discretion of the Legislative Research*  
2                   *Commission or its designee; and*

3           (e) To determine the housing and furnishings needs of the various state agencies  
4           located in Frankfort and to establish and put into effect a permanent program  
5           for housing them. Subject to paragraphs (a) and (b) of this subsection, the  
6           cabinet is also authorized and directed to allocate office space and furnishings  
7           in existing public buildings located in Frankfort, exclusive of the third and  
8           fourth floors of the New State Capitol and the space in the New State Capitol  
9           Annex allocated to the legislative branch, according to the needs of the  
10          various agencies. When necessary, the cabinet is authorized to provide  
11          additional office space and furnishings in Frankfort under any building  
12          program the cabinet deems most advisable and economical for the state. The  
13          permanent housing program shall include provisions for housing the General  
14          Assembly and its related agencies, including the Legislative Research  
15          Commission, and its subcommittees, the executive offices, the Supreme Court  
16          and the clerk of the Supreme Court, the Department of Law and the law  
17          library, in the New State Capitol, provided the General Assembly and the  
18          Legislative Research Commission shall have complete control and exclusive  
19          use of the third and fourth floors of the New State Capitol and shall have  
20          exclusive use of the space in the New State Capitol Annex allocated to them  
21          under paragraphs (a) and (b) of this subsection. If there be any additional  
22          space in the Capitol, it shall be assigned to agencies whose activities are most  
23          closely related to the agencies directed to be located permanently in the  
24          Capitol;

25   (5) To acquire, by condemnation in the manner provided in the Eminent Domain Act of  
26       Kentucky, any real estate necessary for use by the state or by any state agency, when  
27       the cabinet is unable to agree with the owner thereof on a price for such real estate;

- 1 (6) To lease any real property, or any interest in such real property, owned by the state  
2 or any agency thereof, in accordance with KRS 45A.045;
- 3 (7) To provide for and adopt plans and specifications as may be necessary, to provide  
4 adequate public notice for and receive bids for any expenditures proposed to be  
5 made, to award contracts for the purpose authorized, to supervise construction and  
6 make changes and revisions in plans and specifications or in construction as may  
7 become necessary, and generally to do any and all other things as may become  
8 necessary or expedient in order to effectively fulfill and carry out the purposes of  
9 this chapter, including the right to employ clerks, engineers, statisticians, architects,  
10 or other persons required to be employed in order to fulfill the functions of the  
11 Commonwealth relating to state property and buildings provided in KRS 56.450 to  
12 56.550; and
- 13 (8) To adopt rules and promulgate administrative regulations as may be necessary to  
14 govern the acquisition, control, and disposition of the real property to which this  
15 section is applicable.
- 16 ➔Section 24. The following KRS sections are repealed:
- 17 342.231 Monthly reports.
- 18 176.5066 Revenues relating to motorcycle safety education program fund -- Report.