

1 AN ACT relating to waste management districts.

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

3 ➔Section 1. KRS 109.115 is amended to read as follows:

- 4 (1) A single county, or two (2) or more counties may create a waste management
5 district in accordance with the procedures of KRS 65.182. Waste management
6 districts shall have all powers and authority set forth in KRS 109.041.
- 7 (2) The waste management district shall be controlled and managed by a board of
8 directors.
- 9 (3) The fiscal court in a county not containing a consolidated local government shall
10 determine the composition of the board of directors in one (1) of the following
11 ways:
- 12 (a) Appointment of the county judge/executive of every county, or portion of a
13 county, within that district and the mayor of the most populous city in each
14 county. Appointment of a third member from each county in the district so
15 that representation on the board shall be in proportion to the urban-rural
16 population distribution in the county. The county judge/executive and the
17 mayor may delegate a representative to serve in their stead; or
- 18 (b) Appointment of members by the county judge/executive and confirmed by the
19 respective fiscal court. In the case of multicounty districts, membership on the
20 board shall be apportioned among the counties in ratio to their population with
21 each county having at least one (1) member. The mayor of the most populous
22 city in each county that is a participant in the waste management district shall
23 be appointed a member. In no case shall the total membership of the board
24 consist of fewer than three (3) persons. When a county has two (2) or more
25 members on the board, members shall be selected from urban or rural areas in
26 the same proportion as the urban-rural population distribution in the county,
27 except that there shall be at least one (1) member each from a rural and from

1 an urban area.

2 (4) In a county containing a consolidated local government, the mayor of the
3 consolidated local government, with the approval of the legislative body of the
4 consolidated local government, shall appoint the following seven (7) persons to
5 constitute the board of directors:

6 (a) Three (3) residents, one (1) from each of the three (3) commissioner's districts
7 in the county and no two (2) members shall reside within the same state
8 Senate district;

9 (b) One (1) resident of the county who shall also reside within and represent the
10 urban services district within the consolidated local government;

11 (c) One (1) resident of the county submitted by the organization representing the
12 largest amount of cities within the county which does not have statewide
13 membership;

14 (d) One (1) resident of the county who does not reside within a city or the urban
15 services district in the county; and

16 (e) One (1) resident of the county submitted by the association representing the
17 largest number of waste management entities operating within the county.

18 (5) A member of the board of directors may be removed from office pursuant to KRS
19 65.007.

20 (6) Except for the initial board appointed pursuant to this section, each director shall
21 serve a two (2) year term, and shall serve no more than three (3) consecutive terms.
22 The initial board appointed pursuant to this section shall consist of three (3)
23 directors appointed for one (1) year and four (4) directors appointed for two (2)
24 years.

25 **(7) Notwithstanding KRS 65.008, a member serving on a board of directors in a**
26 **county containing a consolidated local government may serve until his or her**
27 **successor is appointed and qualified, not to exceed sixty (60) days after the**

1 *expiration of his or her term, after which time the member's board position shall*
2 *become vacant until a successor is appointed and qualified.*

3 ➔Section 2. The requirements of subsection (7) of Section 1 of this Act shall only
4 apply to members serving on waste management district boards in counties containing
5 consolidated local governments, and any member who has exceeded the limitation on the
6 number of days that a member may serve after the expiration of his or her term on a
7 board of directors for a county containing a consolidated local government prior to the
8 effective date of this Act shall immediately vacate his or her seat.