

1 AN ACT relating to the Kentucky River Authority.

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

3 ➔SECTION 1. A NEW SECTION OF KRS 151.700 TO 151.730 IS CREATED
4 TO READ AS FOLLOWS:

5 *As used in KRS 151.700 to 151.730:*

6 *(1) "Authority" means the Kentucky River Authority;*

7 *(2) "Kentucky River basin" or "basin" means all geographic areas of the*
8 *Commonwealth contained within the watershed of the Kentucky River and its*
9 *tributaries, including surface water and groundwater, as delineated by the United*
10 *States Geological Survey; and*

11 *(3) "Mainstem of the Kentucky River" means the Kentucky River, including Pool 14,*
12 *which extends from the North Fork of the Kentucky River at river mile 261.6*
13 *above the confluence of Walkers Creek, the Middle Fork of the Kentucky River at*
14 *river mile 6.0 below the confluence of Coal Branch, and the South Fork of the*
15 *Kentucky River at river mile 4.0 below the confluence of Paw Paw Creek, to River*
16 *Mile 0 at the confluence with the Ohio River at Carrollton.*

17 ➔Section 2. KRS 151.710 is amended to read as follows:

18 (1) The Governor shall appoint members to the Kentucky River Authority, created to
19 carry out the essential public purpose of protecting the health and welfare of the
20 people of the Commonwealth as declared in KRS 151.700.

21 (2) The *authority shall consist of twelve (12) members, as follows:*~~[Governor shall~~
22 ~~appoint]~~

23 *(a) The secretary*~~[secretaries]~~ of the Finance and Administration Cabinet, *or the*
24 *secretary's designee;*

25 *(b)* ~~[and]~~ *The secretary of the* Energy and Environment Cabinet, *or the*
26 *secretary's designee;* and

27 *(c) Ten (10) other persons, who shall be residents of the Kentucky River basin,*

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appointed by the Governor subject to the following conditions:

1. ~~[as the members of the authority. The secretaries may designate alternates. Of the ten (10) persons,]~~ One (1) **member** shall be **an**~~[a registered]~~ engineer **licensed in accordance with KRS Chapter 322;**

2.~~[,]~~ One (1) **member shall be** an expert in water quality;

3.~~[,]~~ One (1) **member shall be** a mayor, and one (1) **member shall be** a county judge/executive~~[. The mayor and the county judge/executive shall be officers]~~ from counties which obtain the major portion of their water supply from the Kentucky River;

4.~~[,]~~ **Six (6)**~~[Five (5)]~~ members shall reside in a county adjacent to the **mainstem**~~[main stem]~~ of the Kentucky River, **with at least** one (1) of the **six (6)**~~[five (5)]~~ members residing in counties adjacent to locks and dams one (1) through four (4); and **at least** one (1) **of the six (6) members residing**~~[member shall reside]~~ in a county adjacent to either the North Fork, Middle Fork, or South Fork of the Kentucky River~~[.]~~;

and

5. **None of the members appointed under this paragraph shall**~~[Of the twelve (12) members, only one (1) may]~~ be an employee of the Energy and Environment Cabinet.

(3) ~~[Of the ten (10) members first appointed, two (2) shall continue in office for terms of one (1) year, two (2) for terms of two (2) years, three (3) for terms of three (3) years, and three (3) for terms of four (4) years, as the Governor designates. At the expiration of the original terms and for all succeeding terms,]~~The Governor shall appoint **members**~~[a successor]~~ to the authority for a term of four (4) years~~[in each case]~~. Members may be reappointed. A vacancy in an unexpired term shall be filled for the unexpired portion of the term in the same manner as the original appointment to that term. Any member whose term has expired may continue to

- 1 serve and vote until his or her successor is appointed and qualified.
- 2 (4) Each member shall receive as compensation one hundred dollars (\$100) per day for
3 attending a meeting of the authority.
- 4 (5) Any member who misses three (3) consecutive meetings of the authority shall be
5 deemed to have vacated the office. The authority shall declare the office vacant and
6 the office shall be filled as provided by subsections (2) and (3) of this section.
- 7 (6) The authority annually shall elect one (1) of its members as chairman. A quorum
8 for the transaction of business shall be seven (7) members, and a majority of the
9 members present at a meeting may take action on any matter legally before the
10 authority.
- 11 (7) Members shall be paid their necessary travel expenses incurred in attending
12 meetings and in the performance of their official duties, in addition to the per diem
13 compensation of one hundred dollars (\$100).
- 14 (8) The authority shall meet at least quarterly, and may meet upon the call of the
15 chairman.
- 16 (9) The chairman shall be paid necessary travel expenses and a one hundred dollar
17 (\$100) per diem compensation for conducting official business of the authority.
- 18 (10) The authority shall be attached for administrative purposes to the Finance and
19 Administration Cabinet, and the cabinet shall provide the necessary personnel to
20 provide administrative services for the authority.
- 21 (11) The necessary travel expenses and per diem compensation of the members of the
22 authority in attending meetings and in the performance of their official duties shall
23 be paid by the authority.
- 24 (12) The authority shall promulgate administrative regulations necessary to carry out its
25 duties, and shall report annually to the Governor and the Legislative Research
26 Commission.