



April 18, 2017

**LEGISLATIVE REPORT NO. 9 – FINAL REPORT**  
**SUMMARY OF LEGISLATIVE ACTIVITIES DURING THE**  
**2017 KENTUCKY GENERAL ASSEMBLY**

Kentucky Farm Bureau was involved in many pieces of legislation this session supporting, opposing, and monitoring bills. We were able to secure passage of and defend several of our priority issues this year. The General Assembly passed legislation that will help alleviate continued crop losses and human safety due to automobile collisions. We were able to maintain the continuation of the 22.2% allocation of the state gasoline tax revenue for rural roads and defend our taxation priorities related to property taxes. The legislation passed during this regular session, except for general appropriation measures or those bills with delayed effective date provisions will become effective on, Thursday, June 29, 2017. Legislation containing an emergency clause became effective upon Governor Bevin's signature.

The Public Affairs staff would like to express our sincere appreciation to all of those who responded to our Legislative Action Request concerning various issues each week. The success of implementing your policy depends on the continued involvement and efforts of county Farm Bureau leaders and members. Please accept our thanks for your assistance in making this year's session a success for Kentucky Farm Bureau.

There continues to be discussions of a potential special legislative session later this year to address tax and pension reform. Kentucky Farm Bureau priorities for tax reform are maintaining Kentucky's sales tax exemptions for production agriculture, strongly opposing the freezing of the state's real property tax rate and supporting the current provisions of House Bill 44 (KRS 132.010) which limits the amount of revenue the state can collect from real property tax to 4% plus new growth. It is critical that members of the General Assembly hear from our members on how important these tax provisions are to production agriculture and rural Kentucky. For a more detailed explanation of these tax provisions [click here](#) for the Kentucky Farm Bureau Agricultural Tax Resource Guide.

As the General Assembly enters into the interim, we encourage those counties that have yet to conduct legislative appreciation events to do so. We know that several counties have already conducted these events during the session with great success. We also encourage you to invite your Representatives and Senators to your County Annual Meetings and to our State Annual Meeting.

The following is a detailed report summarizing many of the bills and resolutions in which Kentucky Farm Bureau was involved:

### **BILLS FARM BUREAU SUPPORTED THAT PASSED**

#### **SB 83: T. Buford - AN ACT relating to fish and wildlife.**

This bill will allow the Department of Fish and Wildlife Resources to identify areas of the state where deer and elk pose a significant risk to agriculture or to human safety from automobile accidents and identifies measures for the department to implement including special hunts and increasing the doe harvest.

#### **2017 State Priority Issue:**

*"Seek effective wildlife management that will reduce the wildlife population in an effort to alleviate continued crop and livestock losses, automobile accidents, human injuries, and loss of life."*

#### **HB 174: R. Heath, M. Castlen, M. Dossett, D. Hale, M. Hart, K. King, S. Miles, S. Rudy, D. Schamore, W. Stone, W. Thomas, J. Tipton, T. Turner - AN ACT relating to overweight vehicles.**

This bill will extend a 10 percent weight tolerance for vehicles engaged exclusively in the transportation of feed for livestock or poultry and permit a vehicle registered under KRS 186.050(3) transporting certain meats, agricultural crop products, or livestock to exceed the gross weight provisions by a weight tolerance of 10 percent.

#### **KFB Policy:**

*"We support the 10% weight exemption on farm trucks and trucks servicing farms hauling agriculture products."*

#### **HB 1: J. Hoover, J. DeCesare, R. Benvenuti III, K. Bratcher, J. Carney, J. DuPlessis, R. Heath, T. Herald, D. Johnson, K. King, A. Koenig, S. Lee, D. Meade, J. Miller, K. Moser, D. Osborne, P. Pratt, B. Rowland, S. Santoro, J. Shell, D. St. Onge, W. Thomas, W. Wells, A. Wuchner - AN ACT relating to right-to-work provisions involving a condition of employment or continuation of employment and declaring an emergency.**

This bill will amend KRS 336.130 to indicate that public employees may not strike and prohibit mandatory membership in or financial support of a labor organization as a condition of employment; EMERGENCY.

#### **KFB Policy:**

*"We support the enactment of right-to-work legislation."*

**HB 3: J. Hoover, A. Koenig, R. Benvenuti III, K. Bratcher, J. Carney, J. DeCesare, R. Heath, T. Herald, D. Johnson, K. King, S. Lee, D. Meade, J. Miller, K. Moser, D. Osborne, P. Pratt, S. Santoro, J. Shell, D. St. Onge, W. Thomas, A. Wuchner - AN ACT relating to prevailing wage and declaring an emergency.**

This bill will delete prevailing wage provisions and abolish the Prevailing Wage Review Board. It will also prohibit local governments from requiring employers to pay prevailing wage to employees; EMERGENCY.

**KFB Policy:**

*"We recommend that the federal prevailing wage law be repealed when dealing with government contracts."*

*"We support a return to the \$1 million project level before the prevailing wage law is triggered, and support indexing the level for inflation."*

**HB 50: K. Imes, S. Wells, A. Wuchner - AN ACT relating to administrative regulations.**

This bill will amend the definition of "administrative regulation" and to define "last effective date" and creates a new section of KRS Chapter 13A to establish administrative regulation expiration dates. This bill also directs the regulations compiler to follow procedures for initial and subsequent administrative regulation expirations and effective dates. It also creates a certification letter process for any agency that does not want its administrative regulations to expire and instructs the regulations compiler to publish each certification letter in the Administrative Register of Kentucky.

**KFB Policy:**

*"We recommend that the state legislature provide specific guidelines and restraints on the agencies that are to administer the laws and are given the power to adopt rules and regulations."*

**HB 128: DJ Johnson, D. Bentley, J. Blanton, L. Brown, C. Fugate, D. Hale, M. Hart, R. Heath, D. Johnson, T. Moore, C. Morgan, S. Santoro - AN ACT relating to Bible literacy courses in the public schools.**

This bill will require the Kentucky Board of Education to promulgate administrative regulations to establish an elective social studies course on the Hebrew Scriptures, Old Testament of the Bible, the New Testament, or a combination of the Hebrew Scriptures and the New Testament of the Bible.

**KFB Policy:**

*"We favor inclusion of the study of the Bible in the curriculum of world religions."*

**HB 237: P. Pratt, M. Hart, K. King, M. Meredith, B. Reed, J. Tipton - AN ACT relating to donations of food and grocery products.**

This bill will define "apparently fit grocery product," "apparently wholesome food," "donate," "food," "gleaner," "grocery product," "intentional misconduct," "nonprofit organization," and "person" and establish legal immunity protections

related to apparently wholesome or fit food and grocery product donations to nonprofit organizations and extend protections to those who allow the collection or gleaning of products for donation to nonprofit organizations.

**HB 319: K. Imes, D. Osborne, S. Santoro - AN ACT relating to elections.**

This bill will require that any person or group of persons that wants to circulate a petition for a local option election must first file with the county clerk the intent to circulate a petition before signatures are collected and require that a person or group of persons post a bond with the Circuit Court to cover all costs of the election within five days of filing the petition if the local option election will be held on any day other than a primary or regular election date.

**KFB Policy:**

*"We recommend that any wet/dry election be held on the next scheduled election day. If not possible, then the individuals seeking the special election should be required to cover the cost rather than the county."*

**HB 360: S. Miles, J. DeCesare, M. Hart - AN ACT relating to agritourism.**

This bill will expand the definition of "agricultural use" to include at least five acres devoted to agritourism and redefine "agritourism activity" and define "inherent risks of agritourism activity".

**KFB Policy:**

*"We support planning efforts that consider the needs of agriculture for the future which allow for both the continuation of normal farming practices and residential and/or commercial development of agriculture property and recognize Kentucky Proud."*

**SB 6: R. Stivers II, R. Alvarado, D. Seum, D. Thayer, M. Wise - AN ACT relating to labor organizations and declaring an emergency.**

This bill will set forth requirements for labor organizations collecting moneys for dues and for political activities, for enrollment for members, and for maintaining financial records. It will prevent employees from being enrolled in labor organization or having money withheld from their earnings for union dues unless they give permission in writing; EMERGENCY.

**KFB Policy:**

*"We strongly oppose any mandate that would require any government entities to recognize and collectively bargain with employee unions."*

*"Furthermore, we oppose public employees being permitted to strike, organize work stoppages or slow-downs."*

**SB 38: C. Embry Jr. - AN ACT relating to timber theft.**

This bill will specify that a person, regardless of state of mind or whether the person believes to be authorized or not, is liable for three times the stumpage value of the timber and three times the cost of any damages to property when he or she takes the timber of another without legal right or color of title. This bill also exempts residential property owners and farmland owners maintaining

their fence rows who mistakenly remove the timber of an adjoining property owner from the requirement to pay triple damages and make them only liable for the reasonable value of the timber, the actual damages caused to the property, and legal costs incurred.

**SB 139: R. Webb - AN ACT relating to livestock.**

This bill will amend various KRS's to include equine in the definition of livestock. This bill would not amend any KRS pertaining to sales and use tax.

**KFB Policy:**

*"We recommend recognizing equine as livestock and the horse industry as an agricultural commodity to remove the disadvantage that currently exists in relation to other livestock."*

**SB 114: R. Girdler - AN ACT relating to required minimum tort liability coverage for motor vehicles.**

This bill will increase required minimum tort liability coverage for motor vehicle insurance arising out of property damage to \$25,000.

**KFB Policy:**

*"We recommend increasing the minimum vehicle liability for property damage to \$25,000."*

**SB 159: J. Carpenter, M. Wise, R. Alvarado, C. Embry Jr., M. McGarvey, D. Thayer, M. Wilson - AN ACT relating to civics education in public schools.**

This bill will require all public high school students to pass a civics test in order to receive a regular diploma and direct the Kentucky Department of Education to prepare or approve the test with 100 questions drawn from the test administered by the United States Citizenship and Immigration Services to persons seeking to become naturalized citizens, and to disseminate the test to all public school districts. Allow students the opportunity to retake the test as often as needed in order to pass and sets the passing score at 60% of the total questions answered correctly. It also eliminates test requirement for a student who has passed a similar test in the previous five years.

**KFB Policy:**

*"We favor public school courses on the structure and function of democratic government."*

**HCR 48: W. Thomas, L. Bechler, M. Dossett, T. Herald, J. Petrie, M. Prunty**

This resolution will urge the United States Food and Drug Administration to withdraw its proposed standard for NNN levels on ingredients and constituents in smokeless tobacco products.

**HR 85: R. Heath, K. King and SR 100: P. Hornback, S. Humphries**

Both these resolutions honored Kentucky farmers and recognized February 19-25, 2017, as Food Checkout Week.

## **BILLS FARM BUREAU OPPOSED THAT PASSED**

**There were no bills passed in this session that Farm Bureau opposed.**

## **BILLS FARM BUREAU OPPOSED THAT DID NOT PASS**

### **HB 292: J. Miller - AN ACT relating to the distribution of fuel tax revenues.**

This bill would have changed the law regarding allocation of a portion of fuel tax revenue to the rural secondary and county road aid funds, to change the revenue-sharing formula on the portion of fuel tax revenue which exceeds \$825 million.

#### **2017 State Priority Issue:**

*"Support the rural secondary and county road aid programs and continuation of the 22.2% allocation of the state gasoline tax revenue for rural roads."*

### **HB 211: M. Cantrell - AN ACT relating to employment.**

This bill would have removed exemptions in definition of employee for agricultural workers and domestic service workers and indicate that agricultural employers are subject to workers compensation.

#### **KFB Policy:**

*"We support the continuation of agriculture being exempt from the workers' compensation law."*

### **HB 263: J. Wayne, G. Brown Jr, T. Burch, M. Cantrell, J. Donohue, K. Flood, D. Graham, J. Jenkins, M. Marzian, R. Meeks, D. Owens, R. Palumbo, A. Scott - AN ACT relating to taxation.**

This bill would have decoupled from changes to the federal estate tax since 2003, provided for a reduction and phase-out of the pension exclusion, capped itemized deductions, and would have amended KRS 132.020 to make the real property tax rate 12.2 cents per \$100 and removed the rate adjustment provision, and removed the recall provisions.

#### **2017 State Priority Issue**

*"Strongly oppose freezing the state real property tax rate."*

*"Support the current provisions of House Bill 44 (KRS 132.010). Revenue from property should continue to be limited to 4% plus new growth. Proposals to exceed 4% should automatically go to the voters."*

## **BILLS FARM BUREAU SUPPORTED THAT DID NOT PASS**

### **HB 54: M. Dossett - AN ACT relating to railroad companies and making an appropriation therefor.**

This bill would have increased the fine for a violation of KRS 277.200, relating to a railroad company obstructing a highway, street, or navigable stream, to \$2,500 for each offense and transferred 50% of each fine collected to the law enforcement agency that issued the citation.

### **HB 55: M. Dossett - AN ACT relating to railroad companies and making an appropriation therefor.**

This bill would have increased the fine for a violation of KRS 277.200, relating to a railroad company obstructing a highway, street, or navigable stream to \$5,000 for each offense and transferred 50% of each fine collected to the law enforcement agency that issued the citation.

#### **KFB Policy:**

*"We support increasing the fine for railroad companies that obstruct a highway, street or navigable stream."*

### **HB 214: B. Reed, P. Pratt, K. King - AN ACT relating to a tax credit for donated edible agricultural products.**

This bill would have increased the amount of tax credit available for donating edible agricultural products to nonprofit food programs from 10% of the value of the donated products to 20% and extend the tax credit program four additional years.

### **HB 259: C. McCoy - AN ACT relating to planning and zoning.**

This bill would have declared the production of Kentucky Proud hand-crafted functional or decorative products on agricultural lands of 5 or more acres as agricultural uses.

#### **KFB Policy:**

*"We support planning efforts that consider the needs of agriculture for the future which allow for both the continuation of normal farming practices and residential and/or commercial development of agriculture property and recognize Kentucky Proud and agritourism as agricultural ventures."*

### **HB 362: DJ Johnson - AN ACT relating to sales and use taxes.**

This bill would have increased the maximum amount of compensation that a seller shall deduct from each sales and use return from \$50 to \$1,500 for timely remitting the sales and use tax to the Department of Revenue.

#### **KFB Policy:**

*"We support restoring the sales and use tax vendor's compensation back to the pre-2013 level."*

## **OTHER BILLS OF INTEREST THAT PASSED**

**HB 2: J. Hoover, A. Wuchner, L. Bechler, D. Bentley, R. Benvenuti III, J. Blanton, K. Bratcher, J. Carney, M. Castlen, J. DuPlessis, M. Hart, R. Heath, T. Herald, K. Imes, D. Johnson, DJ Johnson, K. King, A. Koenig, S. Lee, D. Meade, R. Mills, K. Moser, D. Osborne, M. Prunty, B. Reed, S. Santoro, J. Shell, D. St. Onge, W. Thomas, J. Tipton, T. Turner, K. Upchurch - AN ACT relating to full disclosure in public safety and declaring an emergency.**

This bill will create the Ultrasound Informed Consent Act to require an ultrasound prior to an abortion; EMERGENCY.

**HB 14: K. Bratcher, D. Bentley, R. Benvenuti III, J. Blanton, R. Bunch, T. Burch, J. Carney, M. Castlen, J. DuPlessis, J. Fischer, C. Fugate, D. Hale, M. Hart, D. Horlander, K. Imes, DJ Johnson, K. King, S. Lee, D. Mayfield, M. Meredith, R. Meyer, S. Miles, C. Miller, C. Morgan, P. Pratt, M. Prunty, B. Reed, S. Riley, B. Rowland, W. Thomas, J. Tipton, K. Upchurch, R. Webber, J. York - AN ACT relating to hate crimes.**

This bill will amend KRS 532.031, relating to an offense committed as a result of a hate crime, to include offenses committed against an individual because of the individual's actual or perceived employment as a city, county, state, or federal peace officer, member of an organized fire department, or emergency medical services personnel.

**HB 72: J. Miller, R. Benvenuti III, J. Gooch Jr., R. Mills, S. Santoro - AN ACT relating to planning and zoning.**

This bill will set requirements for filing an appeal bond for appeals of Circuit Court decisions before the case is transferred to the Kentucky Court of Appeals.

**HB 112: S. Lee, K. King, C. Morgan, B. Rowland, D. St. Onge, S. Westrom - AN ACT relating to dogs.**

This bill modifies the definition of persons who would qualify as the owner of a dog for purposes of that chapter, which will limit the owner of rental property from liability should a renter keep a dog without the owners knowledge.

**HB 156: C. Fugate, L. Brown, D. Bentley, J. Blanton, J. Gooch Jr., J. Greer, D. Hale, C. Harris, A. Hatton, T. Herald, K. Imes, D. Johnson, K. King, R. Mills, K. Moser, R. Palumbo, M. Prunty, S. Santoro, J. Sims Jr, J. Stewart III, K. Upchurch, S. Westrom, J. York - AN ACT relating to economic development and making an appropriation therefor.**

This bill will establish the Kentucky Mountain Regional Recreation Authority (KMRRA) to promote outdoor recreation and tourism development in the target counties of means Bell, Breathitt, Clay, Floyd, Harlan, Johnson, Knott, Knox, Laurel, Lawrence, Lee, Leslie, Letcher, Magoffin, Martin, Morgan, Owsley, Perry, Pike, Powell, or Wolfe County. The KMRRA does not have eminent domain power.

This bill also creates the Kentucky Coal Fields Authority to be used for the purpose of supporting efforts to diversify the economy of the coal fields within Kentucky. This Authority shall receive \$7.5 million a year to fund projects based on economic impact, job creation, workforce development, community benefit, available partnerships, project readiness, and the ability for a project to be self-sustaining.

**HB 184: S. Miles, J. Petrie, M. Castlen, J. DeCesare, J. Gooch Jr., DJ Johnson, M. Meredith, R. Mills, M. Prunty, B. Reed, J. Richards, B. Rowland, D. Schamore - AN ACT relating to overweight and overdimensional vehicles.**

This bill will allow the transportation cabinet, between the effective date of the bill and June 20, 2020, to issue annual and single trip permits for the transportation of metal commodities in divisible and non-divisible loads between 80,001 and 120,000 pounds, this bill also defines "metal commodities" and sets fees for the permit at \$100 for a single trip permit and \$1,250 for an annual permit. This bill also directs the Interim Joint Committee on Transportation to study the effect of overweight permits on the roadway conditions and modal parity.

**HB 200: D. Osborne - AN ACT relating to orders of restitution and forfeiture following a criminal conviction of cruelty to animals in the second degree.**

This bill will amend KRS 525.130, relating to cruelty to animals in the second degree, to allow a court to order an offender to pay restitution for the upkeep of a horse involved in the offense and terminate the offender's interest in the horse involved in the offense.

**HB 265: W. Thomas, M. Castlen, M. Dossett, M. Hart, R. Heath, K. Imes, S. Miles, R. Mills, J. Petrie, P. Pratt, B. Reed - AN ACT relating to overdimensional vehicle loads and declaring an emergency.**

This bill will define the term "nondivisible load". A "Nondivisible load," as pertains to state highways that are not part of the national truck network established pursuant to 23 C.F.R. pt. 658, means a load or vehicle, that if separated into smaller loads or vehicles, compromises the intended use of the vehicle, making it unable to perform, the function for which it was intended, destroys the value of the load or vehicle, making it unusable for its intended purpose or requires more than four work hours to dismantle and reassemble using appropriate equipment.

**HB 410: J. DuPlessis, M. Dossett, R. Meyer, J. Petrie - AN ACT relating to operator's licenses and personal identification cards and making an appropriation therefor.**

This bill will create a voluntary travel ID or an enhanced driver's license that could be used to board airplanes and enter certain federal facilities, including certain military facilities, as of Jan. 1, 2019 while meeting security standards of the 2005 federal REAL ID Act. The bill will also spell out rules for the issuance of a "standard" driver's license, permit or state personal ID card as of that date. The licenses, permits and IDs, both enhanced and standard, would be

issued by the state Transportation Cabinet instead of the Office of the Circuit Court Clerk, as they are now, and allow the documents to be renewed for eight years instead of the current four. New fees for driver's licenses and personal ID cards issued to non-U.S. citizens or non-permanent residents would also be established under the bill, which would add a \$30 fee onto driver's license, permit and personal ID applications for those individuals. Proceeds from that fee would go into the state's Road Fund. The voluntary travel ID would cost \$48, and the standard one would cost \$43. Kentucky driver's licenses currently expire every four years and cost \$20, but both of these new types of identification would last eight years.

**HB 520: J. Carney, R. Heath - AN ACT relating to charter schools.**

This bill described the intent of the General Assembly and the purposes of authorizing public charter schools. Charter schools are public schools that are privately managed. The bill establishes a public charter school project and identify public charter school authorizers including the mayor of a consolidated local government or the chief executive officer of an urban-county government, the legislation describes the characteristics and the requirements of a public charter school, identify the requirements and the components of a public charter school application, describe the responsibilities of public charter school authorizers, describe public charter school renewal and revocation processes and identify the components of a public charter school annual report, and identify the requirements for student enrollment. The bill also states that charter-school teachers must be qualified teachers and that students will not be able to attend a charter school across county lines unless a regional charter school is established.

**SB 1: M. Wilson, D. Givens, R. Alvarado, D. Carroll, C. Embry Jr., R. Girdler, S. Meredith, D. Thayer, M. Wise - AN ACT relating to public education and declaring an emergency.**

This bill will replace common core standards in KY public schools. The bill would require school districts to develop and implement a personnel evaluation system based on a statewide framework for teaching and prohibit the Kentucky Department of Education (KDE) from imposing reporting requirements related to the system on local districts. It would also require evaluations annually for teachers who have not attained continuing service status and every three years for teachers with continuing service status, principals, and assistant principals and prohibit evaluation results from being included in school accountability. The bill will include advanced learners in a school district's response-to-intervention system and revise parameters for payment of assessments for industry credentials. The bill will require the Department of Education to be responsible for implementing the process for reviewing academic standards and assessments; clarify the role of the standards and assessment recommendation committee and rename it the standards and assessments process review committee also delete program reviews, audits from the statewide assessment system, revise the statewide assessment

requirements and prohibit the statewide assessment from including any standards not included in the board-approved standards and include progress toward English proficiency, quality of school climate and safety, high school graduation rates, and postsecondary readiness in the accountability system.

**SB 3: C. McDaniel, J. Adams, R. Alvarado, J. Bowen, D. Carroll, C. Embry Jr., R. Girdler, J. Schickel, W. Schroder, D. Seum, D. Thayer, M. Wise - AN ACT relating to the disclosure of public retirement information and declaring an emergency.**

This bill will require the disclosure, upon request, of the retirement benefit information of current and former members of the General Assembly, including the member's name, status, and projected or actual retirement benefit payments and benefits from the Kentucky Retirement Systems, the Kentucky Teachers' Retirement System, the Legislators' Retirement Plan, and the Judicial Retirement Plan; EMERGENCY.

**SB 5: B. Smith, W. Westerfield, R. Alvarado, J. Bowen, D. Carroll, C. Embry Jr., R. Girdler, S. Meredith, D. Parrett, A. Robinson, J. Schickel, D. Seum, D. Thayer, M. Wilson, M. Wise - AN ACT relating to abortion and declaring an emergency.**

This bill will prohibit an abortion when the probable post-fertilization age of the unborn child is 20 weeks or greater and will create an affirmative defense if the probable post-fertilization age was less than 20 weeks or if a medical emergency; EMERGENCY.

**SB 10: P. Hornback - AN ACT relating to telecommunications.**

This bill will remove PSC regulatory authority over retail phone service in all exchanges not previously deregulated.

**SB 12: R. Stivers II - AN ACT relating to public postsecondary education governance and declaring an emergency.**

This bill will reduce the number of members on the University of Louisville board of trustees from 17 to ten, set qualifications and conditions for membership and require Senate confirmation of appointments. It will also set initial terms for members and specify how to determine proportional minority representation on the board; EMERGENCY.

**SB 50: D. Thayer, R. Alvarado, P. Hornback - AN ACT relating to the school calendar.**

This bill will establish a school district calendar committee and determine its membership and allow local district control of inclusion of a variable student instructional year in a school calendar. It would also require notice to be given to the media for school board meetings regarding the school calendar and provide that districts adopting a school calendar with the first student attendance day no earlier than the Monday closest to August 26 may use a variable student instructional year.

**SB 140: P. Hornback - AN ACT relating to reorganization of the Kentucky State Fair Board.**

This bill will expand the membership of the State Fair Board to include the secretary of the Finance and Administration Cabinet or his or her designee and confirm Executive Order 2016-730.

**SB 153: D. Givens, M. Wilson, W. Schroder - AN ACT relating to postsecondary funding, making an appropriation therefor, and declaring an emergency.**

This bill will establish a comprehensive funding model for the allocation of state appropriations to public postsecondary institutions based on student success, course completion, and other components, establish the public university sector formula and the KCTCS sector formula in the model and require 100% of allocable resources to be distributed through the formulas. This bill also establishes the funding parameters for each formula. This bill includes a hold-harmless and stop-loss provisions in the formulas through 2021 and requires the Council on Postsecondary Education to establish a working group to review the model every three years. APPROPRIATION; EMERGENCY.

**SB 218: D. Thayer, R. Stivers II - AN ACT relating to industrial hemp, making an appropriation therefor and declaring an emergency.**

This bill outlines the purpose of the industrial hemp research program and reestablishes industrial hemp license provisions, reestablishes industrial hemp research program requirements and license application procedures. It creates the Industrial Hemp Advisory Board and establishes its functions. It closes the Industrial Hemp Program fund and creates the Industrial Hemp Research Pilot Program Fund and establishes penalties for non-compliance of license requirements and will allow the commissioner of agriculture to discontinue the industrial hemp research pilot program should a change in federal law occur allowing the growth of industrial hemp. EMERGENCY.

**SB 249: J. Carpenter - AN ACT relating to the Energy and Environment Cabinet.**

This bill will remove the Environmental Quality Commission and the Kentucky Mining Board from under the Energy and Environment Cabinet. This bill also changes the requirements to qualify for the Director of the Division of Conservation by removing the graduate of a recognized agricultural college and the minimum five year requirement in professional agricultural activities. It also deletes the requirement of the Soil and Water Conservation Commission "approval" of the director's compensation and amends it to the word "advice".

**OTHER BILLS OF INTEREST THAT DID NOT PASS**

**HB 243: P. Moffett - AN ACT relating to trespass.**

This bill would have allowed notice of trespass to be given through the placement of identifying purple paint marks on property and would have

required any owner or lessee who marks his or her real property in such a manner to also provide clear written notice forbidding entry, provide that the written notice requirement will cease to be operative within one year of the effective date of this Act and would have required that the Department of Fish and Wildlife Resources inform the public of these provisions.

**HB 340: J. Kay - AN ACT relating to income tax credits promoting land conservation.**

This bill would have established a qualified conservation contribution income tax credit.

**HCR 10: D. Schamore**

This resolution would have urged Congress and the United States Department of Agriculture to change the way data is collected and used to form the basis of farm safety net payments.

**SB 78: R. Alvarado, J. Adams - AN ACT prohibiting tobacco use on school property.**

This bill would have prohibited the use of tobacco products by students, school personnel, and visitors in schools, school vehicles, properties, and activities, and required policies to be in place by the 2018-2019 school year.

**SB 214: J. Carpenter - AN ACT relating to net metering.**

This bill would have required that net metering customers use a single meter on their premises and the customers use the electricity generated for all or part of their electricity requirements, and to increase the allowable size of eligible electric generating facilities from 30 kilowatts to 1000 kilowatts. It would have only applied to eligible customer-generators taking net metering service on July 15, 2017, and would have allowed retail electric suppliers to recover all costs necessary to serve all eligible customer-generators taking service after July 15, 2017, and provided that excess electricity credits are not transferable between meters.