

1 AN ACT relating to Senate approval of appointments.

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

3 ➔Section 1. KRS 148.260 is amended to read as follows:

4 (1) There is hereby created and established an agency of state government to be known
5 as the Kentucky Horse Park Commission, which shall constitute a separate
6 administrative body of state government within the meaning of KRS 12.010(8) and
7 under the provisions of KRS 12.015 shall be attached to the Tourism, Arts and
8 Heritage Cabinet for administrative purposes.

9 (2) The commission shall be composed of the following fifteen (15) members:

10 (a) Thirteen (13) members appointed by the Governor who:

11 1. Possess the ability to provide broad management expertise and direction
12 in the operation of the Kentucky Horse Park and, to the extent possible,
13 represent the diverse interests of the Kentucky horse industry, four (4) or
14 more of whom represent the equine industry and four (4) or more of
15 whom are active in industry, tourism, or commerce;[-]

16 2. Shall be subject to the advice and consent of the Senate. Members
17 appointed when the Senate is not in session shall serve only until the
18 next regular session, or special session if such matter is included in
19 the call therefor of the General Assembly, at which time they shall be
20 subject to confirmation by the Senate. If the Senate is not in session,
21 the appointment shall be subject to review by the Interim Joint
22 Committee on State Government which shall hold a public hearing
23 and shall transmit its recommendations to the Senate. Should the
24 Senate refuse to confirm a member then he or she shall forfeit his or
25 her office as of the date on which the Senate refused to confirm him
26 or her. Any person not confirmed by the Senate shall not be
27 reappointed as a member for a period of two (2) years; and

1 3. ~~[The members of the commission appointed under this paragraph]~~ Shall
2 serve for a term of four (4) years~~], except that initial appointments shall~~
3 be as follows:

4 1.—~~Four (4) members shall serve for a term of two (2) years;~~

5 2.—~~Five (5) members shall serve for a term of three (3) years; and~~

6 3.—~~Four (4) members shall serve for a term of four (4) years]; and~~

7 (b) The secretary of the Cabinet for Economic Development and the secretary of
8 the Tourism, Arts and Heritage Cabinet, who shall serve as ex officio
9 members with full voting rights.

10 (3) The Governor shall designate one (1) member of the commission to serve as
11 chairperson and one (1) member of the commission to serve as vice chairperson,
12 both of whom shall serve at the pleasure of the Governor. The vice chairperson
13 shall preside over meetings in the absence of the chairperson.

14 (4) The commission shall meet quarterly, and the chairperson shall preside over the
15 meetings. The chairperson may call special meetings of the commission upon a
16 request of the majority of the members of the commission, or upon request of the
17 Governor.

18 (5) Members shall be reimbursed only for expenses incurred in the discharge of official
19 business, subject to regulations established by the Finance and Administration
20 Cabinet. All expenses reimbursed to members shall be paid from operating funds of
21 the Kentucky Horse Park.

22 (6) The commission shall establish and maintain an office at the Kentucky State Horse
23 Park for the transaction of its business and shall not establish any branch office. The
24 commission may hold meetings at any other place when the convenience of the
25 commission requires.

26 (7) The commission shall be authorized to adopt bylaws providing for the call of its
27 meetings, which shall be held at least quarterly, and for its operating procedures. A

1 quorum of the commission shall consist of eight (8) members, and a quorum of
2 members present at any duly-called meeting may act upon any matter before it for
3 consideration. Each member shall have one (1) vote.

4 (8) The Governor may establish an advisory committee to advise in the administration,
5 development, and operation of the Kentucky Horse Park or other functions,
6 activities, and programs provided for or authorized by KRS 148.260 to 148.320.

7 ➔Section 2. KRS 230.225 is amended to read as follows:

8 (1) The Kentucky Horse Racing Commission is created as an independent agency of
9 state government to regulate the conduct of horse racing and pari-mutuel wagering
10 on horse racing, and related activities within the Commonwealth of Kentucky. The
11 racing commission shall be attached to the Public Protection Cabinet for
12 administrative purposes.

13 (2) (a) The Kentucky Horse Racing Commission shall consist of fifteen (15)
14 members appointed by the Governor, with the secretaries of the Public
15 Protection Cabinet, Tourism, Arts and Heritage Cabinet, and Economic
16 Development Cabinet, or their designees, serving as ex officio nonvoting
17 members.

18 (b) Two (2) members shall have no financial interest in the business or industry
19 regulated.

20 (c) The members of the racing commission shall be appointed to serve for a term
21 of four (4) years~~[-except the initial terms shall be staggered as follows:~~

22 1.—Five (5) members shall serve for a term of four (4) years;

23 2.—Five (5) members shall serve for a term of three (3) years; and

24 3.—Five (5) members shall serve for a term of two (2) years].

25 (d) Any member appointed to fill a vacancy occurring other than by expiration of
26 a term shall be appointed for the remainder of the unexpired term.

27 (e) In making appointments, the Governor may consider members broadly

1 representative of the Thoroughbred industry and members broadly
2 representative of the standardbred, quarter horse, Appaloosa, or Arabian
3 industries. The Governor may also consider recommendations from the
4 Kentucky Thoroughbred Owners and Breeders, Inc., the Kentucky Division of
5 the Horsemen's Benevolent and Protective Association, the Kentucky Harness
6 Horsemen's Association, and other interested organizations.

7 (f) Members appointed by the Governor shall be subject to the advice and
8 consent of the Senate. Members appointed when the Senate is not in session
9 shall serve only until the next regular session, or special session if such
10 matter is included in the call therefor of the General Assembly, at which
11 time they shall be subject to confirmation by the Senate. If the Senate is not
12 in session, the appointment shall be subject to review by the Interim Joint
13 Committee on State Government which shall hold a public hearing and
14 shall transmit its recommendations to the Senate. Should the Senate refuse
15 to confirm a member then he or she shall forfeit his or her office as of the
16 date on which the Senate refused to confirm him or her. Any person not
17 confirmed by the Senate shall not be reappointed as a member for a period
18 of two (2) years.

19 (3) (a) Members of the racing commission shall receive no compensation for serving
20 on the commission, but shall be reimbursed for travel expenses for attending
21 meetings and performing other official functions consistent with the
22 reimbursement policy for state employees established by KRS 45.101 and
23 administrative regulations promulgated thereunder.

24 (b) The Governor shall appoint one (1) member of the racing commission to serve
25 as its chairperson who shall serve at the pleasure of the Governor.

26 (c) The Governor shall further designate a second member to serve as vice chair
27 with authority to act in the absence of the chairperson.

- 1 (d) Before entering upon the discharge of their duties, all members of the
2 Kentucky Horse Racing Commission shall take the constitutional oath of
3 office.
- 4 (4) (a) The racing commission shall establish and maintain a general office for the
5 transaction of its business and may in its discretion establish a branch office or
6 offices.
- 7 (b) The racing commission may hold meetings at any of its offices or at any other
8 place when the convenience of the racing commission requires.
- 9 (c) All meetings of the racing commission shall be open and public, and all
10 persons shall be permitted to attend meetings.
- 11 (d) A majority of the voting members of the racing commission shall constitute a
12 quorum for the transaction of its business or exercise of any of its powers.
- 13 (5) Except as otherwise provided, the racing commission shall be responsible for the
14 following:
- 15 (a) Developing and implementing programs designed to ensure the safety and
16 well-being of horses, jockeys, and drivers;
- 17 (b) Developing programs and procedures that will aggressively fulfill its oversight
18 and regulatory role on such matters as medical practices and integrity issues;
- 19 (c) Recommending tax incentives and implementing incentive programs to ensure
20 the strength and growth of the equine industry;
- 21 (d) Designing and implementing programs that strengthen the ties between
22 Kentucky's horse industry and the state's universities, with the goal of
23 significantly increasing the economic impact of the horse industry on
24 Kentucky's economy, improving research for the purpose of promoting the
25 enhanced health and welfare of the horse, and other related industry issues;
26 and
- 27 (e) Developing and supporting programs which ensure that Kentucky remains in

1 the forefront of equine research.