

1 AN ACT relating to tourist and convention commissions.

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

3 ➔Section 1. KRS 91A.360 is amended to read as follows:

4 (1) The commission established pursuant to KRS 91A.350(2) shall be composed of
5 seven (7) members to be appointed, in accordance with the method used to establish
6 the commission. Members of a commission established by joint action of the local
7 governing bodies of a county and a city or cities located therein shall be appointed,
8 jointly, by the chief executive officers of the local governing bodies that established
9 the commission. Members of a commission established by separate action of the
10 local governing body of a county or a city located therein shall be appointed
11 separately by the chief executive officer of the local governing body that established
12 the commission. The chief executive officer of a city shall mean the mayor and the
13 chief executive officer of a county shall mean the county judge/executive.
14 Appointments to a commission shall be made by the appropriate chief executive
15 officer or officers in the following manner:

16 (a) Two (2) commissioners shall be appointed from a list of three (3) or more
17 names submitted by the local city hotel and motel association and one (1)
18 commissioner shall be appointed from a list of three (3) or more names
19 submitted by the local county hotel and motel association, provided that if
20 only one (1) local hotel and motel association exists which covers both the
21 city and county, then three (3) commissioners shall be appointed from a list of
22 six (6) or more names submitted by it. If no formal local city or county hotel
23 and motel association is in existence upon the establishment of a commission
24 or upon the expiration of the term of a commissioner appointed pursuant to
25 this subsection, then up to three (3) commissioners shall be appointed by the
26 appropriate chief executive officer or officers from persons residing within the
27 jurisdiction of the commission and representing local hotels or motels. A local

1 city or county hotel and motel association shall not be required to be affiliated
2 with the Kentucky Hotel and Motel Association to be recognized as the
3 official local city or county hotel and motel association.

4 (b) One (1) commissioner shall be appointed from a list of three (3) or more
5 names submitted by the local restaurant association or associations. If no
6 formal local restaurant association or associations exist upon the
7 establishment of a commission or upon the expiration of the term of a
8 commissioner appointed pursuant to this subsection, then one (1)
9 commissioner shall be appointed by the appropriate chief executive officer or
10 officers from persons residing within the jurisdiction of the commission and
11 representing a local restaurant. A local restaurant association or associations
12 shall not be required to be affiliated with the Kentucky Restaurant Association
13 to be recognized as the official local restaurant association or associations.

14 (c) One (1) commissioner shall be appointed from a list of three (3) or more
15 names submitted by the chamber or chambers of commerce existing within
16 those governmental units, which by joint or separate action have established
17 the commission. If the commission is established by joint action of a county
18 and a city or cities, then each chamber of commerce shall submit a list of three
19 (3) names, and the chief executive officers of the participating governmental
20 units shall jointly appoint one (1) commission member from the aggregate list.
21 If no local chamber of commerce is in existence upon the establishment of a
22 commission or upon the expiration of the term of a commissioner appointed
23 pursuant to this subsection, then one (1) commissioner shall be appointed by
24 the appropriate chief executive officer or officers from persons residing within
25 the jurisdiction of the commission and representing local businesses.

26 (d) Two (2) commissioners shall be appointed in the following manner:

27 1. By the chief executive officer of the county or city, if the commission

- 1 has been established by separate action of a county or city; or
- 2 2. One (1) each by the chief executive officer of the county and by the chief
- 3 executive officer of the most populous city participating in the
- 4 establishment of the commission, if the commission has been
- 5 established by joint action of a county and a city or cities.

6 *Any appointee selected by a chief executive officer of a county shall be a*

7 *resident of the county participating in the establishment of the commission.*

8 *Any appointee selected by a chief executive officer of a city shall be a*

9 *resident of a city participating in the establishment of the commission.*

- 10 (2) A candidate submitted for appointment to the commission, pursuant to subsection
- 11 (1)(a) to (1)(c), shall be appointed by the appropriate chief executive officer or
- 12 officers within thirty (30) days of the receipt of the required list or lists. Vacancies
- 13 shall be filled in the same manner that original appointments are made.
- 14 (3) The commissioners shall be appointed for terms of three (3) years, provided, that in
- 15 making the initial appointments, the appropriate chief executive officer or officers
- 16 shall appoint two (2) commissioners for a term of three (3) years, two (2)
- 17 commissioners for a term of two (2) years and three (3) commissioners for a term of
- 18 one (1) year. There shall be no limitation on the number of terms to which a
- 19 commissioner is reappointed. Subsequent appointments shall be for three (3) year
- 20 terms.
- 21 (4) The commission shall elect from its membership a chairman and a treasurer, and
- 22 may employ personnel and make contracts necessary to carry out the purpose of
- 23 KRS 91A.350 to 91A.390. The contracts may include, but shall not be limited to,
- 24 the procurement of promotional services, advertising services, and other services
- 25 and materials relating to the promotion of tourist and convention business.
- 26 Contracts of the type enumerated shall be made only with persons, organizations,
- 27 and firms with experience and qualifications for providing promotional services and

1 materials, such as advertising firms, chambers of commerce, publishers, and
2 printers.

3 (5) The books of the commission and its account as established in KRS 91A.390(2)
4 shall be audited as provided in KRS 65A.030. The independent certified public
5 accountant or Auditor of Public Accounts shall make a report to the commission, to
6 the associations submitting lists of names from which commission members are
7 selected, to the appropriate chief executive officer or officers, to the State Auditor
8 of Public Accounts, and to the local governing body or bodies that established the
9 commission that was audited. A copy of the audit report shall be made available by
10 the commission to members of the public upon request and at no charge.

11 (6) A commissioner may be removed from office, by joint or separate action, of the
12 appropriate chief executive officer or officers of the local governing body or bodies
13 that established the commission, as provided by KRS 65.007.

14 (7) The commission shall comply with the provisions of KRS 65A.010 to 65A.090.