

# The Carlisle Mercury

Our 113th year, No. 3

Carlisle, Kentucky, 40311, Thursday, January 17, 1980

25 cents per copy

## 1980 Assembly opens session

The 1980 Kentucky General Assembly opened Tuesday in Frankfort with legislators facing a session in which they'll have more power than ever before.

"I think it's a case of the governor's

giving up some powers and the legislature asserting their own powers more," said 7th District Rep. Adrian Arnold last Thursday during the session's Media Day.

The assembly was scheduled to begin

investigations into Kentucky's road fund this week, a topic which is expected to be one of the major issues of the meeting.

Arnold said inflation has hit the state road fund hard in the past few years.

"The road fund used to lead money to the general fund," Arnold said. "But with the higher cost of gasoline and inflation causing the price of materials to rise constantly the road fund is in trouble."

Other issues expected to confront the lawmakers are:

Professional negotiations for school teachers. Both Arnold and Sen. Ed Ford, Nicholas County's representative in the state senate, say the majority of the legislature is opposed to negotiations for teachers.

— Workman's compensation. This has been a controversial issue in the interim committee meetings since the last session and legislators hope to write new workman's compensation laws to replace present ones, which many business representatives say are keeping new industry from locating in Kentucky.

The budget. Both lawmakers expect the assembly to take a closer look at the budget than ever before. Gov. Marvin Mays will submit a two-year budget and then call a special session of the legislature later in the year after studying state projects. Normally, the budget submitted covers a two-year period.

While Sen. Ford was busy with committee meetings on Media Day Arnold took the time to explain some changes in the Kentucky House to Mercury editor Jeff Kerr.

Chief among them, Arnold said, was the formation of the Agriculture and Small Business Committee. That committee brings small business from the Labor and Industry Committee and joins it with Agriculture.

"Before this we didn't actually have a committee that could deal with small business and that's an area where I thought we needed some more work," Arnold said. The Mr. Sterling representative is a member of that committee.

Arnold received a committee chairmanship this year. He will head the Counties and Special Districts Committee, chaired last session by Rep. Mark Fitzgerald from Cynthiana.

Fitzgerald was defeated for reelection last year, which prompted Arnold to "throw my hat in the ring" (Sen. Ford's committee assignments can be found in his report from Frankfort on page 4 of this week's Mercury).

Both Arnold and Ford serve on committees that were formed in the past session and which were designed

\*Please turn to page 18

## How to...

Kentuckians can become involved in the daily happenings of the 1980 General Assembly in several ways.

They may observe the legislators in person from seats in the gallery of the House or Senate chambers or contact their legislators by phone using toll-free numbers.

Copies of bills which may become law or the Legislative Record, a review of the day's events in the General Assembly, can be purchased through legislative publication services.

Groups wishing to watch a session of the House or Senate intrusion should call (502) 564-2449 in advance or write to the Capital Information Desk, State Capitol, Frankfort, Ky. 40601.

Give the date the group wishes to attend, name, address, average age of members of the group and the number of visitors. On the day of arrival, gallery passes may be picked up at the information desk located near the main entrance of the Capitol.

Tours of the Capitol can also be arranged at the information desk. Individual gallery passes can be obtained at the door of the House or Senate chamber on the third floor of the Capitol each day.

Two toll-free numbers will be in service during the legislative session. To learn the status of a particular bill, call 1-800-372-7194. To leave a message for a certain legislator, call 1-800-372-7164.

Telephones will be located outside each chamber so that legislators may be contacted personally, if possible. The House number is (502) 564-2998, and the Senate number is (502) 564-2956.

Letters to legislators should carry the representative or senator's name and be addressed to Legislative Research Commission, Capitol Building, Frankfort, Ky. 40601.

Copies of bills can be picked up in Room 78, the Bill Room, in the basement of the Capitol. A fee of five cents to 45 cents, depending on the number of pages, is charged to cover printing costs.

No mail requests will be honored for individual bills, but subscriptions for a packet of all bills and resolutions are available.

The Legislative Record, the official document of the General Assembly which is published daily, is also available through pickup service in Room 78 of the Capitol for \$1.50 per copy.

A copy of each Friday's Record will be mailed to subscribers at a cost of \$2.50 per issue. Subscriptions can be obtained by writing Legislative Research Commission, Room 64, State Capitol, Frankfort, Ky. 40601.



## Our 'Phyllis'

A display in the Kentucky State Capitol of dolls representing the wives of the Kentucky governors includes this one, a depiction of Nancy Mason Metcalfe of Nicholas County, wife of Gov. Thomas "Old Stone Hammer" Metcalfe, builder of Forest Retreat Farm and tenth governor of Kentucky, from 1829 to 1833. — Mercury photo.



## State of the state

Gov. John Y. Brown Jr. gestures to emphasize a point during the State of the Commonwealth address to the General Assembly on Jan. 8. The governor spoke before a joint session of the House of Representatives and the Senate in the house chambers. Lt. Gov. Martha Layne Collins, background, president of the Senate, presided over the joint session. — State photo.

## Jackets swamp MMI for season's 10th win

By Kay Conley

So far the Nicholas County Bluejackets have seen a rewarding season. This was evident last Friday night when they sailed past the MMI Cardinals 87-82 here and chalked up another win, totaling their season record to 10-1.

The first quarter was no run away as MMI jumped out to take an early 6-2 lead. A steal and score by Mark Vice, who played a superb game both offensively and defensively tied the game at six all. An outside basket by Vice switched the lead to Nicholas County's advantage, 10-6. Mike Hatton knocked loose the roundball which helped Steve Davis score on an assist from Vice, making the score 12-6. A goal by Lonzo Leonard of MMI marked the score up 16-14, Nicholas. The quarter ended in a stifling 18 each.

Without the aid of the clock, which was not working due to some technical difficulty, the game continued. A pass from Hatton to Vice was good for two points, 22-16, midway through the second quarter. Hatton hit one of two at the charity stripe to strengthen the Jackets' lead 35-16. With 1:00 remaining before halftime, Mike Sowell

knocked two shots at the line shooting the score up to 37-26. MMI came back to lessen that 11-point lead, however, as they scored and the half ended 37-30.

The third quarter marked a change in MMI as Nicholas County began tearing the boards apart. A goal by Donald Markland raised the score to 41-30. A steal by David McGuffey and a floor-length pass to Vice was good for a basket, 43-30. An assist from Jerry Edwards to Markland added two, 45-30. A play to Leonard was good for a MMI goal, 45-32. An outside jumper by Vice showed the score, 49-32. A steal and lay-up by Vice made the score 55-34. The quarter ended 58-34 with Nicholas controlling the lead.

The fourth quarter simply added to the Jackets' displeasure. Markland stepped to the line and tossed in two to make the score 61-38. A goal by Vice, after taking the ball from MMI, moved the score up to 63-38. A shot by Edwards from Hatton was good, 65-38. With 4:49 left in the game MMI scored knocking up the score to 68-41. A basket by Barry Bretz made the score 77-41. A basket by John Doyle, after an assist from Bretz,

ended the scoring and the game with Nicholas winning 87-82.

The Nicholas County Bluejackets are sailing through their stiff season with little trouble. Who knows, Nicholas might just sail on into the state tournament. As it looks now, that's a very strong possibility.

Mark Vice was high-point man with 25 points. Steve Davis had 14, Donald Markland 12, David McGuffey 10, Mike Sowell eight, Mike Hatton six, Jerry Edwards and John Doyle four each, and Barry Bretz and Steve Hamilton each had two.

## Girls progress

By Kay Conley

Times have changed for the Nicholas County Lady Jackets. The Lady Jackets, coming off an 0-4 season record, have begun reversing the trend these past few weeks.

A 41-30 upset over the Mayvare Lady Bulldogs set the pace for some re-

\*Please turn to page 18

## What HAS to be published

[Editor's note: In last week's Mercury an article outlined the abuses that the proposed Senate Bill 23 might encounter in the area of printing public notices and financial statements. This week the Mercury looks at what must be published now as a public notice — and who must do it.]

Kentucky Revised Statute 424 outlines what must be published as a public or legal notice in the state of Kentucky and the officer responsible for publishing it.

Following is a list of documents that KRS 424 says must be published. Some of these documents appear in the Mercury as required. Others do not.

The documents that KRS 424 says must be published are:

1. Financial statements.
2. City budgets.
3. School district budgets.
4. Bids for goods and services.
5. Regulations.
6. General, primary and special election ballots.
7. Commission hearings.
8. Delinquent tax lists.
9. Municipal bond bids.
10. Judicial sales of real property.

Who is responsible for publishing the above-mentioned documents? Normally the chief executive officer or clerk of a city, county or taxing district. The statute says that the following are responsible for publishing legal notices:

1. If the document is an application or petition the person filing the document is responsible for its publication.
2. If the document is describing an activity or action of the following bodies the persons named are responsible for publishing it: a. individual officer, that officer.
- b. city, the city clerk, if there is one. If not, then the mayor or

chairman of the board of commissioners.

c. county, the county clerk.

d. district, board, commission or agency, the chief executive officer or agent.

e. court, the clerk thereof.

f. state department or agency, the head thereof.

The statute reads in the matter of financial statements: "every public officer of any school district, city, county or subdivision or district less than a county, whose duty is to collect, receive, have the custody, control or disbursement of funds collected from the public..." is required to publish a financial statement.

[Under the proposed Senate Bill 23 cities may be excluded from publishing any sort of financial statement at all.]

Not every public officer has to file a financial statement. But the law clearly states that those officers involved with collecting tax monies must publish their account of the use of those funds.

Most officials and offices in Nicholas County covered under KRS 424 are conscientious about publishing the notices that are required, which is a good thing because there is practically no policing done under this statute.

If an official or agency neglects or omits to publish their financial statement or other legal notice as required under KRS 424 there is little or no recourse unless a complaint is filed. Persons convicted of violating KRS 424 are liable to a fine of from \$50 to \$500. The statute division dealing with the penalty says the action can be brought by any citizen of the city, county or district affected.

But very few citizens file complaints under this statute which leaves it up to the newspapers to do the policing. Most newspapers in the state of Kentucky don't go this far but instead opt to try to coerce the city, county or district involved by pointing out the omission, which is what the Mercury did in the case of the City of Carlisle.