GENERAL NEWS

Representative Remarks

On election day, November 6, not only will voters be responsible for selecting winning candidates but also must knowledgeably decide if all four or part of amendments to the state Constitution will be approved.

The amendments were selected by the General Assembly during the 1990 session only after a good deal of thought and study from legislative committees. Constitutional amendments are an excellent mechanism to assure that Kentucky's 1891 Constitution is capable of addressing current social and economic needs.

Amendment No. 1 on the ballot will allow the General Assembly to call itself into extraordinary session.

The call would be issued jointly by the President Pro Tempore of the Senate and the Speaker of the House upon petition by two-thirds of the membership of each chamber of the General Assembly.

The issues to be considered would be stated in the proclamation and no other subjects could be considered.

If approved this amendment to the Constitution would place the General Assembly on equal footing with Executive Branch of state government by authorizing the presiding officers to call the Legislature into extraordinary session.

It would not affect the power and rights of the Governor over his own agencies but would merely take this authority over legislative sessions away and put it where it belongs, with the members of the General Assembly.

The Legislature would then have the authority to respond to acute problems facing the Commonwealth and it would allow for consideration of budget and fiscal matters when the necessity arises, rather than in a retrospective manner.

Amendment No. 2 will authorize the Legislature to create by law, a process through which it or a designed agency or committee may approve or reject administrative regulations during or between sessions of the General Assembly.

This Constitutional amendment originated as a response to a tremendous amount of concern among legislators that the General Assembly has no mechanism through which it can exercise final authority over administrative regulations promulgated by the executive branch of government.

Members of the General Assembly have a real concern that state regulations often go far beyond the intent and the source of the original problem that prompted the original action and legislators are officially powerless to object to the misinterpretation.

If this amendment is passed, legislators would be able to stand between their constituents and the regulatory process to insure that the law is being carried out by the executive branch as originally intended.

Amendment No. 3 that will be before Kentucky voters in the fall relates to current sections of the Constitution that pertain to the organization and classification of cities and their ability to levy and collect taxes and borrow money.

The amendment will also allow the General Assembly to grant cities" home rule" to govern their affairs as they see fit, so long as they further a governmental purpose and do not conflict with the Constitution or state law.

The 28 sections of the Kentucky Constitution that pertain to local government have remained largely unchanged since they were adopted in 1891.

As Kentucky cities have grown in size and in the complexity and diversity of their local problems, the need for constitutional changes became more evident... especially in the manner by which mayors and legislative body members were chosen in some cities and in the criteria upon which cities are placed in one of six classes, each of which determines the permitted powers and responsibilities each must exercise or fulfill.

If this amendment is successful, city classification will not be based just upon population, as is the case now, but also on their tax bases, forms of government, and geography.

Another major change would be the required election of mayors in all cities. Currently, only cities of the first three classes must be elected.

Others can be appointed by the city council. In addition, the approval of "home rule" would allow a broadening of power to allow cities to manage their own communities. Now cities may do only what the General Assembly has specifically permitted them to do in individual statutes.

Constitutional Amendment No. 4 will exempt religious institutions from paying property taxes.

The tax exemption would apply to the real property which an institution of religion either owns or occupies and its personal property, both tangible and intangible.

This proposed change in the state Constitution would apply to properties that churches own, such as bookstores, shelters for the needy, charitable foundations and pension funds.

These amendments all affect you and your family and the community in which you live.

I encourage you to learn as much as you can about the proposed changes and vote accordingly. If I can provide additional information to you, please let me know.

Adrian Arnold
State Representative

Laws getting second look

After generating energetic argument and very little action in the 1990 General Assembly, Kentucky's open meetings and record laws are getting a second look.

The newly formed Task Force on Open Meetings and Open Records brought together legislators, media representatives and other interested in public access to government proceedings for an initial meeting Thursday, October 11, in Frankfort.

The charge of the 11-member task force is to examine current laws, discuss proposals for new legislation and make recommendations by next summer for consideration by the state's 1992 gathering of lawmakers.

"I'm a prime believer that the more people know the better off they'll be," said task force chairman State Rep. Bill Donnermeyer of Bellevue.

Donnermeyer referred specifically to two bills advocated by state media that failed to get approval from the General Assembly. House Bills 360 and 361 would have opened records and meetings of quasi-public agencies, such as advisory committees and holding companies controlled by public agencies.

"We need to look at those (House Bills) again and look at the problems," the task force chairman said. "There had to be problems or they would have passed."

Rep. Albert Jones of Paducah expressed the need to look at the timing of some public meetings. "Some school boards meet at 5 p.m., for example, and there's no time for people who work to get to the meeting," Jones said.

"Some agencies start work sessions early prior to the regular meeting and the general public can't attend because of the time and place," Jones added. "I'd like for us to address those issues."

The legislator also said he hears frequently of agencies where members have been polled before the meeting. "At the meeting, there's no discussion because the decision has been made," he said.

Assistant Attorney General Ann Sheadel reported that most of the cases that come to her office involve questions on open records laws. Among the most frequent requests are those that involve issues of personal privacy and the definition of preliminary documents, she said.

Her office is also asked to rule on law enforcement records where publication could jeopardize an informant or an investigation, particularly when a federal agency is also involved.

Sheadel noted that the Attorney General's office does not have the same role in open meetings controversies because the appeals process differs for meetings.

Frankfort Senator Fred Bradley pointed out that the state has only three laws relating to open meetings and records, which necessitates frequent rulings by the Attorney General's staff.

Steve Lowery, publisher of "The Kentucky Standard" in Bardstown and head of the Kentucky Press Association's Freedom of Information Committee, said he wants to see a copy of the state's open meetings legislation given to every public office and agency in the state.

In a pilot project, Lowery's committee has already distributed a booklet on the laws to county, municipal and school agencies in Marion, Hardin and Nelson counties. The booklet was prepared by the Legislative Research Commission.

The issue of electronic records and whether they fall under the same laws as written records was raised by Stephen Dooley, head of the state's Department of Information Systems. Many agencies now maintain their records on computer and the question arises of their accessibility to the public and the media, he said.

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WHERE CARS COST LESS

County to state:

Continued from Page 1

and their garbage programs. Their concern was county-wide pick up and how the two neighboring counties administer their programs.

Judge-Executive Reese Smoot said he had spoken to both Bath and Harrison county administrators. Bath County has a voluntary, county-wide system. The cost to residents is in the $6-$8 per month range. Smoot said Bath County officials have told him 80 percent of the county uses the system.

Bath County also utilizes dumpsters at a central location for other residents, Smoot said.

Magistrates Stacy and Bussell commented, saying garbage collection would need to be voluntary. Stacy said most people would consider mandatory, universal garbage collection another tax. The court did not consider making garbage collection mandatory.

Several members of the court had logistical questions about county-wide pick up. Juanita Smith and Stacy both asked what would happen to heavy appliances, like refrigerators and ovens.

Paul Nesbitt, an engineer with Nesbitt Engineering, gave the board his input on this topic. Nesbitt Engineering operates several landfills in Kentucky and has made a bid to write the solid waste management plan for the county.

Nesbitt said many landfills were finding ways of disposing of appliances. For the most part, Nesbitt said, they would probably be accepted, although he could not say so for certain because it would depend on the company with the contract to pick up the garbage. Nesbitt said he was familiar with the company operating in Bath County and said they did handle appliances.

Floyd Bussell then asked Nesbitt if the county could leave part of the landfill open and operate a construction/demolition landfill on it. Nesbitt said it was possible to do this. He also stated the county would still have to monitor and check the portion of the landfill.

County Attorney Conley asked Nesbitt his opinion of the called special session and the possibility of superlandfills.

Nesbitt said the stated goal of the legislature was to have eight landfills in Kentucky. He said he felt Kentucky would go from 70 landfills to around 20 to 25 after the session.

Nesbitt did say the cost of the landfill would grow more every year. As an example, Nesbitt used a medium-sized Kentucky city which has seen its landfill maintenance costs rise from $300,000 yearly to $1.2 million yearly in the last three years.

Nesbitt also told the court many large landfills recycle. A landfill in Northern Kentucky, which is operated by Nesbitt Engineering, recycles approximately 25 percent of its garbage.

Nesbitt also stated Nicholas County probably lacked the population to keep a landfill open. His company is conducting a survey for an eight county area in southeastern Kentucky. The area has a population of 120,000 and does not generate enough garbage to make the landfill economical.

The continuing cost of operating the landfill will probably be too expensive for Nicholas County. Stacy said he saw "no way in the world to keep it open."

Bussell worried about additional costs mounting in landfill operation and stressed the need of price estimates for all work. Bussell also said public education was the biggest obstácle in the solid waste issue.

The court passed a motion to notify the state of its intent to close the landfill. The notification must be given by November 1, 1990 and the landfill must not operate after June 30, 1992. The court stated in the motion that prohibitive costs of maintaining the landfill would force the county to close the site. The court added its decision could change, if necessary.

In other business the court:

- Accepted bids on the solid waste management plan: Howard K. Bell Engineers of Lexington bid $10,000, Endicott and Associates bid $6,000, the Bluegrass Area Development District bid $8,000, Mayes, Sudderth and Etheredge gave an $8,000 estimate and Nesbitt Engineering bid $19,500.

- Magistrate Earl Lee Planck asked the judge-executive to see if the state could finish the pile-driving job on Milltown Road. Smoot said he would contact the state road department and see if they could complete the task.

- Authorized a check of $2,000 to go to the Nicholas County Conservation District as part of the 1990-91 budget.

- Voted to rehire Wanda Dotson as county treasurer for the next four years.

- Took no action on the recycling proposal from Bluegrass Recycling Corporation.

- Transferred $3,000 from courthouse repairs and maintenance to the workman's compensation fund.

- Listened to a second reading of the tax ordinance.

- Approved the bills and checks to the landfill fund, Mathers Fund, General Fund, Road Fund, Jail Fund, Hospital Board and Nicholas County Senior Citizens.

- Passed an agreement with the Kentucky Retirement System.

- Heard Magistrate Juanita Smith describe the garbage dump on Lower Jackstown Road. There were dumpsters in this spot some time ago, Smith said, but people still insist on throwing trash along the roadside. Judge-Executive Smoot said the county would clean it up and put no dumping signs in place.

The Carlisle Mercury/Photo Submitted

Shawn Parris and Jennifer Hardin await the results from the Greenup High School Marching contest. The band had its best ever finish at the GCHS event.

OBITUARIES

PUGH

Mrs. Irene Ellison Pugh, 75, of Sycamore St., Carlisle, KY, died at 8:03 a.m., Monday, October 8, 1990, in Meadowview Hospital after a brief illness.

Born in Paris, KY, July 20, 1915, she was the daughter of the late Harvey and Izora Howard Ellison. She was the widow of Garrett (Dick) Pugh. Mrs. Pugh and her husband had owned and operated several businesses for many years in Maysville.

Surviving are one daughter, Lisa Pugh Hufana, of Maysville; three grandchildren, Melinda S. Hufana of Toronta, Ontario, Canada; Richard R. Hufana of Anderson, S.C. and David L. Hufana of Lexington, KY.; a brother, Henry Ellison; three sisters, Flora Mae Smart of Carlisle, Lucy Jolly and Nannie Linville.

She was preceded in death by a son, Gary Pugh, who died in infancy.

Services were held at 3:00 p.m., Tuesday, October 9, 1990, at Knox and Brothers Funeral Home in Maysville.

The Rev. Mary Purcell, rector of the Episcopal Church of the Nativity, officiated at the Judeo - Christian service. Burial was at the Maysville Cemetery.

Pallbearers were: Richard Hufana and David Hufana, grandsons, Joe Allen Smart, nephew and Kenneth Pugh, nephew.

Memorials may be made to the University of Kentucky Child Development Library, 102 Erikson Hall, University of Kentucky, Lexington, KY, 40506.

WASSON

Sue C. Wasson, died October 9, 1990, in a Healthcare Center after an extended illness of over 12 years.

She was a retired office manager for Prudential Insurance Co. She was born in Nicholas Co., daughter of the late George and Sarah Jesse Owings Wasson.

She was a graduate of Little Rock High School, Bourbon Co., and Transylvania College.

surviving are her brother and sister-in-law, Will H. and Mage Wasson, Jacksonville, Fl.; a friend, Virginia Manion, Lexington.

She was preceded in death by a sister, Beulah P. Wasson; and brother Francis S. Wasson.

She was a member of the Christian Church. Private memorial service was held Thursday, October 11, 1990 at the W. R. Milward Mortuary-Broadway with private burial in the Carlisle Cemetery.

If desired, memorials may be made to the University of Kentucky Alzheimer's Research Center, 101 Sanders-Brown Building, Lexington, KY 40536-0230.

Memorials
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What Jesus Taught

By George L. Rogers

The Church of Christ does believe in having music in its worship. To say that it does not is comparable to saying that a man does not have any children just because he has only girls, and not boys. There are two kinds of music, (1) vocal, and (2) instrumental. The Church of Christ does have music in its worship. We could not worship scripturally without music! But to be scriptural worship, the music must be the kind that God has designated us to make, and that is vocal music. (Col. 3:16; Eph 5:19.)

Instruments of music are right within themselves. This is not and never has been the issue. What is right in worship is the issue. Some have argued that what is good in the home is good in worship. Surely they know better than this. Think of all the things in the home that you would not want in worship to God. Ham and eggs are good in the home, but are there any liberal enough to say that ham and eggs would be all right in worship on the Lord's table?

Worship in the Christian age (in the church) must be in spirit and in truth. (John 4:24.) An act of worship can be engages in conscientiously, zealously, and in spirit, and still be wrong because that is not all that must characterize Christian worship. That which is done must be "in truth." What else could this mean except that worship must be done as the truth directs? God's word is the truth. (John 17:17.) All truth was revealed by the apostles, but in revealing all truth they did not tell Christians to use mechanical instruments in worship to God.

There is no record, dear reader, in the New Testament concerning the use of instruments in Christian worship. They were not used for several centuries, according to the best historical records. They were introduced several centuries after the apostles by the apostate church. The fact that the New Testament Christians did not use instruments in worship is not because there were no instrument; it is not because there were none to play them, but it is because God did not want them in Christian worship!

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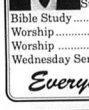

George L. Rogers, Minister

Sunday Services
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Worship..... 11:00 a.m.
Worship..... 6:00 p.m.
Wednesday Service..... 7:00 p.m.

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