

**65.540 Members of authority -- Appointment, terms -- Removal -- Effect of compact.**

- (1) The members of the authority shall be appointed as follows:
  - (a) If the authority is established by a city, such members shall be appointed by the mayor of the city;
  - (b) If the authority is established by a county, such members shall be appointed by the county judge/executive with the approval of the fiscal court;
  - (c) If the authority is established as a joint city-county riverport authority, three (3) members shall be appointed by the mayor and three (3) members by the county judge/executive to the terms as provided in subsection (2) of this section, and in addition, the mayor may appoint himself or a member of the city legislative body as one (1) additional member of the authority and the county judge/executive may appoint himself or a member of the fiscal court as one (1) additional member of the authority for a term of two (2) years, provided that such persons may not serve on the authority after the expiration of their terms as an elected official;
  - (d) If a combination of cities and/or counties establishes a joint riverport authority, the mayors and/or county judges/executive involved shall jointly choose six (6) members to the terms as provided in subsection (2) of this section, and shall jointly choose successors and may upon agreement appoint a mayor or a member of a city legislative body and a county judge/executive or a member of a fiscal court as two (2) additional members of the authority for terms of two (2) years, provided that such persons may not serve on the authority after the expiration of their terms as an elected official.
- (2) Except as provided in subsection (1)(c) and (d) of this section, members of the authority shall serve for a term of four (4) years each, and until their successors are appointed and qualified, provided, however, that initial appointments shall be made so that two (2) members are appointed for two (2) years, two (2) members for three (3) years, and two (2) members for four (4) years. Upon expiration of these staggered terms, successors shall be appointed for a term of four (4) years.
- (3) A riverport authority member may be replaced by the appointing authority for inefficiency, neglect of duty, malfeasance, or conflict of interest. The appointing authority shall submit a written statement to the riverport authority setting forth the reasons for removal, and the statement shall be read at the next authority meeting, which shall be open to the general public. The member so removed shall have the right of appeal in the Circuit Court. Except as provided in subsection (1)(c) and (d) of this section no riverport authority member shall hold any official office with the appointing authority.
- (4) Notwithstanding subsection (2) of this section, when a city of the first class and a county containing such city have in effect a compact under KRS 79.310 to 79.330, the terms of the members of the authority shall be for three (3) years and until their successors are appointed and qualified. Upon the effective date of the compact, the county judge/executive with the approval of the fiscal court shall adjust the terms of

the sitting members so that one-third (1/3) of the terms expire in one (1) year, one-third (1/3) expire in two (2) years, and one-third (1/3) expire in three (3) years. Upon expiration of these staggered terms, successors shall be appointed for a term of three (3) years. Upon the establishment of a consolidated local government in a county where a city of the first class and a county containing that city have had in effect a cooperative compact pursuant to KRS 79.310 to 79.330, all members of the authority shall be appointed by the mayor of the consolidated local government for a term of three (3) years pursuant to the provisions of KRS 67C.139. Incumbent members upon the establishment of the consolidated local government shall continue to serve as members of the authority for the time remaining on their current terms of appointment.

**Effective:** July 15, 2002

**History:** Amended 2002 Ky. Acts ch. 346, sec. 32, effective July 15, 2002. -- Amended 1986 Ky. Acts ch. 77, sec. 8, effective July 15, 1986. -- Amended 1978 Ky. Acts ch. 118, sec. 17, effective June 17, 1978. -- Amended 1976 (1st Extra. Sess.) Ky. Acts ch. 20, sec. 6, effective January 2, 1978. -- Amended 1968 Ky. Acts ch. 118, sec. 4. -- Created 1964 Ky. Acts ch. 48, sec. 2(3), (4), (10).