

**CHAPTER 12****(HB 109)**

AN ACT relating to reorganization.

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

Section 1. KRS 42.013 is amended to read as follows:

- (1) The office of the secretary of the Finance and Administration Cabinet shall include a deputy secretary who shall be appointed by the secretary with the approval of the Governor. The deputy secretary shall be responsible to and have such authority to sign for the secretary as the secretary designates in writing.
- (2) The secretary may organize the office into such additional administrative units as he deems necessary to perform the functions and fulfill the duties of the cabinet, subject to the provisions of KRS Chapter 12. The Office of the Secretary shall include the Office of Technology Operations, *the Office of Legal and Legislative Services, the Office of Management and Budget*, the Customer Resource Center, and the Administrative Policy and Audit Division.
- (3) All appointments under this chapter to positions not in the classified service shall be made pursuant to KRS 12.050, and such appointees shall be major assistants to the secretary and shall assist in the development of policy.

Section 2. KRS 42.014 is amended to read as follows:

- (1) There is established within the cabinet the ~~Office of Legal and Legislative Services, the Office of Management and Budget, the~~ Office of Financial Management, the Office of Capital Plaza Operations, and the Office of the Controller, each of which ~~offices~~ shall be headed by an executive director, the Department for Administration, and the Department for Facilities Management, each of which shall be headed by a commissioner appointed by the secretary, upon the approval of the Governor, and responsible to the secretary. Each of these departments may have at least one (1) major assistant not in the classified service.
- (2) The secretary shall establish the internal organization and assignment of functions which are not established by statute, and shall divide the cabinet into the offices, bureaus, divisions, or other units the secretary deems necessary to perform the functions, powers, and duties of the cabinet, subject to the provisions of KRS Chapter 12.

Section 3. KRS 42.017 is amended to read as follows:

- (1) The Office of Legal and Legislative Services ~~of the cabinet~~ established *within the Office of the Secretary* by *Section 1 of this Act* ~~[KRS 42.014]~~ shall be generally responsible for such functions and duties as the secretary may assign relating to the performance of the cabinet's legal services and legislative liaison functions.
- (2) There shall be included within the Office of Legal and Legislative Services a general counsel, whose appointment shall be made pursuant to KRS 12.210, who shall report to the secretary through the *head* ~~executive director~~ of the Office of Legal and Legislative Services. The Attorney General, on request of the secretary, may designate attorneys in the Office of Legal and Legislative Services as assistant attorneys general as provided in KRS 15.105.

Section 4. KRS 42.018 is amended to read as follows:

- (1) The Office of Management and Budget established *within the Office of the Secretary* by *Section 1 of this Act* ~~[KRS 42.014]~~ shall be responsible for the fiscal, personnel, and payroll functions of the cabinet.
- (2) The Office of Capital Plaza Operations established by KRS 42.014 shall:
  - (a) Be responsible for the operation of the Capital Plaza Civic Center and related facilities in Frankfort, Kentucky; and
  - (b) Provide administrative support to the Capital Development Committee created by KRS 45.001.

Section 5. KRS 12.020 is amended to read as follows:

Departments, program cabinets and their departments, and the respective major administrative bodies that they include are enumerated in this section. It is not intended that this enumeration of administrative bodies be all-inclusive. Every authority, board, bureau, interstate compact, commission, committee, conference, council, office, or any other form of organization shall be included in or attached to the department or program cabinet in which they are included or to which they are attached by statute or statutorily authorized executive order; except in the case of the Personnel Board and where the attached department or administrative body is headed by a constitutionally elected officer, the attachment shall be solely for the purpose of dissemination of information and coordination of activities and shall not include any authority over the functions, personnel, funds, equipment, facilities, or records of the department or administrative body.

I. Cabinet for General Government - Departments headed by elected officers:

1. The Governor.
2. Lieutenant Governor.
3. Department of State.
  - (a) Secretary of State.
  - (b) Board of Elections.
  - (c) Registry of Election Finance.
4. Department of Law.
  - (a) Attorney General.
5. Department of the Treasury.
  - (a) Treasurer.
6. Department of Agriculture.
  - (a) Commissioner of Agriculture.
  - (b) Kentucky Council on Agriculture.
7. Auditor of Public Accounts.

II. Program cabinets headed by appointed officers:

1. Justice Cabinet:
  - (a) Department of State Police.
  - (b) Department of Criminal Justice Training.

- (c) Department of Corrections.
  - (d) Department of Juvenile Justice.
  - (e) Office of the Secretary.
  - (f) Offices of the Deputy Secretaries.
  - (g) Office of General Counsel.
  - (h) Division of Kentucky State Medical Examiners Office.
  - (i) Parole Board.
  - (j) Kentucky State Corrections Commission.
  - (k) Commission on Correction and Community Service.
2. Education, Arts, and Humanities Cabinet:
- (a) Department of Education.
    - (1) Kentucky Board of Education.
  - (b) Department for Libraries and Archives.
  - (c) Kentucky Arts Council.
  - (d) Kentucky Educational Television.
  - (e) Kentucky Historical Society.
  - (f) Kentucky Teachers' Retirement System Board of Trustees.
  - (g) Kentucky Center for the Arts.
  - (h) Kentucky Craft Marketing Program.
  - (i) Kentucky Commission on the Deaf and Hard of Hearing.
  - (j) Governor's Scholars Program.
  - (k) Governor's School for the Arts.
  - (l) Operations and Development Office.
  - (m) Kentucky Heritage Council.
  - (n) Kentucky African-American Heritage Commission.
  - (o) Board of Directors for the Center for School Safety.
3. Natural Resources and Environmental Protection Cabinet:
- (a) Environmental Quality Commission.
  - (b) Kentucky Nature Preserves Commission.
  - (c) Department for Environmental Protection.
  - (d) Department for Natural Resources.
  - (e) Department for Surface Mining Reclamation and Enforcement.
  - (f) Office of Legal Services.
  - (g) Office of Information Services.

- (h) Office of Inspector General.
- 4. Transportation Cabinet:
  - (a) Department of Highways.
    - 1. Office of Program Planning and Management.
    - 2. Office of Project Development.
    - 3. Office of Construction and Operations.
    - 4. Office of Intermodal Programs.
    - 5. Highway District Offices One through Twelve.
  - (b) Department of Vehicle Regulation.
  - (c) Department of Administrative Services.
  - (d) Department of Fiscal Management.
  - (e) Department of Rural and Municipal Aid.
  - (f) Department of Human Resources Management.
  - (g) Office of the Secretary.
  - (h) Office of General Counsel and Legislative Affairs.
  - (i) Office of Public Affairs.
  - (j) Office of Transportation Delivery.
  - (k) Office of Minority Affairs.
  - (l) Office of Policy and Budget.
  - (m) Office of Technology.
  - (n) Office of Quality.
- 5. Cabinet for Economic Development:
  - (a) Department of Administration and Support.
  - (b) Department for Business Development.
  - (c) Department of Financial Incentives.
  - (d) Department of Community Development.
  - (e) Department for Coal County Development.
  - (f) Tobacco Research Board.
  - (g) Kentucky Economic Development Finance Authority.
- 6. Public Protection and Regulation Cabinet:
  - (a) Public Service Commission.
  - (b) Department of Insurance.
  - (c) Department of Housing, Buildings and Construction.
  - (d) Department of Financial Institutions.

- (e) Department of Mines and Minerals.
  - (f) Department of Public Advocacy.
  - (g) Department of Alcoholic Beverage Control.
  - (h) Kentucky Racing Commission.
  - (i) Board of Claims.
  - (j) Crime Victims Compensation Board.
  - (k) Kentucky Board of Tax Appeals.
  - (l) Backside Improvement Commission.
  - (m) Office of Petroleum Storage Tank Environmental Assurance Fund.
  - (n) Department of Charitable Gaming.
  - (o) Mine Safety Review Commission.
7. Cabinet for Families and Children:
- (a) Department for Community Based Services.
  - (b) Department for Disability Determination Services.
  - (c) Public Assistance Appeals Board.
  - (d) Office of the Secretary.
    - (1) Kentucky Commission on Community Volunteerism and Service.
  - (e) Office of the General Counsel.
  - (f) Office of Program Support.
  - (g) Office of Family Resource and Youth Services Centers.
  - (h) Office of Technology Services.
  - (i) Office of the Ombudsman.
  - (j) Office of Performance Enhancement.
8. Cabinet for Health Services.
- (a) Department for Public Health.
  - (b) Department for Medicaid Services.
  - (c) Department for Mental Health and Mental Retardation Services.
  - (d) Kentucky Commission on Children with Special Health Care Needs.
  - (e) Office of Certificate of Need.
  - (f) Office of the Secretary.
  - (g) Office of the General Counsel.
  - (h) Office of Program Support.
  - (i) Office of the Inspector General.
  - (j) Office of Aging Services.

## 9. Finance and Administration Cabinet:

~~(a) Office of Legal and Legislative Services.~~~~(b) Office of Management and Budget.~~~~(c) Office of Financial Management.~~~~(d)~~ Office of the Controller.~~(e)~~ Department for Administration.~~(f)~~ Department of Facilities Management.~~(g)~~ State Property and Buildings Commission.~~(h)~~ Kentucky Pollution Abatement Authority.~~(i)~~ Kentucky Savings Bond Authority.~~(j)~~ Deferred Compensation Systems.~~(k)~~ Office of Equal Employment Opportunity Contract Compliance.~~(l)~~ Office of Capital Plaza Operations.~~(m)~~ County Officials Compensation Board.~~(n)~~ Kentucky Employees Retirement Systems.~~(o)~~ Commonwealth Credit Union.~~(p)~~ State Investment Commission.~~(q)~~ Kentucky Housing Corporation.~~(r)~~ Governmental Services Center.~~(s)~~ Kentucky Local Correctional Facilities Construction Authority.~~(t)~~ Kentucky Turnpike Authority.~~(u)~~ Historic Properties Advisory Commission.~~(v)~~ Kentucky Tobacco Settlement Trust Corporation.~~(w)~~ Eastern Kentucky Exposition Center Corporation.

## 10. Labor Cabinet:

(a) Department of Workplace Standards.

(b) Department of Workers' Claims.

(c) Kentucky Labor-Management Advisory Council.

(d) Occupational Safety and Health Standards Board.

(e) Prevailing Wage Review Board.

(f) Workers' Compensation Board.

(g) Kentucky Employees Insurance Association.

(h) Apprenticeship and Training Council.

(i) State Labor Relations Board.

- (j) Kentucky Occupational Safety and Health Review Commission.
  - (k) Office of Administrative Services.
  - (l) Office of Information Technology.
  - (m) Office of Labor-Management Relations and Mediation.
  - (n) Office of General Counsel.
  - (o) Workers' Compensation Funding Commission.
  - (p) Employers Mutual Insurance Authority.
11. Revenue Cabinet:
- (a) Department of Property Valuation.
  - (b) Department of Tax Administration.
  - (c) Office of Financial and Administrative Services.
  - (d) Department of Law.
  - (e) Department of Information Technology.
  - (f) Office of Taxpayer Ombudsman.
12. Tourism Development Cabinet:
- (a) Department of Travel.
  - (b) Department of Parks.
  - (c) Department of Fish and Wildlife Resources.
  - (d) Kentucky Horse Park Commission.
  - (e) State Fair Board.
  - (f) Office of Administrative Services.
  - (g) Office of General Counsel.
  - (h) Tourism Development Finance Authority.
13. Cabinet for Workforce Development:
- (a) Department for Adult Education and Literacy.
  - (b) Department for Technical Education.
  - (c) Department of Vocational Rehabilitation.
  - (d) Department for the Blind.
  - (e) Department for Employment Services.
  - (f) State Board for Adult and Technical Education.
  - (g) The State Board for Proprietary Education.
  - (h) The Foundation for Adult Education.
  - (i) Department for Training and Reemployment.
  - (j) Office of General Counsel.

- (k) Office of Communication Services.
  - (l) Office of Development and Industry Relations.
  - (m) Office of Workforce Analysis and Research.
  - (n) Office for Administrative Services.
  - (o) Office for Policy and Budget.
  - (p) Office of Personnel Services.
  - (q) Unemployment Insurance Commission.
14. Personnel Cabinet:
- (a) Office of Administrative and Legal Services.
  - (b) Department for Personnel Administration.
  - (c) Department for Employee Relations.
  - (d) Kentucky Public Employees Deferred Compensation Authority.
  - (e) Kentucky Kare.
  - (f) Division of Performance Management.
  - (g) Division of Employee Records.
  - (h) Division of Staffing Services.
  - (i) Division of Classification and Compensation.
  - (j) Division of Employee Benefits.
  - (k) Division of Communications and Recognition.
  - (l) Office of Public Employee Health Insurance.

III. Other departments headed by appointed officers:

1. Department of Military Affairs.
2. Council on Postsecondary Education.
3. Department for Local Government.
4. Kentucky Commission on Human Rights.
5. Kentucky Commission on Women.
6. Department of Veterans' Affairs.
7. Kentucky Commission on Military Affairs.
8. The Governor's Office for Technology.
9. Commission on Small Business Advocacy.
10. Education Professional Standards Board.

Section 6. The General Assembly confirms gubernatorial Executive Order 2001-794, dated June 25, 2001, to the extent it is not otherwise confirmed by Sections 1 to 5 of this Act.

**Approved March 01, 2002**